

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

INSTRUCTION INDEX

BP 6000 SERIES

Number	Type	Title	Adoption/Revision/ Review Date
6000	BP	Concepts and Roles	09/11/90
6010	BP	Instructional Objectives	09/11/90
6020	BP	Parent Involvement	01/24/23
6020	AR	Parent Involvement	01/24/23
6111	BP	School Calendar	09/11/90
6111	AR	School Calendar	02/16/93
6112	BP	School Day	09/11/90
6112.1	BP	School Day – Modified Day	09/11/90
6112.1	AR	School Day – Modified Day	09/11/90
6113	BP	Released Time	09/11/90
6114	BP	Emergencies and Disaster Preparedness Plan	09/11/90
6114.3	BP	Earthquake Emergency Procedure System	09/11/90
6115	BP	Ceremonies and Observances	07/06/99
6115	AR	Ceremonies and Observances	07/06/99
6116	BP	Classroom Interruptions	09/11/90
6116	AR	Classroom Interruptions	09/11/90
6120	BP	Instructional Plans	09/11/90
6121	BP	Instructional Goals	10/09/90
6122	BP	Affirmative Action: Instruction Program	10/09/90
6130	BP	Organizational Plan	10/09/90
6140	BP	Curriculum	10/09/90
6141	BP	Curriculum Development and Evaluation	10/09/90
6141.1	BP	Curriculum Design – Innovative Program	10/09/90
6141.2	BP	Recognition of Religious Beliefs and Customs	10/09/90
6141.3	BP	Bilingual Education	10/09/90
6141.4	BP	Multicultural Education	10/09/90
6142.1	BP	Family Life/Sex Education	10/09/90
6142.1	AR	Family Life/Sex Education	10/09/90
6142.1	E	Family Life/Sex Education	10/09/90
6142.2	BP	AIDS Instruction	10/09/90
6142.3	BP	Science Instruction	10/09/90
6142.4	BP	Community Service	10/09/90
6142.4	AR	Community Service	10/09/90
6142.6	BP	Visual and Performing Arts Education	05/15/07
6143	BP	Courses of Study	10/09/90
6144	BP	Controversial Issues	10/09/90
6145	BP	Participation in Extracurricular and Cocurricular Activities	10/09/90
6145.1	BP	Publications	10/09/90
6145.2	BP	Athletic Competition (formerly Organizations/Associations)	01/10/17
6145.2	AR	Athletic Competition	01/10/17
6145.5	BP	Student Organizations and Equal Access	02/07/17
6145.5	AR	Student Organizations and Equal Access	02/07/17
6146	BP	Elementary School Promotion/Standards of Proficiency	10/09/90
6146.1	BP	Differential Graduation and Competency Standard for Individuals with Exception Needs	10/09/90

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

INSTRUCTION INDEX

BP 6000 SERIES

Number	Type	Title	Adoption/Revision/ Review Date
6150	BP	Instructional Arrangements	10/09/90
6151	BP	Class Size	10/09/90
6152	BP	Student Grouping	10/09/90
6153	BP	School-Sponsored Trips	12/10/13
6153	AR	School-Sponsored Trips	12/10/13
6154	BP	Homework/Makeup Work	01/10/17
6154	AR	Homework/Makeup Work (formerly School-Site Homework Plan)	01/10/17
6157	BP	Distance Learning	07/07/20
6158	BP	Independent Study	10/08/24
6158	AR	Independent Study	10/08/24
6159	BP	Individualized Education Program	09/16/03
6159	AR	Individualized Education Program	06/07/05
6159.1	BP	Procedural Safeguards and Complaints for Special Education	10/20/98
6159.1	AR	Procedural Safeguards and Complaints for Special Education	06/07/05
6159.2	BP	Nonpublic, Nonsectarian School and Agency Services for Special Education	09/07/99
6159.2	AR	Nonpublic, Nonsectarian School and Agency Services for Special Education	05/15/12
6159.3	BP	Appointment of Surrogate Parent for Special Education Students	06/07/05
6159.3	AR	Appointment of Surrogate Parent for Special Education Students	06/07/05
6159.4	AR	Behavioral Interventions for Special Education Students	09/07/99
6160	BP	Instructional Services and Resources	10/09/90
6161	BP	Equipment, Books, and Materials	10/09/90
6161.1	BP	Overdue, Damaged, or Lost Instructional Materials	10/09/90
6161.2	BP	Toxic Art Supplies	10/09/90
6162.1	BP	Instructional Resources for Teachers – Learning Resource Center	10/09/90
6162.1	AR	Instructional Resources for Teachers – Library Book Selection Policy	10/09/90
6162.2	BP	Research/Standardized Testing	10/09/90
6162.3	BP	Use of Copyrighted Materials	10/09/90
6162.5	BP	Student Assessment	03/19/02
6162.5	AR	Student Assessment	10/06/98
6162.51	BP	Standardized Testing and Reporting Program	03/19/02
6162.51	AR	Standardized Testing and Reporting Program	03/19/02
6162.6	BP	Software Copyright	11/05/85
6163	BP	Regulations Relating to the Care of Laboratory Animals	10/23/90
6163.2	BP	Animals at School	11/14/17
6163.2	AR	Animals at School	11/14/17
6163.4	BP	Student Use of Technology	06/19/12
6163.4	AR	Student Use of Technology	06/19/12
6164.2	BP	Guidance Services	10/23/90
6164.3	BP	Psychological Services	10/23/90
6164.4	BP	Identification of Individuals for Special Education	09/16/03
6164.4	AR	Identification of Individuals for Special Education	06/07/05

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

INSTRUCTION INDEX

BP 6000 SERIES

Number	Type	Title	Adoption/Revision/ Review Date
6164.6	BP	Identification and Education under Section 504	03/04/14
6164.6	AR	Identification and Education under Section 504	03/04/14
6171	BP	Title 1 Programs	01/24/23
6171	AR	Title 1 Programs	01/24/23
6172	BP	Gifted and Talented Student Program	09/04/01
6172	AR	Gifted and Talented Student Program	09/04/01
6173	BP	Education for Homeless Children	02/22/22
6173	AR	Education for Homeless Children	02/22/22
6174	BP	Education for English Language Learners	12/13/22
6174	AR	Education for English Language Learners	12/13/22
6174	E	Waiver of English Language Instruction Requirements (form)	01/04
6175	BP	Migrant Children Program	01/22/91
6180	BP	Staff Development	12/18/78
6181	BP	Alternative Schools/Program of Choice	07/07/20
6190	BP	Evaluation of the Instructional Program	02/17/04

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6000

INSTRUCTION

CONCEPTS AND ROLES

The Board of Trustees desires to provide a comprehensive, research-based curriculum that motivates every student to succeed. The District's educational program shall provide students with opportunities to attain the skills, knowledge, and abilities they need to be successful in school and develop to their full potential.

Strategies for improving the educational program shall take into consideration the needs of individual students and subpopulations of students. Students who are failing or are at risk of failing to meet academic standards shall be provided with alternative programs and/or supplemental assistance designed to raise achievement.

Inasmuch as parents/guardians are critical partners in their children's education, parents/guardians shall be provided with opportunities to be meaningfully involved both in support of their children's education program at school and with learning at home.

The Board shall:

1. Establish standards of student achievement for core subjects at each grade level that are aligned with the District's vision for student learning, the specific needs and strengths of the students, the expectations of parents/guardians and the community, and available resources.
2. Establish graduation requirements.
3. Ensure that a process is in place, involving teachers, administrators, students, and parents/guardians, for the development and review of the District's curriculum.
4. Adopt the District curriculum and courses of study to be offered.
5. Adopt textbooks and other instructional materials.
6. Support the professional staff's implementation of the curriculum by providing consistent policy direction, allocating resources based on educational program priorities, ensuring that collective bargaining agreements do not constrain the District's ability to achieve curricular goals, recognizing staff accomplishments, and including reasonable annual goals related to student learning in the Superintendent revaluation process.
7. Provide a continuing program of professional development to keep instructional staff, administrators, and Board members updated about current issues and research pertaining to curriculum, instructional strategies, and student assessment.
8. Review and evaluate the educational program on the basis of state and federal accountability measures, disaggregated student achievement data, and other indicators

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6000

INSTRUCTION

CONCEPTS AND ROLES

and ensure that evaluation results are used to improve programs, curriculum, and/or instructional practices as necessary to enhance student achievement.

9. Communicate clear information about District instructional goals, programs, and progress in student achievement to the community and media.

The Superintendent or designee shall:

1. Review research related to curriculum issues.
2. Select and/or develop curricula for recommendation to the Board in accordance with the District's curriculum development and review process.
3. Ensure the articulation of the curriculum between grade levels and with postsecondary education and the workplace.
4. Determine the general methods of instruction to be used.
5. Assign instructors and schedule classes for all curricular offerings.
6. Recommend instructional materials to the Board and direct the purchase of approved materials and equipment.
7. Evaluate and report to the Board on student achievement as demonstrated through testing and other types of appraisal, and recommend necessary changes in curriculum, programs, and instruction as indicated by student performance data.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6000

INSTRUCTION

CONCEPTS AND ROLES

Comparability in Instruction

The District shall provide comparable educational opportunities for all students. Instruction in the core curriculum shall be in no way diminished when students receive supplementary services funded by special governmental programs. Services funded by an categorical program shall supplement, not supplant, the district-provided core curriculum and any services which may be provided by other categorical programs.

Legal Reference:

EDUCATION CODE

51000-51007 Legislative intent, education program

CODE OF REGULATIONS, TITLE 5

3940 Maintenance of effort

4424 Comparability of services

UNITED STATES CODE, TITLE 20

6321 Fiscal requirements/comparability of services

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Leadership: Curriculum, 1996

WEB SITES

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

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

Policy Adopted: 09/11/90

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6010

INSTRUCTION

INSTRUCTIONAL OBJECTIVES

The administration shall consult with the instructional staff in order to develop and maintain instructional objectives which will be in harmony with the law and the Governing Board's adopted philosophy and goals.

Continuous Progress

Continuous progress education is the curricular design to be utilized in providing quality instructional programs for students. Continuous progress is based on three primary educational tenets:

1. Children do not learn at the same rate
2. Children do not learn with equal ease
3. Children do not learn with equal understanding

Accountability

The Governing Board recognizes the need for continuing qualitative assessment of the progress of the educational program toward its established goals. The Superintendent shall develop and implement indicators and their measurement which may include tests and such other methods as may be recommended by professional judgment.

The Governing Board shall adopt local accountability standards based upon the recommendation of the Superintendent with input from the staff, community, and students. Upon adoption by the Board, the standards shall be incorporated in the instructional objectives.

Legal Reference:

EDUCATION CODE

51000 et seq. Legislative intent for education program

51004 Education goals

51040-51041 Role of local agency

51050-51057 Enforcement of courses of study

51200-51205 Required courses of study (general)

51210-51213 Course of study grades 1 to 6

51215-51219.5 Student progress, elementary secondary schools

51260 et seq. Drug education

GOVERNMENT CODE

3543.2 Scope of representation

Policy Adopted: 09/11/90

INSTRUCTION

Parent Involvement

The Board of Trustees recognizes that parents/guardians are their children's first and most influential teachers and that sustained parent/guardian involvement in the education of their children contributes greatly to student achievement and a positive school environment. The Superintendent or designee shall work with parents/guardians and family members to jointly develop and agree upon policy and strategies to meaningfully involve parents/guardians and family members in District and school activities at all grade levels: advisory, decision-making, and advocacy roles, and activities to support learning at home.

Parents/guardians shall be notified of their rights to be informed about and to participate in their children's education and of the opportunities available for them to do so.

The District's Local Control and Accountability Plan (LCAP) shall include goals and strategies for parent/guardian involvement and family engagement, including District efforts to seek parent/guardian input in District and school site decision-making and to promote parent/guardian participation in programs for English learners, foster youth, students eligible for free and reduced-price meals, and students with disabilities. (Education Code 42238.02)

The Superintendent or designee shall regularly evaluate and report to the Board on the effectiveness of the District's parent/guardian and family engagement efforts, including, but not limited to, input from parents/guardians, family members, and school staff on the adequacy of involvement opportunities and on barriers that may inhibit participation.

Title I Schools

The Superintendent or designee shall involve parents/guardians and family members in establishing expectations and objectives for meaningful parent/guardian and family engagement in schools supported by Title I funding, developing strategies that describe how the District will carry out each activity listed in 20 USC 6318, as contained in the accompanying Administrative Regulation, and implementing and evaluating such programs, activities, and procedures. As appropriate, the Superintendent or designee shall conduct outreach to all parents/guardians and family members.

When the District's Title I, Part A allocation exceeds the amount specified in 20 USC 6318, the Board shall reserve at least one percent of the funding to implement parent/guardian and family engagement activities and shall distribute at least 90 percent of those reserved funds to eligible schools, with priority given to high-need schools as defined in 20 USC 6631. The Superintendent or designee shall involve parents/guardians and family members of participating students in decisions regarding how the District's Title I funds will be allotted for parent/guardian and family engagement activities.

Expenditures of such funds shall be consistent with the activities specified in this policy and shall include at least one of the following:

INSTRUCTION

Parent Involvement

Title I Schools (continued)

1. Support for schools and nonprofit organizations in providing professional development for District and school staff regarding parent/guardian and family engagement strategies, which may be provided jointly to teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, early childhood educators, and parents/guardians and family members.
2. Support for programs that reach parents/guardians and family members at home, in the community, and at school.
3. Dissemination of information on best practices focused on parent/guardian and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents/guardians and family members.
4. Collaboration, or the provision of subgrants to schools to enable collaboration, with community-based or other organizations or employers with a record of success in improving and increasing parent/guardian and family engagement.
5. Any other activities and strategies that the District determines are appropriate and consistent with this policy.

If the District also receives funds under federal Title IV, Part E, to coordinate and enhance family engagement programs, the Superintendent or designee shall inform parents/guardians and organizations of the existence of Title IV. The District's Board Policy and Administrative Regulation containing parent/guardian and family engagement strategies shall be incorporated into the District's LCAP in accordance with 20 USC 6312.

The Superintendent or designee shall ensure that each school receiving Title I funds develops a school-level parent/guardian and family engagement policy in accordance with 20 USC 6318.

District and school-level parent/guardian and family engagement policies and administrative regulations shall be distributed to parents/guardians of students participating in Title I programs and shall be available to the local community. Parents/guardians shall be notified of the policy in an understandable and uniform format and, to the extent practicable, provided in a language the parents/guardians can understand.

Non-Title I Schools

The Superintendent or designee shall develop and implement strategies applicable to each school that does not receive federal Title I funds to encourage the involvement and support of parents/guardians in the education of their children, including, but not limited to, strategies describing how the District and schools will address the purposes and goals described in Education Code 11502.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6020

INSTRUCTION

Parent Involvement

Legal Reference:

EDUCATION CODE

11500-11505 Programs to encourage parent involvement 48985 Notices in languages other than English

51101 Parent Rights Act of 2002

52060-52077 Local control and accountability plan

54444.1-54444.2 Parent advisory councils, services to migrant children

56190-56194 Community advisory committee, special education

64001 Single plan for student achievement; consolidated application programs

LABOR CODE

230.8 Time off to visit child's school

UNITED STATES CODE. TITLE 20

6311 Parental notice of teacher qualifications and student achievement

6312 Local educational agency plan

6314 Schoolwide programs

6318 Parent involvement

6631 Teacher and school leader incentive program, purposes and definitions

CODE OF FEDERAL REGULATIONS TITLE 28

35.104 Definitions, auxiliary aids and services

35.160 Effective communications for individuals with disabilities

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Family Engagement Framework: A Tool for California School Districts
2014

Title I School-Level Parental Involvement Policy

U.S. DEPARTMENT OF EDUCATION PUBLICATION

Parental Involvement: Title I, Part A, April 23, 2004 WEBSITES

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

California Department of Education, Family, School, Community Partnerships: <http://www.cde.ca.gov/ls/lpf>

California Parent Center: <http://parent.sdsu.edu>

California State PTA: <http://www.capta.org>

National Coalition/or-Parent Involvement in Education: <http://www.ncpie.org> National PTA:
<http://www.pta.org>

Parent Information and Resource Centers: <http://www.pirc-info.net> Parents as Teachers National Center:
<http://www.parentsasteachers.org>

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

Policy Adopted: 09/11/90
Policy Revised: 06/19/07
Policy Revised: 01/24/23

ADMINISTRATIVE REGULATION

AR 6020

INSTRUCTION

Parent Involvement

District Strategies for Title I Schools

To ensure that parents/guardians and family members of students participating in Title I programs are provided with opportunities to be involved in their children's education, the District shall:

1. Involve parents/guardians and family members in the joint development of a District plan that meets the requirements of 20 USC 6312 and in the development of school support and improvement plans pursuant to 20 USC 6311. (20 USC 6318)

The Superintendent or designee may:

- a. In accordance with Education Code 52063, establish a District-level parent advisory committee and, as applicable, an English learner parent advisory committee to review and comment on the District's Local Control and Accountability Plan (LCAP) in accordance with the review schedule established by the Board of Trustees.
 - b. Invite input on the plan from other District committees and school site councils.
 - c. Communicate with parents/guardians through the District newsletter, web site, or other methods regarding the plan and the opportunity to provide input.
 - d. Provide copies of working drafts of the plan to parents/guardians in an understandable and uniform format and, to the extent practicable, in a language the parents/guardians can understand.
 - e. Ensure that there is an opportunity at a public Board meeting for public comment on the plan prior to the Board's approval of the plan or revisions to the plan.
 - f. Ensure that school-level policies on parent/guardian and family engagement address the role of school site councils and other parents/guardians as appropriate in the development and review of school plans.
2. Provide coordination, technical assistance, and other support necessary to assist and build the capacity of Title I schools in planning and implementing effective parent/guardian and family engagement activities to improve student academic achievement and school performance, which may include meaningful consultation with employers, business leaders, and philanthropic organizations or individuals with

ADMINISTRATIVE REGULATION

AR 6020

INSTRUCTION

Parent Involvement

District Strategies for Title I Schools (continued)

expertise in effectively engaging parents/guardians and family members in education. (20 USC 6318)

The Superintendent or designee may:

- a. Assign District personnel to serve as a liaison to the schools regarding Title I parent/guardian and family engagement issues.
 - b. Identify funding and other resources, including community resources and services, that may be used to strengthen District and school parent/guardian and family engagement programs.
 - c. Provide training for the principal or designee of each participating school regarding Title I requirements for parent/guardian and family engagement, leadership strategies, and communication skills to assist in facilitating the planning and implementation of related activities.
 - d. With the assistance of parents/guardians, provide information and training to teachers and other staff regarding effective parent/guardian involvement practices and legal requirements.
 - e. Provide information to schools about the indicators and assessment tools that will be used to monitor progress.
3. To the extent feasible and appropriate, coordinate and integrate Title I parent/guardian and family engagement strategies with parent/guardian and family engagement strategies of other relevant federal, state, and local programs and ensure consistency with federal, state, and local laws (20 USC 6318)

The Superintendent or designee may:

- a. Identify overlapping or similar program requirements.
- b. Involve District and school site representatives from other programs to assist in identifying specific population needs.

ADMINISTRATIVE REGULATION

AR 6020

INSTRUCTION

Parent Involvement

District Strategies for Title I Schools (continued)

- c. Schedule joint meetings with representatives from related programs and share data and information across programs.
 - d. Develop a cohesive, coordinated plan focused on student needs and shared goals.
4. Conduct, with meaningful involvement of parents/guardians and family members, an annual evaluation of the content and effectiveness of the parent/guardian and family engagement policy in improving the academic quality of the schools served by Title I, including identification of: (20 USC 6318)
- a. Barriers to greater participation in parent/guardian and family engagement activities, with particular attention to parents/guardians who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background.
 - b. The needs of parents/guardians and family members, so they can better assist with their children's learning and engage with school personnel and teachers.
 - c. Strategies to support successful school and family interactions.

The Superintendent or designee may:

- a. Use a variety of methods, such as focus groups, surveys, and workshops, to evaluate the satisfaction of parents/guardians and staff with the quality and frequency of District communications.
- b. Gather and monitor data regarding the number of parents/guardians and family members participating in District activities and the types of activities in which they are engaged.
- c. Recommend to the Board measures to evaluate the impact of the District's parent/guardian and family engagement efforts on student achievement.

The Superintendent or designee shall notify parents/guardians of this review and assessment through regular school communications mechanisms and shall provide a copy of the assessment to parents/guardians upon their request. (Education Code 11503)

ADMINISTRATIVE REGULATION

AR 6020

INSTRUCTION

Parent Involvement

District Strategies for Title I Schools (continued)

5. Use the findings of the evaluation conducted pursuant to item #4 above to design evidence-based strategies for more effective parent/guardian and family involvement and, if necessary, to revise the parent/guardian and family engagement policy. (20 USC 6318)

The Superintendent or designee may:

- a. Analyze data from the evaluation to identify parent/guardian and family engagement activities that have been successful and those activities that have had lower participation or less meaningful involvement by parents/guardians.
 - b. Analyze parent/guardian and family participation to determine the level of participation by traditionally underrepresented groups.
 - c. With the involvement of parents/guardians, recommend and draft proposed policy revisions to submit to the Board for consideration.
6. Involve parents/guardians in the activities of schools served by Title I, which may include establishing a parent advisory board comprised of a sufficient number and representative group of parents/guardians or family members served by the District to adequately represent the needs of the population served by the District for the purposes of developing, revising, and reviewing the parent/guardian and family engagement policy. (20 USC 6318)

The Superintendent or designee may:

- a. Include information about school activities in District communications to parents/guardians and family members.
- b. To the extent practicable, assist schools with translation services or other accommodations needed to encourage participation of parents/guardians and family members.
- c. Establish processes to encourage parent/guardian input regarding their expectations and concerns for their children.

ADMINISTRATIVE REGULATION

AR 6020

INSTRUCTION

Parent Involvement

District Strategies for Title I Schools (continued)

In addition, the District shall promote the effective involvement of parents/guardians and support a partnership among the school, parents/guardians, and the community to improve student achievement by implementing the actions specified in item #7 of the section "School-Level Policies for Title I Schools" below. (20 USC 6318)

School-Level Policies for Title I Schools

At each school receiving Title I funds, a written policy on parent/guardian and family engagement shall be developed jointly with the parents/guardians and family members of participating students. The school policy shall describe the means by which the school will: (20 USC 6318)

1. Convene an annual meeting, at a convenient time, to which all parents/guardians of participating students shall be invited and encouraged to attend, in order to inform parents/guardians of their school's participation in Title I and to explain Title I requirements and the right of parents/guardians to be involved.
2. Offer a flexible number of meetings, such as meetings in the morning or evening, for which related transportation, child care, and/or home visits may be provided as such services relate to parent/guardian involvement.
3. Involve parents/guardians in an organized, ongoing, and timely way in the planning, review, and improvement of Title I programs, including the planning, review, and improvement of the school's parent/guardian and family engagement policy and, if applicable, the joint development of the plan for schoolwide programs pursuant to 20 USC 6314.

The school may use an existing process for involving parents/guardians in the joint planning and design of the school's programs provided that the process includes adequate representation of parents/guardians of participating students.

4. Provide the parents/guardians of participating students all of the following:
 - a. Timely information about Title I programs.
 - b. A description and explanation of the school's curriculum, forms of academic assessment used to measure student progress, and the achievement levels of the state academic standards.

ADMINISTRATIVE REGULATION

AR 6020

INSTRUCTION

Parent Involvement

School-Level Policies for Title I Schools (continued)

- c. If requested by parents/guardians, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions related to their children's education. The District shall respond to any such suggestions as soon as practicably possible.
 - d. A description and explanation of the school's curriculum, forms of academic assessment used to measure student progress, and the achievement levels of the state academic standards.
 - e. If requested by parents/guardians, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions related to their children's education. The District shall respond to any such suggestions as soon as practicably possible.
5. If the schoolwide program plan is not satisfactory to the parents/guardians of participating students, submit any parent/guardian comments when the school makes the plan available to the District.
6. Jointly develop with the parents/guardians of participating students a school-parent compact that outlines how parents/guardians, the entire school staff, and students will share responsibility for improved student academic achievement and the means by which the school and parents/guardians will build a partnership to help students achieve state standards.

This compact shall address:

- a. The school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables participating students to achieve the state's challenging academic achievement standards.
- b. Ways in which parents/guardians will be responsible for supporting their children's learning, volunteering in the classroom, and participating, as appropriate, in decisions related to their children's education and the positive use of extracurricular time.
- c. The importance of communication between teachers and parents/guardians on an ongoing basis through, at a minimum:
 - i. Parent-teacher conferences in elementary schools, at least annually, during which the compact shall be discussed as it relates to the student's achievement.
 - ii. Frequent reports to parents/guardians on their children's progress.

ADMINISTRATIVE REGULATION

AR 6020

INSTRUCTION

Parent Involvement

School-Level Policies for Title I Schools (continued)

- iii. Reasonable access to staff, opportunities to volunteer and participate in their child's classroom, and observation of classroom activities.
 - iv. Regular two-way, meaningful communication between family members and school staff, and, to the extent practicable, in a language that family members can understand.
7. Promote the effective involvement of parents/guardians and support a partnership among the school, parents/guardians, and the community to improve student achievement through the following actions:
- a. Assist parents/guardians in understanding such topics as the state academic standards, state and local academic assessments, the requirements of Title I, and how to monitor a child's progress and work with educators to improve the achievement of their children.
 - b. Provide parents/guardians with materials and training, such as literacy training and using technology (including education about the harms of copyright piracy), as appropriate, to help them work with their children to improve their children's achievement.
 - c. With the assistance of parents/guardians, educate teachers, specialized instructional support personnel, principals and other school leaders, and other staff, in the value and utility of parent/guardian contributions and in how to reach out to, communicate with, and work with parents/guardians as equal partners, implement and coordinate parent/guardian programs, and build ties between parents/guardians and the schools.
 - d. To the extent feasible and appropriate, coordinate and integrate parent/guardian involvement programs and activities with other federal, state, and local programs, including public preschool programs, and conduct other activities, such as parent resource centers, that encourage and support parents/guardians in fully participating in their children's education.
 - e. Ensure that information related to school and parent/guardian programs, meetings, and other activities is sent to the parents/guardians of participating students in a format and, to the extent practicable, in a language the parents/guardians can understand.
 - f. Provide other such reasonable support for parent/guardian involvement activities as parents/guardians may request.

ADMINISTRATIVE REGULATION

AR 6020

INSTRUCTION

Parent Involvement

School-Level Policies for Title I Schools (continued)

In addition, the school plan may include strategies to:

- a. Involve parents/guardians in the development of training for teachers, principals, and other educators to improve the effectiveness of such training.
- b. Provide necessary literacy training, using Title I funds if the District has exhausted all other reasonably available sources of funding for such training.
- c. Pay reasonable and necessary expenses associated with parent/guardian involvement activities, including transportation and child care costs, to enable parents/guardians to participate in school-related meetings and training sessions.
- d. Educate parents/guardians to enhance the involvement of other parents/guardians.
- e. Arrange school meetings at a variety of times or, when parents/guardians are unable to attend such conferences, conduct in-home conferences between parents/guardians and teachers or other educators who work directly with participating students, in order to maximize parent/guardian involvement and participation.
- f. Adopt and implement model approaches to improving parent/guardian involvement.
- g. Establish a parent advisory council to provide advice on all matters related to parent/guardian involvement in Title I programs.
- h. Develop appropriate roles for community-based organizations and businesses in parent/guardian involvement activities.
- i. Make referrals to community agencies and organizations that offer literacy training, parent/guardian education programs, and/or other services that help to improve the conditions of parents/guardians and families.
- j. Provide a master calendar of District/school activities and meetings.
- k. Provide information about opportunities for parent/guardian and family engagement through the District newsletter, web site, or other written or electronic means.

ADMINISTRATIVE REGULATION

AR 6020

INSTRUCTION

Parent Involvement

School-Level Policies for Title I Schools (continued)

- l. Engage parent-teacher organizations to actively seek out and involve parents/guardians through regular communication updates and information sessions.
 - m. To the extent practicable, provide translation services at school sites and at meetings involving parents/guardians and family members as needed.
 - n. Provide training and information to members of District and school site councils and advisory committees to help them fulfill their functions.
 - o. Provide ongoing workshops to assist school site staff, parents/guardians, and family members in planning and implementing improvement strategies, and seek their input in developing the workshops.
 - p. Regularly evaluate the effectiveness of staff development activities related to parent/guardian and family engagement.
 - q. Include expectations for parent/guardian outreach and involvement in staff job descriptions and evaluations.
8. To the extent practicable, provide opportunities for the informed participation of parents/guardians and family members (including parents/guardians and family members with limited English proficiency, parents/guardians and family members with disabilities, and parents/guardians and family members of migrant children), including providing information and school reports required under 20 USC 6311(h) in a format and language such parents/guardians can understand.

If the school has a parent involvement policy that applies to all parents/guardians, it may amend that policy to meet the above requirements. (20 USC 6318)

Each school receiving Title I funds shall annually evaluate the effectiveness of its parent/guardian and family engagement policy. Such evaluation may be conducted during the process of reviewing the school plan for student achievement in accordance with Education Code 64001.

The school's policy shall be periodically updated to meet the changing needs of parents/guardians and the school. (20 USC 6318)

ADMINISTRATIVE REGULATION

AR 6020

INSTRUCTION

Parent Involvement

District Strategies for Non-Title I Schools

For each school that does not receive federal Title I funds, the Superintendent or designee shall, at a minimum:

1. Engage parents/guardians and family members positively in their children's education by providing assistance and training on topics such as state academic standards and assessments to increase their knowledge and skills to use at home to support their children's academic efforts at school and their children's development as responsible members of society. (Education Code 11502, 11504)

The Superintendent or designee may:

- a. Provide or make referrals to literacy training and/or parent education programs designed to improve the skills of parents/guardians and enhance their ability to support their children's education.
 - b. Provide information, in parent handbooks and through other appropriate means, regarding academic expectations and resources to assist with the subject matter.
 - c. Provide parents/guardians with information about students' class assignments and homework assignments.
2. Inform parents/guardians that they can directly affect the success of their children's learning, by providing them with techniques and strategies that they may use to improve their children's academic success and to assist their children in learning at home. (Education Code 11502, 11504)

The Superintendent or designee may:

- a. Provide parents/guardians with information regarding ways to create an effective study environment for their children at home and to encourage good study habits.
- b. Encourage parents/guardians to monitor their children's school attendance, homework completion, and television viewing.
- c. Encourage parents/guardians to volunteer in their child's classroom and to participate in school advisory committees.

ADMINISTRATIVE REGULATION

AR 6020

INSTRUCTION

Parent Involvement

District Strategies for Non-Title I Schools (continued)

3. Build consistent and effective two-way communication between the home and school so that parents/guardians and family members may know when and how to assist their children in support of classroom learning activities. (Education Code 11502, 11504)

The Superintendent or designee may:

- a. Ensure that teachers provide frequent reports to parents/guardians on their children's progress and hold parent-teacher conferences at least once per year with parents/guardians of elementary school students.
 - b. Provide opportunities for parents/guardians to observe classroom activities and to volunteer in their child's classroom.
 - c. Provide information about parent/guardian and family engagement opportunities through District, school, and/or class newsletters, the District's web site, and other written or electronic communications.
 - d. To the extent practicable, provide notices and information to parents/guardians in a format and language they can understand.
 - e. Develop mechanisms to encourage parent/guardian input on District and school issues.
 - f. Identify barriers to parent/guardian and family participation in school activities, including parents/guardians and family members who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background.
 - g. Encourage greater parent/guardian participation by adjusting meeting schedules to accommodate parent/guardian needs and, to the extent practicable, by providing translation or interpreter services, transportation, and/or child care.
4. Train teachers, administrators, specialized instructional support personnel, and other staff to communicate effectively with parents/guardians as equal partners. (Education Code 11502, 11504)

ADMINISTRATIVE REGULATION

AR 6020

INSTRUCTION

Parent Involvement

District Strategies for Non-Title I Schools (continued)

The Superintendent or designee may:

- a. Provide staff development to assist staff in strengthening two-way communications with parents/guardians, including parents/guardians who have limited English proficiency or limited literacy.
 - b. Invite input from parents/guardians regarding the content of staff development activities pertaining to home-school communications.
5. Integrate and coordinate parent/guardian and family engagement activities within the LCAP with other activities.

The Superintendent or designee may:

- a. Include parent/guardian and family engagement strategies in school reform or school improvement initiatives.
- b. Involve parents/guardians and family members in school planning processes.

Regulation Adopted: 01/24/23

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6111

INSTRUCTION

SCHOOL CALENDAR

For each District school, the Board of Trustees shall adopt a school calendar that meets the requirements of law as well as the needs of the community, students, and the work year as negotiated with the District's employee organizations. As appropriate, the Superintendent or designee shall ensure that the proposed calendar is aligned with assessment and accountability schedules in order to support the District's goals for student achievement.

Each school calendar shall show the beginning and ending school dates, legal and local holidays, staff development days, orientation days, minimum days, vacation periods, and other pertinent dates.

The District shall offer 180 days of instruction per school year, except for any school year in which the District and employee organizations agree to have fewer days of instruction pursuant to the authorization in Education Code 46201.2.

Staff development days shall not be counted as instructional days.

Notification of the schedule of minimum days shall be sent to all parents/guardians at the beginning of the school year. If any minimum days are added to the schedule, the Superintendent or designee shall notify parents/guardians of the affected students as soon as possible and at least one month before the scheduled minimum days. (Education Code 48980)

If a school will be used as a polling place on an election day, the Board shall determine whether to continue school in session, designate the date for staff training and development, or close the school to students and nonclassified staff. (Elections Code 12283)

Legal Reference:

EDUCATION CODE

37200-37202 School calendar

37220-37223 Holidays

37252-37254.1 Summer school

37300-37307 Year-Round School Demonstration Project

37600-37672 Continuous school programs; year-round schools, especially:

37618 School calendar

37700-37711 Four-day week

41422 Schools not maintained for 175 days

46200-46206 Incentives for longer instructional day and year

46300 Method of computing ADA

48980 Notice at beginning of term

REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS

44579-44579.6 Instructional Time and Staff Development Reform Program

ELECTIONS CODE

12283 School closures, election days

COURT DECISIONS

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6111

INSTRUCTION

SCHOOL CALENDAR

Butt v. State of California, (1992) 4 Cal 4th 668
PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS
Davis Joint Unified School District, (1984) PERB Decision No. 474

Management Resources:

WEB SITES

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

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

California Public Employment Relations Board: <http://www.perb.ca.gov>

Secretary of State's Office: <http://www.ss.ca.gov>

Policy Revised: 09/11/90

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 6111

INSTRUCTION

SCHOOL CALENDAR

Utilizing the latitude granted by Education Code 37220 (e), the establishment of school holidays will be based on the following guidelines:

1. District calendars are within the scope of representation and as such, will be subject to negotiations.
2. All observed holidays will take into consideration the needs of students, their parents, and the community.
3. Whenever possible, the legally designated day for the holiday will be utilized.
4. Whenever possible, semesters will end on days other than Mondays or Tuesdays.
5. Designated holidays will be scheduled so as to maximize attendance by students.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 6111

INSTRUCTION

SCHOOL CALENDAR

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OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6112

INSTRUCTION

SCHOOL DAY

The Board of Trustees shall fix the length of the school day subject to the provisions of law. (Education Code 46100)

The length of the school day shall apply equally to students with disabilities unless otherwise specified in the student's individualized education program or Section 504 plan.

The schedule for elementary schools shall include at least one daily period of recess of at least 20 minutes in length in order to provide students with unstructured but supervised opportunities for physical activity.

In establishing the daily instructional schedule for each secondary school, the Superintendent or designee shall give consideration to course requirements and curricular demands, availability of school facilities, and applicable legal requirements.

The Board encourages flexibility in scheduling so as to provide longer time blocks or class periods when appropriate and desirable to support student learning, provide more intensive study of core academic subjects or extended exploration of complex topics, and reduce transition time between classes.

Prior to implementing a block schedule program in which secondary students attend class for fewer school days, the Board shall consult with the certificated and classified employees of the school in a good faith effort to reach agreement and shall also consult with parents/ guardians of the students who would be affected by the change and the community at large. Such consultation shall include at least one public hearing for which the Board has given adequate notice to the employees and to the parents/guardians of affected students. (Education Code 46162)

Legal Reference:

EDUCATION CODE

8970-8974 Early primary program, including extended-day kindergarten
37202 Equal time in all schools
37670 Year-round schools
46010 Total days of attendance
46100 Length of school day
46110 – 46119 Kindergarten and elementary schools, day of attendance
46140 – 46147 Junior high school and high school, day of attendance
46160 – 46142 Alternative schedule – junior high and high school
46170 Continuation schools, minimum day
46180 Opportunity schools, minimum day
46190-46192 Adult education classes, day of attendance
46200 – 46206 Incentives for longer instructional day and year
48200 Compulsory attendance for minimum school day
48663 Community day school, minimum school day
48800-48802 Concurrent enrollment in community college
51222 Physical education, instructional minutes

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6112

INSTRUCTION

SCHOOL DAY

51760-51769.5 *Work experience education*
52325 *Regional occupational center, minimum day*

Management Resources:

NATIONAL ASSOCIATION FOR SPORT AND PHYSICAL EDUCATION POSITION STATEMENTS

Recess for Elementary school Students, 2006

STATE BOARD OF EDUCATION POLICY STATEMENTS

99-03 Physical Education (PE) Requirements for Block Schedules, July 2006

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Extending Learning Time for Disadvantaged Students, August 1995

WEST ED PUBLICATIONS

Full-Day Kindergarten: Expanding Learning Opportunities, Policy Brief, April 2005

WEB SITES

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

National Association for Sport and Physical Education: <http://www.aahperd.org/naspe>

State Board of Education: <http://www.cde.ca.gov/re/lr/wr/waiverpolicies.asp>

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

WestEd: <http://www.wested.org>

Policy Revised: 09/11/90

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6112.1

INSTRUCTION

SCHOOL DAY – MODIFIED DAY

It shall be the responsibility of the superintendent to provide each school with the opportunity to implement a “Modified Day” schedule in accordance with district administrative guidelines.

Revised: 09/11/90

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 6112.1

INSTRUCTION

SCHOOL DAY – MODIFIED DAY

Utilizing the individual school decision-making model, individual school staffs will use the following guidelines in implementing the Modified Day Schedule.

1. Modified Day Schedule is optional and should be the decision of the school staff.
2. Total number of instructional minutes shall not be reduced.
3. Provide community with purpose and orientation of Modified Day Schedule.
4. Implemented the first week of school for the school year.
5. Teacher's professional day remains the same on Modified day
6. The Modified Day Schedule is time for teachers to plan together for the continuous progress of students.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6113

INSTRUCTION

RELEASED TIME

The Governing Board authorizes students, with the written consent of their parents, to receive moral or religious instruction at a suitable place away from the school designated by the religious group.

Students shall be excused from school for such purposes no more than one hour per week and in each case the student so excused shall attend school at least the legal minimum school day.

The superintendent is instructed to establish regulations governing the attendance of pupils at such instruction and the reporting thereof.

Legal Reference:

EDUCATION CODE

46014 Regulations regarding absences for religious purposes

48980 Required notification of rights

44806 Duty concerning instruction of pupils concerning morals, manners, and citizenship

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6114

INSTRUCTION

EMERGENCIES AND DISASTER PREPAREDNESS PLAN

All district staff and students must be prepared to respond quickly and responsibly to emergencies, disasters, and events which threaten to result in a disaster.

The Superintendent or designee shall develop and maintain a disaster preparedness plan which details provisions for handling all foreseeable emergencies and disasters. This plan shall be reviewed and updated at least annually.

Principals shall augment the district plan with working plans and procedures specific to each school building. All students and employees shall receive instruction regarding these plans.

The Superintendent or designee shall consult with city and/or county agencies so that district and site plans may provide the best possible way of handling each situation and also provide for emergency communications systems between these agencies and each district school.

District and site plans shall address at least the following situations:

1. Fire in a building.
2. Fire from an external source, such as a forest, brush or grass.
3. Enemy attack by land, sea or air.
4. Bomb threat or actual detonation.
5. Natural disasters, i.e., floods, heavy snows, blizzards, torrential rains, earthquakes, tornados.
6. Man-made disasters, i.e., smog, riots, airplane crashes, chemical accidents.
7. Attack or disturbance by criminal or insane individuals or groups.

The Superintendent or designee may provide a plan which allows bus seating capacity limits to be exceeded when a disaster or hazard requires students to be moved immediately to ensure their safety. (Education Code 39834)

The Board shall grant the use of school buildings, grounds and equipment to public agencies, including the American Red Cross, for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The board shall cooperate with such agencies in furnishing and maintaining whatever services it deems necessary to meet the community's needs. (Education Code 40041.5)

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6114

INSTRUCTION

EMERGENCIES AND DISASTER PREPAREDNESS PLAN

Emergencies and Disaster Preparedness Plan (continued)

Disaster simulation exercises shall be held annually at each school site and shall demonstrate how safety procedures may be applied to various types of emergencies.

The Board encourages all employees to become proficient in first aid and cardiopulmonary resuscitation. Each principal shall ascertain that at least one staff member at each school holds a valid certificate in these areas. The Superintendent or designee shall provide for CPR inservice training to be offered at least once a year for district staff.

Legal Reference:

EDUCATION CODE

32000 – 32004 *Uniform fire signals (with requirement that every school building with capacity of 50 or more students be provided with a fire warning system)*

32040 *Duty to equip school with first aid kit*

3220 *Liability of employees for civil damage for injury during fire or other drill (shall not be held personally liable unless negligence or willful act of employee is proven)*

35295 – 35297 *Earthquake emergency procedures*

39834 *Operating overloaded bus*

40041.5 *Mass care and welfare shelters*

46390 – 46392 *Emergency average daily attendance in case of disaster*

CODES OF REGULATIONS, TITLE 5

550 *Fire drills*

560 *Civil defense and disaster preparedness plans*

GOVERNMENT CODE

3100 *Public employees as disaster service workers*

Revised: 09/11/90

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6114.3

INSTRUCTION

EARTHQUAKE EMERGENCY PROCEDURE SYSTEM

Earthquakes occur without warning. For their safety, children shall be taught methods of protecting themselves.

The Superintendent or designee shall establish an emergency procedure system to be followed in case of earthquakes. This system shall include, but not be limited to, the following:

1. A school building disaster plan, ready for implementation at any time, for maintaining the safety and care of students and staff. This plan should outline roles, responsibilities and procedures for students and staff.
2. A DROP procedure, whereby each student and staff member takes cover under a table or desk, drops to the knees, protects the head with arms, and faces away from the window.
3. Protective measures to be taken before, during and after an earthquake.
4. A training program to ensure that all students and all certificated and classified staff are aware of, and properly skilled in, the earthquake emergency procedure system. (Education Code 35297)

Drop procedures shall be practiced at least once each school quarter in elementary schools and at least once each semester in secondary schools.
(Education Code 35297)

Legal Reference:

EDUCATION CODE

35295 – 35297 *Emergency earth quake procedures*

Approved: 09/11/90

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6115

INSTRUCTION

CEREMONIES AND OBSERVANCES

The Board of Trustees recognizes the importance of having students observe holidays, celebrate events of cultural or historical significance, and acknowledge the contributions of outstanding individuals in society. On days designated by the Board, staff shall provide students with appropriate commemorative exercises so that they may acquire the knowledge, skills, and principles essential for informed, responsible citizenship in a democratic society.

Legal Reference:

EDUCATION CODE

37220-37223 Saturdays and holidays

44015.1 Week of the School Administrator

45203 Paid holidays

45460 Classified Employee Week

52720 Daily performance of patriotic exercises in public schools

52730 Patriotic exercises, daily instruction

GOVERNMENT CODE

430-439 Display of flags

3540-3549.3 Meeting and negotiating

UNITED STATES CODE, TITLE 4

6 Time and occasion for display of flag

7 Position and manner of display of flag

UNITED STATES CODE, TITLE 36

106 Note Constitution Day and Citizenship Day

COURT DECISIONS

West Virginia State Board of Education et al v. Barnette et al, 319 U.S. 624 (1943)

Management Resources:

CSBA PUBLICATIONS

Constitution Day: New Mandate for Districts Receiving Federal Funds, CSBA Advisory, August 2005

FEDERAL REGISTER

70 Fed. Reg. 29727 Constitution Day and Citizenship Day (2005)

WEB SITES

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

California Department of Education, History/Social Science Instructional Materials: <http://www.cde.ca.gov/ci/hs/im>

Policy Revised: 09/11/90

Policy Revised: 07/06/99

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 6115

INSTRUCTION

CEREMONIES AND OBSERVANCES

Holidays

District schools shall be closed in observance of the following holidays:

New Year's Day	January 1
Dr. Martin Luther King Jr. Day	Third Monday in January or the Monday or Friday of the week in which January 15 occurs
Lincoln Day	The Monday or Friday of the week in which February 12 occurs
Washington Day	Third Monday in February
Cesar Chavez Day	March 31, if agreement reached pursuant to Government Code 3540-3549.3
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Native American Day	Fourth Friday in September, if agreement reached pursuant to Government Code 3540-3549.3
Veteran's Day	November 11
Thanksgiving Day	That Thursday in November designated by the President
Christmas Day	December 25

Holidays which fall on a Sunday shall be observed the following Monday. Holidays which fall on a Saturday shall be observed the preceding Friday. If any of the above holidays occurs under federal law on a date different from that indicated above, the Board may close the schools on the date recognized by federal law instead of the date above. (Education Code 37220)

Commemorative Exercises

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 6115

INSTRUCTION

CEREMONIES AND OBSERVANCES

District schools shall hold exercises to commemorate the following special days:

U.S. Constitution Day	On or near September 17
Dr. Martin Luther King Jr., Day	The Friday before the day schools are closed for this holiday
Lincoln's Birthday	The school day before the day schools are closed for this holiday
Susan B. Anthony Day	February 15
George Washington's Birthday	The Friday preceding the third Monday in February
Black American Day	March 5
Conservation, Bird and Arbor Day	March 7
Classified Employee Week	Third Week in May
Day of the Teacher	Second Wednesday in May

Patriotic Exercises

Each school shall conduct patriotic exercises daily. At elementary schools, such exercises shall be conducted at the beginning of each school day. The Pledge of Allegiance to the flag will fulfill this requirement. (Education Code 52720)

Individuals may choose not to participate in the flag salute for personal reasons.

Display of Flag

The flag of the United States and the flag of California shall be displayed during school days at the entrance or on the grounds of every school. At all times, the national flag shall be placed in the position of first honor. (Government Code 431, 436; 36 USC 174)

INSTRUCTION

CEREMONIES AND OBSERVANCES

Upon order of the President, the national flag shall be flown at half-staff upon the death of principal figures of the United States government and the Governor of the state, as a mark of respect to their memory. In the event of death of other officials or foreign dignitaries, the flag shall be displayed at half-staff according to Presidential instructions or orders, or in accordance with recognized customs or practices not inconsistent with law. In the event of the death of a present or former official of the government of any state, the Governor may proclaim that the flag be flown at half-staff. (36 USC 175)

In addition, the national flag shall fly at half-staff: (36 USC 175)

1. For 30 days from the death of the President or former President
2. For 10 days from the death of the Vice President, the Chief Justice or a retired Chief Justice, or the Speaker of the House of Representatives
3. From the day of death until interment of an Associate Justice of the Supreme Court, a secretary of executive or military department, former Vice President, and the Governor of a state
4. On the day of death and the following day for a Member of Congress

Regulation Adopted: 07/06/99

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6116

INSTRUCTION

CLASSROOM INTERRUPTIONS

Student instructional time is the most valuable resource offered by the Ocean View School District. The Governing Board recognizes its obligation to minimize the number of classroom interruptions so that students and teachers may fully take advantage of all opportunities for learning and personal enrichment in the classroom setting.

The Superintendent or designee shall establish administrative regulations to govern classroom interruptions.

To minimize interruptions of instructional time, each school principal and staff shall develop procedures which permit necessary communications while protecting student instructional time.

Legal Reference:

AB 2535

EDUCATION CODE

33212 Classroom interruptions

Policy Revised: 09/11/90

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 6116

INSTRUCTION

CLASSROOM INTERRUPTIONS

To minimize interruptions or instructional time, each school principal and staff shall develop procedures which permit necessary communications while protecting student instructional time.

The principal or designee shall keep announcements made through intercom or public address systems to a minimum and limit announcements to specific times during the day. Announcements that apply only to teachers shall be distributed in writing.

The Principal shall establish a fixed time for the delivery of messages to students, except in the case of emergencies.

School maintenance operations involving noise or classroom disruption shall be performed before or after school hours whenever possible.

School visitors and observers shall make appointments in advance.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6120

INSTRUCTION

RESPONSE TO INSTRUCTION AND INTERVENTION

The Board of Trustees desires to provide a high-quality, data-driven educational program to meet the learning and behavioral needs of each student and to help reduce disparities in achievement among subgroups of students. Students who are not making academic progress pursuant to district measures of performance shall receive intensive instruction and intervention supports designed to meet their individual learning needs.

The Superintendent or designee shall convene a team of certificated personnel, other District staff, and parents/guardians, as appropriate, to assist in designing the District's Response to Instruction and Intervention (RtI2) system, based on an examination of indicators of District and schoolwide student achievement.

The District's RtI2 system shall include instructional strategies and interventions with demonstrated effectiveness and shall be aligned with the District curriculum and assessments.

The District's RtI2 system shall include research-based, standards-based, culturally relevant instruction for students in the general education program; universal screening and continuous classroom monitoring to determine students' needs and to identify those students who are not making progress; criteria for determining the types and levels of interventions to be provided; and subsequent monitoring of student progress to determine the effectiveness of the intervention and to make changes as needed.

When data from the RtI2 system indicate that a student may have a specific learning disability, the student may be referred for evaluation for special education or other services.

The District shall provide staff development to teachers regarding the use of assessments, data analysis, and research-based instructional practices and strategies. In addition, the District's RtI2 system shall emphasize a collaborative approach of professional learning communities among teachers within and across grade spans.

Staff shall ensure the parents/guardians are involved at all stages of the instructional and intervention process. Parents/guardians are involved at all stages of the instructional and intervention process. Parents/guardians shall be kept informed of their child's progress and provided information regarding the services that will be provided, the strategies being used to increase the student's rate of learning, and information about the performance data that will be collected.

Legal Reference:

EDUCATION CODE

56329 Assessment, written notice to parent

56333-56338 Eligibility for specific learning disabilities

56500-56509 Procedural safeguards

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6120

INSTRUCTION

RESPONSE TO INSTRUCTION AND INTERVENTION

UNITED STATES CODE, TITLE 20

1400-1482 *Individuals with Disabilities Education Act, especially;*

1416 *Monitoring, technical assistance, and enforcement*

6316 *School improvement*

6318 *Parent involvement*

6319 *Highly qualified teachers*

CODE OF FEDERAL REGULATIONS, TITLE 34

300.307 *Specific learning disabilities*

300.309 *Determining the existence of specific learning disabilities*

300.311 *Specific documentation for eligibility determination*

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION CORRESPONDENCE

Response to Instruction and Intervention, 2008

WEB SITES

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

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

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

Policy Revised: 09/11/90

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6121

INSTRUCTION

INSTRUCTIONAL GOALS

Citizenship:	To be aware of and learn the process of exercising one's civil rights and responsibilities.
Communication Skills:	To learn to listen carefully and express oneself effectively through written and oral language.
Ecology:	To respect, conserve and enjoy the resources and beauty of nature.
Fine Arts:	To develop appreciation of and creative self-expression through various media (art, music, writing, drama, etc.)
Learning Skills:	To develop a process for systematic problem solving and a positive attitude toward learning.
Mathematic Skills:	To develop competency in math skills to the best of one's ability and apply them to everyday life.
Moral Values:	To develop a sense of honesty, fairness and respect toward all people.
Physical Health and Safety:	To develop and maintain a healthy body.
Reading:	To develop the skills of reading to the best of one's ability in order to enjoy the benefits of reading.
Science Skills:	To develop an understanding of and appreciation for scientific discoveries, including a working knowledge of investigative procedures.
Self-realization:	To build a positive, self-enhancing image in order to develop an awareness of one's potential contribution to society.
Social Studies:	To understand the cause and effect of historical and geographical influences on the past and present peoples of the world.
Vocational Competency:	To value the personal and material rewards gained from a well chosen vocation.

Revised: 10/09/90

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6122

INSTRUCTION

AFFIRMATIVE ACTION: INSTRUCTION PROGRAM

The school district pledges itself to avoid any discriminatory actions, and instead seeks to foster good human and educational relations which will help to attain

- Equal rights and opportunities for students and employees in the school community
- Equal opportunity for all students to participate in the total program of the schools.
- Continual study and development of curricula toward improving human relations and understanding and appreciating cultural differences.
- Frequent training opportunities for improving staff ability and responsiveness to educational and social needs.
- Opportunities in educational programs which are broadly available to pupils with access not solely based upon race, color, creed, religion, sex, ancestry, national origin, social or economic status.

Legal Reference:

EDUCATION CODE

200-261 Prohibition of discrimination on the basis of sex

Title IX of the Education Amendments of 1972

ADMINISTRATIVE CODE, TITLE 5

90-101 Plans to alleviate racial and ethnic segregation of minority students

Revised: 10/09/90

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6130

INSTRUCTION

ORGANIZATIONAL PLAN

Kindergarten Through Eighth-Grade Program

It shall be the policy of the district to operate an elementary educational program organized on a kindergarten through eighth grade basis. The organizational structure at each regular school shall be kindergarten through grade 6 or kindergarten through grade 8.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6140

INSTRUCTION

CURRICULUM

The curricula of the schools shall be in harmony with the Governing Board's adopted goals.

Curriculum development by the certificated staff shall be guided by such factors as:

1. Actual studies and information concerning the needs of students in this school district
2. The range of abilities, aptitudes and interests of our students
3. Aspirations of residents of the school district for our students
4. The mobility of our population, making it necessary to provide education for our students useful anywhere in the U.S.A.
5. Avoidance of discrimination

The Governing Board desires that unnecessary duplication of work among the various school levels be eliminated, and that courses of study be coordinated effectively.

The Governing Board supports the provision of opportunities for faculty to consult and assist in curriculum development through the utilization of workshops, study groups, and outside consultants.

The Governing Board reserves the right to establish curricula for the school district. Teachers shall teach within the approved curricula.

Legal Reference:

EDUCATION CODE

40.41 Prohibited sex discrimination

51000 et seq. General Provisions (Educational Program)

51040 et seq. Development and Enforcement of Educational Programs

51200 et seq. Required Courses of Study

51500 et seq. Prohibited Instruction

Revised: 10/09/90

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6141

INSTRUCTION

CURRICULUM DEVELOPMENT AND EVALUATION

The Governing Board accepts responsibility for establishing what students should learn. Therefore, the Board shall adopt a district curriculum which to the extent possible reflects the desires of the community, the needs of society, and the requirements of law.

In order to provide such a curriculum, curriculum improvement shall be considered a top priority for the district and an ongoing process which is part of the routine operation of the school and the district.

The Superintendent shall recommend a comprehensive process for curriculum development and evaluation which included input from the administration, staff, parent groups, advisory committees, the community, students, and the Board, and which utilizes existing review processes or resources. The selection and evaluation of instructional materials shall be coordinated with the process for curriculum development and evaluation. Curriculum development and evaluation shall be consistent with the philosophy, goals, and objectives of the district.

Based upon input from the administration and community, the Governing Board shall adopt a curriculum review cycle for each area of the curriculum, which shall serve as the timeline for districtwide curriculum development and evaluation.

The Superintendent shall keep the Board informed regarding curriculum efforts and shall report finds relative to the actual delivery of the district curriculum and student achievement.

Every three years the Governing Board shall compare the district curriculum, course content and course sequence with the model curriculum standards adopted by the State Board of Education. (Education Code 51226) This review and comparison shall be incorporated into the district's process for curriculum development and evaluation.

The Superintendent shall be responsible for providing all necessary assistance to the Board as it considers reports and collects data on each curriculum areas under review and critically evaluates the curriculum and its impact on students.

The Superintendent shall also facilitate the Board's efforts to discuss its findings with the district staff and students prior to the adoption of district curriculum.

The Governing Board recognizes that effective curriculum development and evaluation requires the planned allocation of resources, staff release time, and inservice training.

The Board shall review this policy and implementing regulations annually.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6141

INSTRUCTION

CURRICULUM DEVELOPMENT AND EVALUATION

Legal Reference:

EDUCATION CODE

40 Equal opportunity without regard to sex
35160 Authority of Governing Boards
51050-51057 Enforcement of courses of study
51225 Requirement for high school graduation and diploma
51225.3 Requirements for high school graduation commencing 1986-87
51500-51551 Prohibited instruction
51700-51879 Authorized classes and courses of instruction
52000-52039 Improvement of elementary and secondary education
52060-52065 Native American Indian education program
52100-52114 Bilingual Education Act
52150-52159 Bilingual teacher grant program
52160-52179 Bilingual-Bicultural Act
52200-52214 Mentally gifted and talented pupil program
52300-52414 Vocational education
54000-54669 Programs for disadvantaged pupils
54100 et seq. Miller-Unruh Act of 1965
56000-56865 Special education programs

GOVERNMENT CODE

3543.2 Scope of representation

ADMINISTRATIVE CODE, TITLE 5

4000 et seq. School improvement programs
4300 et seq. Bilingual education programs
4400 et seq. Improvement of elementary and secondary education

Revised: 10/09/90

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6141.1

INSTRUCTION

CURRICULUM DESIGN – INNOVATIVE PROGRAM

Development, implementation, evaluation and revision of innovative programs should receive the necessary understanding and attention of the supervisory and instructional staff.

There should be provision for review of staff-proposed changes or studies by higher administrative levels including budgetary considerations.

The results of district research should be appropriately disseminated and coordinated with the existing curriculum.

Provision is to be made for staff members, especially classroom teachers, to acquaint themselves with innovative programs and current research.

Legal Reference:

EDUCATION CODE

51201 Additional courses or activities which may be included

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6141.2

INSTRUCTION

RECOGNITION OF RELIGIOUS BELIEFS AND CUSTOMS

The Board of Trustees recognizes that students' education would be incomplete without an understanding of the role of religion in society. As appropriate for a particular course, teachers may objectively discuss the influences of various religions, using religious works and symbols to illustrate their relationship with culture, literature or the arts. The Board expects that such instruction will identify principles common to all religions and foster respect for the diversity of religions and customs in the world.

In order to respect each student's individual right to freedom of religious practice, religious indoctrination is clearly forbidden in the public schools. Instruction about religion shall not promote or denigrate the beliefs or customs of any particular religion or sect, nor should a preference be shown for one religious viewpoint over another. Staff members shall be highly sensitive to their obligation not to interfere with the religious development of any student, in whatever tradition the student embraces.

Governing Board

Staff shall not endorse, encourage or solicit religious or anti-religious expression or activities among students during class time. As part of their official duties, staff shall not lead students in prayer or other religious activities. However, staff shall not prohibit or discourage any student from praying or otherwise expressing his/her religious belief as long as this does not disrupt the classroom.

Students may express their beliefs about religion in their homework, artwork and other class work if the expression is germane to the assignment. Such work shall be judged by ordinary academic standards.

While teaching about religious holidays is a permissible part of the educational program, celebrating religious holidays is not allowed in the public schools. School-sponsored programs shall not be, nor have the effect of being, religiously oriented or a religious celebration. School and classroom decorations may express seasonal themes that are not religious in nature.

Music, art, literature or drama programs having religious themes are permitted as part of the curriculum for school-sponsored activities and programs if presented in an objective manner and as a traditional part of the cultural and religious heritage. The use of religious symbols that are part of a religious holiday is permitted as a teaching aid or resource provided that such symbols are displayed as an example of cultural and religious heritage of the holiday and are temporary in nature.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6141.2

INSTRUCTION

RECOGNITION OF RELIGIOUS BELIEFS AND CUSTOMS

EDUCATION CODE

38130-38138 Civic Center Act

46014 Absences for religious purposes

51511 Religious matters properly included in courses of study

51938 Right of parent/guardian to excuse from sexual health instruction

UNITED STATES CODE, TITLE 20

4071-4074 Equal Access Act

6061 School prayer

7904 School prayer

COURT DECISIONS

Lassonde v. Pleasonton Unified School District, (2003, 9th Cir.) 320 F.3d 979

Cole v. Oroville Union High School District, (2000, 9th Cir.) 228 F.3d 1092

Lemon v. Kurtzman, (1971) 403 U.S. 602

Management Resources:

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools, February 2003

Religion in the Public Schools: A Joint Statement of Current Law, April 1995

WEB SITES

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

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

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

Policy Revised: 10/09/90

Policy Revised:

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6141.3

INSTRUCTION

BILINGUAL EDUCATION

The Governing Board defines bilingual education not as education in a foreign language, but as skills, concepts and proficiencies taught in two languages while students learn English and develop analytical competencies which transcend language. It is the intent of the Board that equality of opportunity be preserved for all students enrolled in the district bilingual instructional program(s).

The goal of educational programs for limited-and non-English proficient students is to enable them to become successful adults in an American society whose common language is English. The primary object of such programs is the acquisition of communicative and cognitive skills in the English language. At the same time, academic progress should be assured within a common, core curriculum taught in the student's native language or in a comprehensible form of English.

Students who are taught core academic subjects in non-English speaking classes shall spend at least twenty percent (20%) of their day in language-mixed classrooms whenever possible. As their English skills increase, they shall spend proportionately more time in classes with students who speak fluent English.

The district's efforts to identify and assist limited-and non-English proficient students shall be based on sound education practice and research which meet the requirements of law, accomplish the Board's goals and meet the diverse needs of students. The Board recognizes that the recruitment, development and retention of qualified instructors and assistants is essential to the success of these efforts and shall take action, within budgetary constraints, to provide the necessary personnel.

The Superintendent shall maintain procedures which provide for the careful identification, assessment and placement of limited-and non-English proficient students in consultation with the parent/guardian of such students. Special care shall be taken to keep parents/guardians informed of their rights concerning the voluntary enrollment of their children in the district bilingual education program.

All limited-and non-English proficient students shall receive an annual language and skills assessment. (Education Code 52171.6)

In accordance with Board-adopted reclassification criteria, students of limited English proficiency shall be reclassified as fluent English proficient when they have acquired the English language skills of comprehension, speaking, reading, and writing necessary to receive instruction in English only, at a level substantially equivalent to that of students of the same age or grade whose primary language is English.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6141.3

INSTRUCTION

BILINGUAL EDUCATION

In addition to an objective assessment of English language skills, the reclassification process shall include, at a minimum, teacher evaluations, an assessment of basic skills, and consultation with the parent/guardian. (Education Code 52164.4 and Administrative Code 4306)

The Superintendent or designee shall provide subsequent monitoring and support of reclassified students.

Legal Reference:

EDUCATION CODE

44253.5; 44253.6 *Certification for bilingual-bicultural competence*

5200 *et seq.* *Improvement of elementary and secondary education (esp. 52015(b))*

52060-52065 *Native American Indian education program*

52130-52136 *Impacted languages act of 1984*

52150-52151 *Bilingual teacher grant program*

52160-52179 *Bilingual-Bicultural Act of 1976*

52167 *Proportion of students enrolled; regulations; modification of classroom proportions to provide effective instruction in core academic subjects*

52180-52186 *Bilingual teacher training assistance program*

54000 *et seq.* *Programs for disadvantaged children*

ADMINISTRATIVE CODE, TITLE 5

4300-4320 *Bilingual education program requirements*

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6141.4

INSTRUCTION

MULTICULTURAL EDUCATION

The Board of Trustees believes that our schools' curriculum should accurately reflect the rich cultural, racial, and ethnic diversity of our society. Every student should have the opportunity to develop pride in his/her own identity and heritage; to understand, appreciate, and respect the identity and heritage of others; and to recognize that dignity and worth are common to all people, regardless of physical differences or ethnic, cultural, or religious backgrounds. Students should learn to be able to work and communicate effectively with persons like and unlike themselves.

Instruction in social science, language arts, music, and humanities shall feature the contributions of men and women of all racial, cultural, and occupational groups. Besides dealing with foreign customs and historical events, the instructional program shall draw upon school and community resources and local activities which illustrate the diversity of our contemporary population. Instructional materials shall portray individuals from different ethnic groups in a variety of occupational and social roles.

The Board expects that multicultural education will benefit students of all racial, ethnic, and cultural groups. Curriculum materials and teaching procedures shall be adapted to the values, behavioral patterns, and learning styles of all students.

Legal Reference:

EDUCATION CODE

44460 Inservice preparation in ethnic backgrounds

60040 Portrayal of cultural and racial diversity

ADMINISTRATIVE CODE, TITLE 5

3935 Multicultural education

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6142.1

INSTRUCTION

SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION

The Governing Board Recognizes that the purpose of the District's sexual health and HIV/AIDS prevention instruction is to provide students with the knowledge and skills necessary to protect them from unintended pregnancy and sexually transmitted diseases and to encourage students to develop healthy attitudes concerning adolescent growth and development, body image, gender roles, sexual orientation, dating, marriage, and family. The Board therefore desires to provide a well-planned sequence of instruction on comprehensive sexual health and HIV/AIDS prevention.

The District's curriculum shall be aligned with the state's content standards, based on medically accurate and factual information, and designed to teach students to make healthy choices and reduce high-risk behaviors. The District's program shall comply with the requirements of law, Board policy, and administrative regulation and shall respect the rights of parents/guardians to supervise their children's education on these subjects and to impart values regarding human sexuality to their children.

The Superintendent or designee may appoint a coordinator and/or advisory committee regarding the District's comprehensive sexual health program. The advisory committee shall represent a divergence of viewpoints and may participate in planning, implementing, and evaluating the District's comprehensive sexual health education program. The Board shall consider the advisory committee's recommendations when approving the District's program.

Parent/Guardian Consent

A parent/guardian may request in writing that his/her child be excused from participating in HIV/AIDS prevention or sexual health education. Students so excused by their parents/guardians shall be given an alternative educational activity. (Education Code 51240, 51939)

A student shall not be subject to disciplinary action, academic penalty, or other sanction if the student's parent/guardian declines to permit the student to receive the instruction. (Education Code 51939)

Legal Reference:

EDUCATION CODE

220 Prohibition of discrimination

48980 Notice at beginning of term

51202 Instruction in personal and public health and safety

51210.8 Health education curriculum

51240 Excuse from instruction due to religious beliefs

51553 Materials containing questions about beliefs or practices

51930-51939 Comprehensive Sexual Health and HIV/AIDS Prevention Education Act

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6142.1

INSTRUCTION

SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION

HEALTH AND SAFETY CODE

1255.7 *Parents surrendering physical custody of a baby*

PENAL CODE

243.4 *Sexual battery*

261.5 *Unlawful sexual intercourse*

271.5 *Parents voluntarily surrendering custody of a baby*

UNITED STATES CODE, TITLE 20

1232H *Protection of student rights*

7906 *Sex education*

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools, Kindergarten Through Grade 12, 2008

Health Framework for California Public Schools: Kindergarten through Grade 12, 2003

WEB SITES

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

American Academy of Pediatrics: <http://www.aap.org>

American College of Obstetricians and Gynecologists: <http://www.acog.org>

American Public Health Association: <http://www.apha.org>

California Department of Education, Sex Education and HIV/STD Instruction: <http://www.cde.ca.gov/ls/he/se>

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Safe Schools Coalition: <http://www.casafeschools.org>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

National Academy of Sciences: <http://www.nationalacademies.org>

U.S. Department of Health and Human Services, Office of the Surgeon General: <http://www.surgeongeneral.gov>

U.S. Food and Drug Administration: <http://www.fda.gov>

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6142.1

INSTRUCTION

SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION

Policy Revised: 10/09/90

Policy Revised:

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6142.2

INSTRUCTION

WORLD/FOREIGN LANGUAGE INSTRUCTION

Governing Board In order to prepare students for global citizenship and to broaden their intercultural understanding and career opportunities, the Board of Trustees shall provide students with opportunities to develop linguistic proficiency and cultural literacy in one or more world languages in addition to English.

The Superintendent or designee shall recommend world languages to be taught in the District's educational program based on student interest, community needs, and available resources. He/she shall also consider providing English learners the opportunity to study their heritage language, when such a course is available, in order to continue developing skills in that language. American Sign Language courses shall be open to all students regardless of hearing status.

The District shall offer a sequential curriculum aligned with the state content standards, state curriculum framework, and, as applicable, California university admission requirements for languages other than English.

Instruction in world languages shall be offered to secondary school students beginning no later than grade 7 and shall be designed to develop students' skills in understanding, speaking, reading, and writing the language. (Education Code 51220)

In order to encourage higher levels of language proficiency throughout a student's education, the District may offer age-appropriate language programs in elementary schools. Beginning in the primary grades, the District may deliver language studies through a two-way immersion program in which instruction is delivered in both English and another language to both English-only students and English learners.

The Board shall ensure that students have access to high-quality instructional materials in world languages. In accordance with Board policy, teachers shall also be encouraged to identify and use supplemental resources, such as literature, technology, newspapers and other media, dictionaries, and volunteers from the community to enhance the world language instructional program.

The Superintendent or designee shall provide professional development as necessary to ensure that teachers of world languages have the knowledge and skills they need to implement an effective instructional program that helps students attain academic standards.

The Superintendent or designee shall provide periodic reports to the Board regarding the effectiveness of the District's world language program which may include, but not be limited to, a description of the District's curriculum and the extent to which it is aligned with the state's content standards and curriculum framework, student achievement of District standards for world language instruction, and student participation rates in each language course. Program

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6142.2

INSTRUCTION

WORLD/FOREIGN LANGUAGE INSTRUCTION

evaluation shall be used to identify needed improvements and may be considered in determining the languages to be taught in the District.

Legal Reference:

EDUCATION CODE

300-311 Education for English learners

44256-44257 Credential requirements, including teachers of foreign language

51212 Legislative intent to encourage foreign language instruction in grades 1-6

51220 Courses of study, grades 7-12

51225.3 High school graduation requirements

51243-51245 Alternative credits toward graduation for foreign language instruction in private school

60117-60119 Pupil Textbook and Instructional Materials Incentive Program Act

60605.3 Content standards for foreign language instruction

CODE OF REGULATIONS, TITLE 5

1632 Alternative credits toward graduation for foreign language instruction in private school

11309 English immersion programs, parental exception waivers

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

World Language Content Standards for California Public Schools, Kindergarten Through Grade Twelve, adopted January 7, 2009

Foreign Language Framework for California Public Schools, Kindergarten Through Grade Twelve, 2003

CENTER FOR APPLIED LINGUISTICS PUBLICATIONS

Guiding Principles for Dual Language Education, Second Edition, 2007

COLLEGE BOARD PUBLICATIONS

A Challenge to Change: The Language Learning Continuum, 1999

WEB SITES

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

American Council on the Teaching of Foreign Languages: <http://www.actfl.org>

California Association of Bilingual Education: <http://www.bilingualeducation.org>

California Department of Education, Foreign Language: <http://www.cde.ca.gov/ci/fl>

California Foreign Language Project: <http://www.stanford.edu/group/CFLP>

California Language Teachers' Association: <http://www.clta.net>

Center for Applied Linguistics: <http://www.cal.org>

College Board: <http://www.collegeboard.co>

University of California, a-g Course Approval: <http://www.ucop.edu/a-gGuide/ag>

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6142.2

INSTRUCTION

WORLD/FOREIGN LANGUAGE INSTRUCTION

Policy Revised: 10/09/90
Policy Renumbered: 6142.2
Policy Revised:

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6142.3

INSTRUCTION

Science Instruction

The Governing Board believes that science education should give students an understanding of key scientific concepts and a capacity for scientific ways of thinking. Students should become familiar with the natural world and aware of ways in which science, mathematics and technology depend upon one another.

The board expects that students shall come to know that science, mathematics and technology are human enterprises, with strengths and limitations. As part of their science instruction, students should learn how to use scientific knowledge and ways of thinking for individual and social purposes.

A scientific fact is an essential understanding based on confirmable observations and is subject to test and rejection. A scientific hypothesis is an attempt to frame a question as a testable proposition. A scientific theory organizes and explains a range of natural phenomena on the basis of facts and hypotheses. Scientific theories are constantly subject to testing, modification and refutation as new evidence and new ideas emerge.

Philosophical and religious theories are based, at least in part, on faith, and are not subject to scientific test and refutation. Such beliefs shall not be discussed in science classes, but may be addressed in the social science and language arts curricula.

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

Revised: 10/9/90

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6142.4

INSTRUCTION

COMMUNITY SERVICE

The Governing Board desires that all students develop a sense of social responsibility. To encourage this development, the Board may approve students opportunities to perform volunteer duties in cooperation with nonprofit community agencies. The Board believes that volunteer service can help students gain self-esteem, reinforce skills, discover career options and learn the value of volunteer work. Community service motivates the value of volunteer work. Community service motivates students to learn by relating the curriculum to the needs of the community at large.

The Superintendent or designee may work with staff, parents/guardians and nonprofit community organizations to develop a community service program which reinforces the curriculum and provides opportunities for student volunteers to meet community needs. Participation should be made available to all students.

In designing the program or course, the Superintendent or designee shall determine the number of hours of service to be performed on the student's own time, outside of school hours.

Parents/guardians of student volunteers shall receive information about the community service program and its benefits for both the community and the student.

The Board recognizes that adult volunteers set a positive example of community involvement for our students. The Board welcomes these adults to assist school community services programs as classrooms mentors and volunteer trainers.

Legal Reference:

Education Code
35160 Authority of Governing Boards
35160.1 Broad authority of school districts
51745 Independent study

ADMINISTRATIVE REGULATION

AR 6142.4

INSTRUCTION

COMMUNITY SERVICE

Program Description

Classes that engage in community service in grades 7 and 8 shall acquaint students with the history and importance of volunteer service and various existing community needs, including needs within the school itself.

Students shall be offered volunteer opportunities which support and strengthen their academic achievement and help them recognize the relevance of what they are learning in school. Such opportunities also may help them to:

1. Develop multicultural relationships within the community.
2. Appreciate the democratic ideal of equal treatment for all citizens.
3. Learn the importance of environmental conservation.
4. Understand the values, goals and quality of life which the community considers important.
5. Develop flexibility in order to realize that changes are necessary throughout life.

Students shall be encouraged to volunteer in areas which interest them personally.

Staff shall provide student volunteers with opportunities to discuss the value of their service experiences with their peers.

Program Supervision

School staff regularly visit community agencies to observe student volunteers and help them solve service-related problems.

School staff shall monitor the attendance of students at designated community service sites and shall maintain attendance records.

Student Credits

Grades awarded in community service classes shall be based upon:

1. The student's accomplishment of written objectives established and agreed upon by the community organization, school staff member, student and parent/guardian; and

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 6142.4

INSTRUCTION

COMMUNITY SERVICE

Student Credits (continued)

2. The student's completion of a written essay or a speech related to his/her community service experiences.

Student Responsibility

Transportation to the community service site shall be the student's responsibility.

In case of illness, the student shall inform both the community agency and the staff member responsible for monitoring attendance. Students shall be held accountable for attendance in the same manner as that used for the regular school program.

The community agency or district staff may terminate any student's volunteer placement if the student's conduct is unsatisfactory.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6142.6

INSTRUCTION

VISUAL AND PERFORMING ARTS EDUCATION

The Governing Board recognizes that visual and performing arts is core curriculum for K-12 students as stated in California Education Code and No Child Left Behind legislation. Visual and performing arts education provides students knowledge and skills that foster higher student achievement, critical thinking and creativity. The K-8 visual and performing arts instruction will provide knowledge and skills which will prepare students for success in the high school year-long visual and performing arts coursework.

All students K-8 will have access to participation in visual and performing arts education as part of the core curricula. The sequential standards-based curriculum will include music, dance, theatre, and visual arts. High quality instructional materials, equipment and technology will support student learning and address the variety of learning styles.

The K-8 curricula shall be enriched through a variety of first-hand professional exhibitions and performances both on the school site and at arts venues. Students will be provided a variety of opportunities to showcase their knowledge and skills in visual and performing arts. Visual and performing arts may be incorporated to support learning in other core curricula including language arts, mathematics, history/social science, and science.

As space permits, appropriate facilities should be used for the curricular needs of the program. When possible, scheduling shall be considered to accommodate the visual and performing arts instruction, exhibition and performance.

As funding permits, the Superintendent will ensure that specialists, classroom personnel, and administrators who are responsible for or who will present this instruction receive quality professional development based upon the California Visual and Performing Arts Standards, K-12. The Superintendent will direct the implementation of curricular programs. Highly qualified teachers will deliver instruction in specialized art curriculum.

A district wide curricular committee composed of teachers, administrators, parents, and community members will work with the Superintendent to inform and support the implementation of the visual and performing arts program.

Adequate and equitable funding for visual and performing arts instruction will be maintained through ongoing funds provided by the Arts and Music Block Grant.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6142.6

INSTRUCTION

VISUAL AND PERFORMING ARTS EDUCATION

Legal Reference:

EDUCATION CODE

44277 Professional Growth Programs for Individual Teachers
44259.5 Standards for Teacher Preparation
44576-78 Inservice Training, Secondary Education
44580-44591 Inservice Training, Elementary Education
44630-44643 Professional Development and Program Improvement Act of 1968
51204 Course of Study Designed for Students' Needs
51210 Instruction of Visual and Performing Arts, Grades 1-6
51220 Instruction of Visual and Performing Arts, Grades 7-12
8810-8819.5 Arts Education
8820-8830 Arts Work Visual and Performing Arts Education Program

Management Resources:

CDE PUBLICATIONS

The Visual and Performing Arts Framework for California Public Schools: Kindergarten Through Grade Twelve, 1996
Literature for the Visual and Performing Arts, Kindergarten Through Grade Twelve
Prelude to Performance Assessments in the Arts, K012, 1994
The Arts: Partnerships as a Catalyst for Educational Reform, 1994
Arts Work: A Call for Arts Education for All California Students, 1997

WEB SITES

CDE:

California Arts Council:

Policy Adopted: 05/15/07

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6143

INSTRUCTION

COURSES OF STUDY

The Board of Trustees shall adopt districtwide courses of study designed to conform with District requirements.

Elementary School Courses of Study

The Board shall adopt courses of instruction for grades one through six which shall include the study of:

1. English: speaking, reading, listening, spelling, handwriting, composition; knowledge and appreciation of language and literature.
2. Mathematics: concepts, operational skills, problem solving.
3. Social Sciences: age-appropriate materials drawn from anthropology, economics, geography, history, political science, psychology and sociology, with emphasis on California and the United States, the American economic system, man's relation to human and natural environments, eastern and western cultures, contemporary issues, and the wise use of natural resources.
4. Science, including biological and physical sciences with emphasis on experimental inquiry and man's place in the ecology.
5. Fine Arts, including art and music, with emphasis on creative expression and the development of aesthetic appreciation.
6. Health: individual, family and community health principles and practices.
7. Physical Education, with emphasis on activities conducive to health and vigor of body and mind. (Education Code 51210)

The Board shall certify to the Superintendent of Public Instruction that it has adopted a policy to implement a course of instruction which sufficiently prepares district students for the required high school course of study specified in state law. (Education Code 51225.4)

Legal Reference:

EDUCATION CODE

51202 Instruction in personal and public health and safety
51203 Instruction on alcohol, narcotics and restricted dangerous drugs
51204 Course of study designed for pupil's needs
51204.5 History of California; contributions of men, women and ethnic groups
51210-51212 Areas of study for grades one through six
51220-51229.5 Course of study for grades seven through twelve
51880-51921 Comprehensive health education

Policy Revised: 10/09/90

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6144

INSTRUCTION

CONTROVERSIAL ISSUES

The Governing Board believes that students should have opportunities to discuss controversial issues which have political, social or economic significance and which the students are mature enough to investigate and address. The study of a controversial issue should help students learn how to gather and organize pertinent facts, discriminate between fact and fiction, draw intelligent conclusions, and respect the opinions of others.

The Board expects teachers to exercise caution and discretion when deciding whether or not a particular issue is suitable for study or discussion in any particular class. Teachers should not spend class time on any topic which they feel is not suitable for the class or related to the established course of study.

The Board also expects teachers to ensure that all sides of a controversial issue are impartially presented, with adequate and appropriate factual information. Without promoting any partisan point of view, the teacher should help students separate fact from opinion and warn them against drawing conclusions from insufficient data. The teacher shall not suppress any student's view on the issue as long as its expression is not malicious or abusive toward others.

Teachers sponsoring guest speakers shall either ask them not to use their position or influence on students to forward their own religious, political, economic or social views or shall take active steps to neutralize whatever bias has been presented.

Legal Reference:

EDUCATION CODE

35160.5 Requirement for policies and procedures for parent complaints regarding employees

51550 Prohibited instruction or activity

51510 Prohibited study or supplemental materials

51511 Religious matters properly included in courses of study

51530 Prohibition and definition regarding advocating or teaching communism with intent to indoctrinate

51550 Sex education courses

60040 Portrayal of cultural and racial diversity

60044 Prohibited instructional materials

60045 Required to be accurate, objective, current, and suited to needs and comprehension at respective grade levels

Policy Revised: 10/09/90

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6145

INSTRUCTION

PARTICIPATION IN EXTRACURRICULAR AND COCURRICULAR ACTIVITIES

The Governing Board believes that each pupil's primary responsibility is to meet the academic challenge of learning. It is the intent of the Board to establish priorities that foster academic excellence. Extracurricular and cocurricular activities are an integral, but supplemental, part of educational programs in grades seven and eight. The Board recognizes that these activities enrich the educational and social development and experiences of students. The district shall encourage and support student participation in extra-/cocurricular activities while ensuring that pupil participation is conditional upon satisfactory academic progress.

Extracurricular and Cocurricular Activities

Extracurricular activities are those programs that have all of the following characteristics:

- a. The program is supervised or financed by the school district.
- b. Students participating in the program represent the school district.
- c. Students exercise some degree of freedom in either the selection, planning, or control of the program.
- d. The program includes both preparation for performance and performance before an audience or spectators.

Extracurricular activities are not part of the regular school curriculum, are not graded, do not offer credit, and do not take place during classroom time.

Cocurricular activities are programs that may be associated with the curriculum in a regular classroom.

A program that has as its primary goal the improvement of academic or educational achievements of pupils is not an extra or cocurricular activity as defined above (Education Code 35160.5(b)(5)). The Superintendent or designee shall determine which activities and programs are affected by the eligibility requirements of this policy.

Academic Eligibility Requirements

In keeping with Ocean View's motto of "In Quest of Excellence," students are encouraged to strive for academic excellence. Student participation in extra-/cocurricular activities is contingent upon satisfactory academic progress in meeting the prescribed course of study and standards established.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6145

INSTRUCTION

PARTICIPATION IN EXTRACURRICULAR AND COCURRICULAR ACTIVITIES

Academic Eligibility Requirements (continued)

Satisfactory progress shall include the maintenance of minimum passing grades, which is defined as at least a 2.0 grade point average in all enrolled courses on a 4.0 scale during the preceding grading period. The letter grade must be the equivalent of the full numeric point value, plus or minus signs will not be considered in the computation of grade point average.

The grade point average and determination of eligibility shall be based on (quarter/trimester) grades.

Academic Probation and Ineligibility

Upon failing to achieve a grade point average of 2.0 or better for a grading period (quarter/trimester), the student shall be placed on probation until the next grading period. Probation serves as a warning to the student and does not preclude his/her continued participation in extra-/cocurricular activities. Students granted probationary eligibility must meet the required standards by the end of the probationary period in order to become eligible for the participation.

Academic Ineligibility

A student shall be declared academically ineligible when he/she has not achieved a grade point average of 2.0 or better at the conclusion of a probationary/ineligible period.

Return to Academic Eligibility

The student shall be declared academically eligible for extra-/cocurricular participation when he/she achieves a grade point average of 2.0 or better for the grading period immediately following their probation/ineligible period.

Citizenship Eligibility Requirements

As a condition for maintaining eligibility for participation in extra-/cocurricular activities, each student shall also maintain a positive record of citizenship.

Supervision and Evaluation

Extra-/cocurricular activities shall be under the general supervision of school authorities and certificated employees whenever they are conducted under the name of the school district.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6145

INSTRUCTION

PARTICIPATION IN EXTRACURRICULAR AND COCURRICULAR ACTIVITIES

Supervision and Evaluation (continued)

The Superintendent or designee shall develop regulations which provide for:

- a. Determining which activities and programs are affected by the eligibility requirements of this policy.
- b. Identifying and monitoring ineligible students.
- c. Assisting ineligible students to become eligible for participation in such activities.
- d. Determining which activities may not be entered into after the onset of the activity.

The Governing Board shall annually review the school district policies adopted pursuant to the requirements of Assembly Bill 2613.

Legal Reference:

EDUCATION CODE

35160.5 Requirement for policies and procedures for parent complaints regarding employees
AB 2613

Policy Revised: 10/09/90

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6145.1

INSTRUCTION

PUBLICATIONS

While serving to instruct students in the basic skills of responsible journalism, official school publications shall be free to provide thoughtful, relevant commentaries on all topics within the bounds of good taste.

Student editors in journalism, newspaper, yearbook, and writing classes shall assign and edit the news, editorial and feature content of their publications. Faculty advisors shall help the student editors judge the literary value, newsworthiness and propriety of materials submitted for publication. All statements and editorials must be substantiated by fact. Editorials may freely aim constructive criticism at school organizations, procedures, and policies, but such criticism should reflect the opinions of a cross section of the publication staff. Editorial columns which express only the opinion of the writer shall be bylined.

As space permits, editorial pages shall be open to any students wishing to express their ideas or to rebut editorials in a letter. School newspapers shall print a fair selection and accurate representation of the letters they receive.

Faculty advisors shall supervise student publications so as to maintain professional standards of English and journalism and to assure that their content complies with the provisions of Board policy. The advisors and/or principal shall exercise no prior restraint of prepared material except as provided in the Publications Code (BP 5145.2) for that which is obscene, libelous, slanderous, or incites students to commit unlawful acts, violate school rules, or disrupt school operations.

Legal Reference:

EDUCATION CODE

48907 Student exercise of free expression

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6145.2

INSTRUCTION

ATHLETIC COMPETITION

Instruction

The Board of Trustees recognizes that the District's athletic program constitutes an integral component of the educational program and helps to build a positive school climate. The athletic program also promotes the physical, social, and emotional well-being and character development of participating students. The athletic program shall be designed to meet students' interests and abilities and shall be varied in scope to attract wide participation.

All athletic teams shall be supervised by qualified coaches to ensure that student athletes receive appropriate instruction and guidance related to safety, health, sports skills, and sportsmanship. Athletic events shall be officiated by qualified personnel.

Nondiscrimination and Equivalent Opportunities in the Athletic Program

The District's athletic program shall be free from discrimination and discriminatory practices prohibited by state and federal law. The Superintendent or designee shall ensure that equivalent athletic opportunities are provided for males and females.

Any complaint regarding the District's athletic program shall be filed in accordance with the District's uniform complaint procedures.

Student Eligibility

Eligibility requirements for participation in the District's interscholastic athletic program, including requirements pertaining to academic achievement and residency, shall be the same as those set by the District for participation in extracurricular and cocurricular activities.

Students shall not be charged a fee to participate in an athletic program.

Sportsmanship

The Board of Trustees values the quality and integrity of the athletic program and the character development of student athletes. Student athletes, coaches, parents/guardian, spectators, and others are expected to demonstrate good sportsmanship, ethical conduct, and fair play during all athletic competitions. They shall also abide by the core principles of trustworthiness, respect, responsibility, fairness, caring, and good citizenship. Students and staff may be subject to disciplinary action for improper conduct.

Legal Reference:

- EDUCATION CODE
- 200-262.4 Prohibition of discrimination
- 17578 Cleaning and sterilizing of football equipment
- 17580-17581 Football equipment
- 32221.5 Required insurance for athletic activities

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6145.2

INSTRUCTION

ATHLETIC COMPETITION

Legal Reference: (continued)

33353-33353.5 California Interscholastic Federation; implementation of policies, insurance program
33354 California Department of Education authority over interscholastic athletics
35160.5 District policies; rules and regulations
35179 Interscholastic athletics
35179.5 Interscholastic athletics; limitation on full-contact practices
48850 Interscholastic athletics; students in foster care
48900 Grounds for suspension and expulsion
48930-48938 Student organizations
49020-49023 Athletic programs; legislative intent, equal opportunity
49030-49034 Performance-enhancing substances
49458 Health examinations, interscholastic athletic program
49475 Health and safety, concussions and head injuries
49700-49701 Education of children of military families
51242 Exemption from physical education for high school students in interscholastic athletic program
PENAL CODE
245.6 Hazing
CODE OF REGULATIONS, TITLE 5
4900-4965 Nondiscrimination in elementary and secondary education programs, especially:
4920-4922 Nondiscrimination in intramural, interscholastic, and club activities
5531 Supervision of extracurricular activities of students
5590-5596 Employment of noncertificated coaches
UNITED STATES CODE, TITLE 20
1681-1688 Discrimination based on sex or blindness, Title IX
CODE OF FEDERAL REGULATIONS, TITLE 34
106.31 Nondiscrimination on the basis of sex in education programs or activities
106.33 Comparable facilities
106.41 Nondiscrimination in athletic programs
COURT DECISIONS
Mansourian v. Regents of University of California, (2010) 594 F. 3d 1095
Kahn v. East Side Union High School District, (2004) 31 Cal. 4th 990
McCormick v. School District of Mamaroneck, (2004) 370 F.3d 275
Hartzell v. Connell, (1984) 35 Cal. 3d 899

Management Resources:

CSBA PUBLICATIONS
Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities and Facilities, March 2014
Student Fees Litigation Update, Education Legal Alliance Advisory, May 20, 2011
A School Board Member's Guide to CIF and Interscholastic Sports, 1997
CALIFORNIA INTERSCHOLASTIC FEDERATION PUBLICATIONS
Guidelines for Gender Identity Participation
California Interscholastic Federation Constitution and Bylaws
A Guide to Equity in Athletics
Acute Concussion Evaluation (ACE) Care Plan, 2006
Pursuing Victory with Honor, 1999
CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS
Heads Up: Concussion in High School Sports, Tool Kit, June 2010
Heads Up: Concussion in Youth Sports, Tool Kit, July 2007
OFFICE FOR CIVIL RIGHTS, U.S. DEPARTMENT OF EDUCATION PUBLICATIONS
Intercollegiate Athletics Policy Clarification: The Three-Part Test - Part Three, Dear Colleague letter, April 20, 2010
WEB SITES
CSBA: <http://www.csba.org>
California Department of Education: <http://www.cde.ca.gov>
California Interscholastic Federation: <http://www.cifstate.org>
Centers for Disease Control and Prevention, Concussion Resources: <http://www.cdc.gov/concussion>
National Federation of State High School Associations: <http://www.nfhs.org>
National Operating Committee on Standards for Athletic Equipment: <http://www.nocsae.org>
U.S. Anti-Doping Agency: <http://www.usada.org>
U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/ocr>

Policy Adopted: 01/10/17 (replaces *Organizations/Associations*)

ADMINISTRATIVE REGULATION

AR 6145.2

INSTRUCTION

ATHLETIC COMPETITION

Nondiscrimination and Equivalent Opportunities in the Athletic Program

No student shall be excluded from participation in, be denied the benefits of, be denied equivalent opportunity in, or otherwise be discriminated against in interscholastic, intramural, or club athletics on the basis of actual or perceived sex, sexual orientation, gender, gender identity, gender expression, ethnic group identification, race, ancestry, national origin, religion, color, mental or physical disability, or any other basis specified in law.

Each student shall be allowed to participate in any single-sex athletic program or activity consistent with his/her gender identity and for which he/she is otherwise eligible to participate, irrespective of the gender listed on the student's records.

When a school provides only one team in a particular sport for members of one sex, but provides no team in the same sport for members of the other sex, and athletic opportunities in the total program for that sex have been previously limited, members of the excluded sex shall be allowed to try out and compete with the team. The same standards for eligibility shall be applied to every student trying out for the team, regardless of sex, sexual orientation, gender, gender identity, gender expression, or other protected group status.

The Superintendent or designee shall ensure that equivalent opportunities are available to both sexes in athletic programs by considering, among other factors:

1. Whether the offered selection of sports and levels of competition effectively accommodate the interests and abilities of both sexes

The athletic program may be found to effectively accommodate the interests and abilities of both sexes using any one of the following tests:

- a. Whether the interscholastic-level participation opportunities for male and female students are provided in numbers substantially proportionate to their respective enrollments
- b. Where the members of one sex have been and are underrepresented among interscholastic athletes, whether the District can show a history and a continuing practice of program expansion that is demonstrable responsive to the developing interests and abilities of the members of that sex
- c. Where the members of one sex are under represented among interscholastic athletes and the District cannot show a history and continuing practice of program expansion as required in item b above, whether the District can demonstrate that the interests and abilities of the members of that sex have been fully and effectively accommodated by the present program

ADMINISTRATIVE REGULATION

AR 6145.2

INSTRUCTION

ATHLETIC COMPETITION

Nondiscrimination and Equivalent Opportunities in the Athletic Program (continued)

2. The provision and maintenance of equipment and supplies
3. Scheduling of games and practice times, selection of the season for a sport, and location of the games and practices
4. Travel and per diem allowances
5. Opportunities to receive coaching and academic tutoring
6. Assignment and compensation of coaches and tutors
7. Provision of locker rooms, practice facilities, and competitive facilities
8. Provision of medical and training facilities and services
9. Provision of housing and dining facilities and services
10. Publicity
11. Provision of necessary funds

Beginning with the 2015-16 school year and every year thereafter, each school that offers competitive athletics shall post the following information on school web sites, or on the District web site if the school does not have a web site, at the end of the school year:

1. The total enrollment of the school, classified by gender
2. The number of students enrolled at the school who participate in competitive athletics, classified by gender
3. The number of boys' and girls' teams, classified by sport and by competition level

The data reported for items #1-3 above shall reflect the total number of players on a team roster on the official first day of competition. The materials used to compile this information shall be retained by the school for at least three years after the information is posted on the web site.

ADMINISTRATIVE REGULATION

AR 6145.2

INSTRUCTION

ATHLETIC COMPETITION

Health and Safety

The Superintendent or designee shall annually distribute to student athletes and their parents/guardians an information sheet on concussions and head injuries. The student and parent/guardian shall sign and return the information sheet before the student's initiating practice or competition.

If a student athlete is suspected of sustaining a concussion or head injury in an athletic activity, he/she shall be immediately removed from the activity for the remainder of the day. The student shall not be permitted to return to the activity until he/she is evaluated by a licensed health care provider trained in the management of concussions and receives the health care provider's written clearance to return to the activity. If the health care provider determines that the athlete sustained a concussion or a head injury, the athlete shall also complete a graduated return-to-play protocol of no less than seven days in duration under the supervision of a licensed health care provider.

The Superintendent or designee shall notify the student's parent/guardian of the date, time, and extent of any injury suffered by the student and any actions taken to treat the student.

The Superintendent or designee shall provide training to coaches and/or athletic trainers regarding concussion symptoms, prevention, and appropriate response.

A middle school or high school football team shall not hold a full-contact practice during the off-season and shall not conduct more than two full-contact practices per week during the preseason and regular season (from 30 days before the commencement of the regular season until the completion of the final interscholastic football game of the season). In addition, the full-contact portion of a practice shall not exceed 90 minutes in any single day. For these purposes, full-contact practice means a practice where drills or live action is conducted that involved collisions at game speed, where players execute tackles and other activity that is typical of an actual tackle football game.

Parental Notifications

Before a student participates in interscholastic athletic activities, the Superintendent or designee shall send a notice to the student's parents/guardians which:

1. Contains information about the procedures for filing a discrimination complaint that arises out of an interscholastic athletic activity, including the name of the District's Title IX Coordinator
2. Includes a copy of students' Title IX rights pursuant to Education Code 221.8

ADMINISTRATIVE REGULATION

AR 6145.2

INSTRUCTION

ATHLETIC COMPETITION

Parental Notifications (continued)

3. Explains that there is an element of risk associated with all athletic competitions and that the District cannot guarantee that students will not be injured, despite a commitment to every participant's health and welfare
4. Proves information about insurance protection pursuant to Education Code 32221.5
5. Requests parental permission for the student to participate in the program and, if appropriate, be transported by the District to and from competitions
6. States the District's expectation that students adhere strictly to all safety rules, regulations, and instructions, as well as rules and guidelines related to conduct and sportsmanship

Regulation Adopted: 01/10/17

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6145.5

INSTRUCTION

STUDENT ORGANIZATIONS AND EQUAL ACCESS

The Board of Trustees believes that student groups or clubs reinforce the instructional program, give students experiences in civics and government, and provide social and recreational activities. Student groups also serve to honor outstanding student achievement and enhance school spirit and students' sense of belonging. Prior to meeting on school grounds, all student groups shall be authorized by the principal or designee in accordance with Board policy and administrative regulation.

The Board of Trustees encourages students to pursue interests and clubs which may not directly relate to the District's curriculum and, to that end, has created a limited open forum.

All student-initiated groups shall be given equal access to meet on school premises during noninstructional time without regard to their religious, political, philosophical, or other speech content. The Board of Trustees shall ensure that:

1. The meeting shall be voluntary and student-initiated.
2. There shall be no sponsorship of the meeting by the school or staff. The term sponsorship means that school staff are promoting, leading, or participating in a meeting. The assignment of a teacher, administrator, or other school employee to a meeting for custodial purposes shall not constitute sponsorship of the meeting.
3. Employees of the school shall be present at religious meetings only in a nonparticipatory capacity.
4. The meeting shall not materially and substantially interfere with the orderly conduct of educational activities within the school.
5. Nonschool persons shall not direct, conduct, control, or regularly attend activities of student groups.

All student clubs or groups shall have equal access to the school media to announce meetings, including the public address system, the school newspaper, bulletin boards, and school web site. However, the principal or designee may issue a disclaimer that such activities are not school-sponsored.

All noncurriculum-related student groups shall be given equal access to meeting space, school equipment, and supplies. No school shall deny equal access or a fair opportunity to meet, or otherwise discriminate against, any group officially affiliated with the Boy Scouts of America, or with any other youth group listed as a patriotic society in Title 36 of the United States Code, for reasons based on the membership or leadership criteria or oath of allegiance to God and country.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6145.5

INSTRUCTION

STUDENT ORGANIZATIONS AND EQUAL ACCESS

Legal Reference:

EDUCATION CODE

52 Designation of secondary schools
53 Designation of high schools
200-262.3 Prohibition of discrimination on the basis of sex
38130-38138 Civic Center Act
48900 Hazing
48907 Student exercise of free expression
48930-48938 Student organizations
48950 Freedom of speech
49020-49023 Athletic programs

PENAL CODE

627-627.10 Access to school premises
CODE OF REGULATIONS, TITLE 5
2 Definitions
5531 Supervision of extracurricular activities of students

UNITED STATES CODE, TITLE 20

4071-4074 Equal Access Act

7904 School prayer

7905 Boy Scouts equal access

UNITED STATES CODE, TITLE 36

20101-240112 Patriotic organizations

COURT DECISIONS

Prince v. Jacoby, (2001) 303 F.3d 1074
Culbertson et al. v. Oakridge School District, (2002) 258 F.3d 1061
Good News Club et al. v. Milford Central School, (2001) 121 S.Ct. 2093
Ceniceros v. Board of Trustees of the San Diego Unified School District, (1997) 106 F.3d 878
Board of Education of Westside Community School District v. Mergens By and Through Mergens (1989, 8th Cir.) 867 F.2d 1076
Perumal et al v. Saddleback Valley Unified School District, (1988) 198 Cal. App. 3d 64
Student Coalition for Peace v. Lower Merion School District Board of Directors, (1985) 776 F.2d. 431
Hartzell v. Connell, (1984) 35 Cal. 3d 899

Management Resources:

WEB SITES

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

Policy adopted: 02/07/17

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 6145.5

INSTRUCTION

STUDENT ORGANIZATIONS AND EQUAL ACCESS

Because the District has established a limited open forum, the principal or designee shall not deny any student-initiated school group access to school facilities during noninstructional time on the basis of religious, political, philosophical, or any other content of speech to be addressed at such meetings.

Such meetings shall not interfere with regular school activities. The Superintendent or designee shall identify the noninstructional time period(s) set aside for meetings of student groups either before or after actual classroom instruction times. Meetings shall not be held during the lunch period.

Meetings held within the limited open forum shall entail no expenditure of public funds beyond the incidental cost of providing the meeting space.

Students shall leave the meeting place in a clean, orderly, and secure condition after their meetings. The Superintendent or designee may deny the use of facilities to any group that he/she believes will materially disrupt the school program or threaten the health and safety of students and staff.

Authorization for Student Groups

Any student wishing to create either a curriculum- or noncurriculum-related student groups shall first request authorization from the principal or designee. The group shall provide the principal or designee with the following information:

1. Name of the organization and names of student contacts.
2. A statement of the organization's purposes, objectives, and activities
3. A copy of the proposed bylaws of the student group, including a description of how officers will be selected, as well as the bylaws of any off-campus organization with which the group may be affiliated
4. The name of the proposed faculty advisor, if any
5. The proposed dates, times, and location of meetings
6. Any special equipment to be used
7. A description of the qualifications for membership, if any
8. If a curriculum-related group, a statement of the relation of the club to the curriculum and/or instructional program

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 6145.5

INSTRUCTION

STUDENT ORGANIZATIONS AND EQUAL ACCESS

Authorization for Student Groups (continued)

The principal or designee may establish school rules governing the meetings of curriculum-related groups, such as attendance or grade requirements. Such rules may vary depending on the group, such as whether or not academic credit is given for participation in the group.

Role of Staff Adviser

For any curriculum-related student group, the staff adviser shall provide guidance and teaching to students to ensure that the group's activities are aligned to the District's goals and objectives and shall provide supervision and leadership of the group. The principal shall have final authority in determining the assignment and role of the staff adviser.

For noncurriculum-related student groups, a staff adviser may be assigned voluntarily to observe meetings for purposes of maintaining order and protecting student safety. Staff advisers and other school employees shall not promote, lead, or participate in the meetings.

A school employee may refuse to attend a meeting of a student group if the content of the speech at the meeting is contrary to the employee's beliefs.

Hazing

Any student who engages in hazing may be subject to discipline including, but not limited to, suspension or expulsion. Hazing means a method of initiation or pre-initiation into a student organization or body, whether or not the organization or body is officially recognized by the District, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student.

Regulation adopted: 02/07/17

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6146

INSTRUCTION

ELEMENTARY SCHOOL PROMOTION/STANDARDS OF PROFICIENCY

Eighth grade students who have completed the district's prescribed course of study shall be eligible for a diploma of promotion.

The Governing Board shall adopt district standards of proficiency in reading comprehension, writing and computational skills and in other areas the Board deems appropriate. Students shall be assessed for these basic skills and receive remedial instruction when needed.

The Superintendent or designee shall ensure that the district's standards of proficiency are developed with the active involvement of teachers, administrators, counselors and parents/guardians and that they are articulated with standards adopted by the local high school district. (Education Code 51215)

The Superintendent or designee shall provide for the periodic screening of assessment instruments for racial, cultural or sexual bias.

Legal Reference:

EDUCATION CODE

51215-51210.5 Student progress, elementary and secondary schools

51225.4 Elementary school district certification of sufficient preparation

52510 Requirements for eighth grade graduation (adult school)

Policy Revised: 10/09/90

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6146.1

INSTRUCTION

**DIFFERENTIAL GRADUATION AND COMPETENCY STANDARD FOR
INDIVIDUALS WITH EXCEPTIONAL NEEDS**

The Governing Board recognizes that proficiency standards adopted for students enrolled in regular educational programs may not be appropriate for all students enrolled in district special education programs. Certain students with diagnosed disabilities that prevent them from attaining the district's regularly adopted proficiency competencies may need differential standards.

Students with exceptional needs should meet the regular district graduation standards to the extent that their handicaps or disabilities permit.

The Individualized Education Program Team (IEP) will determine if a student's handicaps or disabilities preclude the student from attaining the district's regular standards. The determination and development of appropriate differential proficiency standards will be included in the process of developing and managing the student's individualized education program.

Further, students who meet district criteria as Limited English Proficient may have proficiency assessments deferred for up to 24 months if the students do not possess sufficient English language skills for testing. Before being assessed, the students must meet the Fluent English Proficient reclassification criteria, or have been enrolled in the district for more than 24 months.

Legal Reference:

EDUCATION CODE

51215(d) Proficiency standards in basic skills

56000 Education of individuals with exceptional needs

56341(b) Individualized Education Program Team

56345(b) Elements of Program

TITLE 5 OF THE CALIFORNIA ADMINISTRATIVE CODE

TITLE 45 OF THE CODE OF FEDERAL REGULATIONS

Policy Revised: 10/09/90

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6150

INSTRUCTION

INSTRUCTIONAL ARRANGEMENTS

The Governing Board encourages the superintendent and the instructional staff to make such arrangements for use of facilities, materials, personnel, time and other resources as well, in the superintendent's and staff's professional judgment, provide the most favorable learning environment for students.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6151

INSTRUCTION

CLASS SIZE

The Governing Board recognizes that in order to provide a valuable education to students of the district, class sizes should be maintained at levels which are conducive to the most effective use of district teaching personnel and the practice of valuable teaching methods for the benefit of the students.

The Governing Board, through collective bargaining with the exclusive representative of certificated employees, and within the budgetary resources available, will establish class size limits. The Board will periodically review its policy on class size with the Superintendent to evaluate its impact on the achievement of district educational goals.

Legal Reference:

EDUCATION CODE

41375 Legislative intent; studies for encouraging reduction in class size

41379 Waiver authority of excessive kindergarten class sizes

GOVERNMENT CODE

3543.2 Scope of representation

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6152

INSTRUCTION

STUDENT GROUPING

When assigning students to specific classrooms, the Superintendent or designee shall make every effort to provide the best possible learning environment for each child. Insofar as possible, consideration shall be given to:

1. Placement recommendations of the current classroom teacher.
2. Girl/boy balance.
3. Academic balance: high/medium/low achievers.
4. Balance of students with social/emotional problems.
5. Strengths and weaknesses of individual teachers.
6. Student interests, readiness, behavior and motivation.

The Superintendent or designee may accept from parents/guardians any information which would be helpful in making placement decisions, always with the understanding that any request for a specific teacher can be considered only as one of many determining factors which must be taken into account.

During the school year, the Superintendent or designee shall make any adjustments in class placement which he/she may deem beneficial to the student or the educational program.

Teachers shall group students within the classroom so as to accommodate individual differences and increase instructional effectiveness.

The philosophy of the district is to group each regular classroom heterogeneously.

Legal Reference:

EDUCATION CODE

35020 Duties of employees fixed by governing board

Policy Revised: 10/09/90

INSTRUCTION

School-Sponsored Trips

The Board of Trustees recognizes that school-sponsored trips are an important component of students' development, and such trips supplement and enrich the classroom learning experience. School-sponsored trips may be conducted in connection with the District's course of study or school-related social, educational, cultural, athletic, school band activities, or other extracurricular or cocurricular activities. Educational field trips augment classroom instruction when they are effectively planned, carried out, and evaluated. Such trips will be annually approved by the Board of Trustees.

Requests for school-sponsored trips involving out-of-state, out-of-country, or overnight travel shall be submitted to the Superintendent or designee. The Superintendent or designee shall review the request and make a recommendation to the Board of Trustees as to whether the request should be approved by the Board.

The principal shall establish a process for approving a staff member's request to conduct a school-sponsored trip. When planning trips, staff shall consider student safety, objectives of instruction, the most effective use of instructional time, the distance from school, District and student expense, and transportation and supervision requirements. The principal may exclude from the trip any student whose presence on the trip would pose a safety or disciplinary risk.

No field trip shall be authorized if any student would be excluded from participation because of a lack of sufficient funds. The Superintendent or designee shall coordinate with community groups to supply funds for students in need. (Education Code 35330)

District funds shall not be used to pay student expenses for out-of-state or out-of-country field trips or excursions. However, expenses of instructors, chaperones, and other personnel participating in such trips, as well as incidental expenses for the use of District equipment during the trip, may be paid from District funds. (Education Code 35330)

On all school-sponsored trips involving students, provision shall be made for proper supervision by school employees. Parents are encouraged to participate in such supervision.

The District shall provide a first aid kit whenever students are taken on field trips under the supervision of a teacher, employee, or agent of the school.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6153

INSTRUCTION

School-Sponsored Trips

Legal Reference:

EDUCATION CODE

- 8760 *Authorization of outdoor science and conservation programs*
 - 32040-32044 *First aid equipment: field trips*
 - 35330 *Excursions and field trips*
 - 35331 *Provision for medical or hospital service for pupils (on field trips)*
 - 35332 *Transportation by chartered airline*
 - 35350 *Transportation of students*
 - 44808 *Liability when pupils not on school property*
 - 48908 *Duties of pupils; authority of teachers*
- BUSINESS AND PROFESSIONS CODE
- 17540 *Travel promoters*
 - 17550-17550.9 *Sellers of travel*
 - 17552-17556.5 *Educational travel organizations*

Management Resources:

WEB SITES

- American Red Cross: <http://www.redcross.org>*
- California Association of Directors of Activities: <http://www.cada1.org>*
- U.S. Department of Homeland Security: <http://www.dhs.gov>*

Policy Revised: 10/09/90

Policy Revised: 12/10/13

ADMINISTRATIVE REGULATION

AR 6153

INSTRUCTION

School-Sponsored Trips

Supervision

Students on school-sponsored trips are under the jurisdiction of the District and shall be subject to District and school rules and regulations.

The Superintendent or designee shall ensure that adequate supervision is provided on all school-sponsored trips and that there is an appropriate ratio of adults to students present on the trip. If the trip involves water activities, this ratio shall be revised as necessary.

Parent/Guardian Permission

Before a student can participate in a school-sponsored trip, the teacher shall obtain parent/guardian permission for the trip. Whenever a trip involves water activities, the parent/guardian shall provide specific permission for his/her child to participate in the water activities. The District shall provide an alternative educational experience for students whose parents/guardians do not wish them to participate in a trip.

All persons making the field trip or excursion shall be deemed to have waived all claims against the District or the State of California for injury, accident, illness, or death occurring during or by reason of the field trip or excursion. All adults taking out-of-state field trips or excursions and all parents/guardians of students taking out-of-state field trips or excursions shall sign a statement waiving such claims. (Education Code 35330)

Safety Issues

1. While conducting a trip, the teacher, employee, or agent of the school shall have the school's first aid kit in his/her possession or immediately available. (Education Code 32041)

Whenever trips are conducted in areas known to be infested with poisonous snakes, the first aid kit taken on the trip shall contain medically accepted snakebite remedies. In addition, a teacher, employee, or agent of the school who has completed a first aid course which is certified by the American Red Cross and which emphasizes the treatment of snakebites shall, participate in the trip. (Education Code 32043)

2. The District shall provide or make available medical and/or hospital insurance for students injured while participating in any excursion or field trip. (Education Code 35331)

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6154

INSTRUCTION

HOMEWORK/MAKEUP WORK

The Board of Trustees recognizes that homework is intended to be purposeful and meaningful, leading to increased student achievement. The Board encourages students, parents/guardians and teachers to view homework as an important extension of classroom instruction. When homework is purposeful and meaningful, it contributes to building responsibility, self-discipline, and life-long learning habits. The Board encourages students, parents/guardians, and staff to view homework routines as an important part of students' daily lives.

The Superintendent or designee shall ensure that administrators and teachers develop and implement an effective homework plan at each school site.

Although there is an expectation that it is the student's responsibility to complete homework assignments independently, the Board of Trustees encourages teachers at all grade levels to include parents/guardians as a supportive resource. Parents/guardians shall be notified by their child's teacher when their child repeatedly fails to complete and/or submit homework.

Makeup Work

Students who miss school work because of an excused absence shall be given the opportunity to complete all missed assignments and tests that can be reasonably provided. As determined by the teacher, the assignments and tests shall be reasonably equivalent to, but not necessarily identical to, the assignments and tests missed during the absence. Students shall receive full earned credit for work satisfactorily completed within a reasonable period of time after they return from their excused absence. (Education Code 48205)

Legal Reference:

EDUCATION CODE

48205 Absences for personal reasons

48913 Completion of work missed by suspended student

48980 Parental notifications

58700-58702 Tutoring and homework assistance program; summer school apportionment credit

Management Resources:

SBE POLICIES

Parent Involvement in the Education of Their Children, 1994

Policy Statement on Homework, 1995

Policy Revised: 10/09/90

Policy Revised: 07/06/99

Policy Revised: 01/10/17

INSTRUCTION

HOMEWORK/MAKEUP WORK

School-Site Homework Plan

The principal and staff at each school shall develop and regularly review a school-site homework plan which includes research-based guidelines for the assignment of homework and describes the responsibilities of students, staff and parents/guardians. The plan shall address the following:

1. Homework is intended to be purposeful and meaningful, leading to increased student achievement.
2. When homework is assigned, it should not exceed approximately 10 minutes per grade level per day. In addition to the 10 minutes per grade level per day, site plans may encourage 20 minutes a day of recreational reading.

For Example:

- a. TK and Kindergarten – approximately 20 minutes of recreational reading
 - b. First Grade – approximately 10 minutes of homework
 - c. Second Grade – approximately 20 minutes of homework
 - d. Third Grade – approximately 30 minutes of homework
 - e. Fourth Grade – approximately 40 minutes of homework
 - f. Fifth Grade – approximately 50 minutes of homework
 - g. Sixth Grade – approximately 60 minutes of homework
 - h. Seventh Grade – approximately 70 minutes of homework
 - i. Eighth Grade – approximately 80 minutes of homework
3. Unless otherwise stated, homework assignments are expected to be completed independently by the student. Parents/guardians shall be informed about homework expectations, how homework relates to their children's grades, and homework strategies to best help their children.
 4. Techniques will be taught to help students allocate their time wisely, meet their deadlines and develop good personal study habits and such techniques will be communicated to students and parents.
 5. Incorporated within the routine homework assignments mentioned in #2, students may experience long-term projects, independent research, reports, and/or problem solving activities throughout the year. Students may have access to additional support materials through the library and online sources.

INSTRUCTION

HOMEWORK/MAKEUP WORK

School-Site Homework Plan (continued)

6. Teachers shall coordinate assignments so that students receive a balanced amount of homework.

The Superintendent or designee shall notify parents/guardians that no student may have his/her grade reduced or lose academic credit for any excused absence when missed assignments and tests are satisfactorily completed within a reasonable period of time. Such notifications shall include the full text of Education Code 48205. (Education Code 48980)

The teacher of any class from which a student is suspended may require the student to complete any assignments and tests missed during the suspension. (Education Code 48913)

Regulation Adopted: 07/06/99
Regulation Revised: 01/10/17

BOARD POLICY

BP 6157

INSTRUCTION

DISTANCE LEARNING

The Board of Trustees recognizes that distance learning can be a viable alternative instructional strategy that supports student achievement of academic goals. Distance learning opportunities may be offered to students participating in independent study, credit recovery courses, enrichment courses, or other courses identified by the Superintendent or designee, or in the event that a school site is physically closed due to widespread illness, pandemic, natural disaster, or other emergency.

The District may offer distance learning through a variety of delivery methods as appropriate for the grade level and subject matter. Distance learning opportunities may include video, audio, and/or written instruction in which the primary mode of communication between the student and teacher is online interaction, instructional television, live or prerecorded video, telecourses, and other instruction that relies on computer or communications technology. They may also include the use of print materials with written or oral feedback.

The Superintendent or designee shall review and select distance learning courses, which may include those taught by District staff or others, that are of high academic quality and are aligned with District standards and curricula. As appropriate, courses may be self-directed to allow students to complete assignments at their own pace and/or may involve real-time interaction among the teacher and students.

The Superintendent or designee shall, in collaboration with teachers, plan for schoolwide or long-term distance learning in the event of a school closure. In developing the plan, the Superintendent or designee shall analyze the course sequence, prioritize content and standards to be completed, and recommend the grading criteria. In such circumstances, students' social-emotional wellness shall be taken into account, and schedules and learning experiences shall be designed to build continuity, routine, and regular connections with students.

As needed, the Superintendent or designee shall provide teachers with training and ongoing support, including technological support and guidance, to effectively implement distance learning. The District shall also provide opportunities for teachers to communicate and collaborate with each other to exchange information on effective practices.

Staff shall comply with all copyright regulations in developing materials to be used in distance education courses.

The District shall take steps to ensure that distance learning opportunities are available to all students, including economically disadvantaged students, students with disabilities, and English learners. Teachers may use multiple methods of providing instruction to meet student needs. All online programming and Internet content shall meet accessibility standards for students with disabilities, including compatibility with commonly used assistive technologies.

INSTRUCTION

DISTANCE LEARNING (continued)

The Superintendent or designee shall assess students' access to technological devices and the Internet and, consistent with the District's budget and technology plan, may loan devices to students to use at home and/or assist families in identifying free service providers. Students are expected to use District technology responsibly in accordance with the District's Acceptable Use Agreement. To the extent possible, the District shall make technical and academic support available to students.

Teachers shall provide regular communications to students and parents/guardians about expectations, assignments, and available resources to assist the student in successful completion of distance learning coursework.

Grading of distance learning assignments and assessments of end-of-course knowledge and understanding of the subject matter shall be consistent with District policy on grading for equivalent courses.

Legal Reference:

EDUCATION CODE

35182.5 *Contracts for electronic products or services; prohibitions*

51210-51212 *Course of study for grades 1-6*

51220-51229 *Course of study for grades 7-12*

51740-51741 *Authority to provide instruction by correspondence*

51745-51749.3 *Independent study*

51865 *California distance learning policy*

PUBLIC CONTRACT CODE

20118.2 *Contracting by school districts; technological equipment*

UNITED STATES CODE, TITLE 20

7131 *Internet safety*

UNITED STATES CODE, TITLE 47

254 *Universal service discounts (E-rate); Internet safety*

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

COVID-19 Guidance for K-12 Schools

WORLD WIDE WEB CONSORTIUM PUBLICATIONS

Web Content Accessibility Guidelines

WEB SITES

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

World Wide Web Consortium, Web Accessibility Initiative: <http://www.w3.org/wai>

Policy adopted: 07/07/2020

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6158

INSTRUCTION

INDEPENDENT STUDY

The Board of Trustees authorizes independent study as an optional alternative instructional strategy for eligible students whose needs may be best met through study outside of the regular classroom setting. Independent study shall offer a means of individualizing the educational plan to serve students who desire a more challenging educational experience or whose health or other personal circumstances make classroom attendance difficult, or who are unable to access course(s) due to scheduling problems. As necessary to meet student needs, independent study may be offered for short- or long-term basis.

The Superintendent or designee may provide a variety of independent study opportunities, including, but not limited to, through a program or class within a comprehensive school, an alternative school or program of choice, or an online course.

A student's participation in independent study shall be voluntary. (Education Code 51747, 51749.5)

Independent study for each student shall be under the general supervision of a District employee who possesses a valid certification document pursuant to Education Code 44865 or an emergency credential pursuant to Education Code 44300. Students' independent study shall be coordinated, evaluated, and documented, as prescribed by law and reflected in the accompanying administrative regulation. (Education Code 51747.5)

The minimum period of time for any independent study option shall be one school day.

General Independent Study Requirements

For the 2022-23 school year and thereafter, the Superintendent or designee may continue to offer and approve independent study for an individual student upon determining that the student is prepared to meet the District's requirements for independent study and is likely to succeed in independent study as well as or better than the student would in the regular classroom setting.

Because excessive leniency in the duration of independent study assignments may result in a student falling behind his/her peers and increase the risk of dropping out of school, independent study assignments shall be completed no more than one week after assigned for all grade levels and types of program. However, when necessary based on the specific circumstances of the student's approved program, the Superintendent or designee may allow for a longer period of time between the date an assignment is made and when it is due, up to the termination date of the agreement.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6158

INSTRUCTION

INDEPENDENT STUDY

General Independent Study Requirements (continued)

An evaluation shall be conducted to determine whether it is in a student's best interest to remain in independent study whenever the student fails to make satisfactory educational progress and/or misses three assignments. A written record of the findings of any evaluation made pursuant to this policy shall be treated as a mandatory interim pupil record. The record shall be maintained for a period of three years from the date of the evaluation and, if the pupil transfers to another California public school, the record shall be forwarded to that school. Satisfactory educational progress shall be determined based on all of the following indicators: (Education Code 51747)

1. The student's achievement and engagement in the independent study program, as indicated by the student's performance on applicable student-level measures of student achievement and engagement specified in Education Code 52060
2. The completion of assignments, assessments, or other indicators that evidence that the student is working on assignments
3. Learning required concepts, as determined by the supervising teacher
4. Progress towards successful completion of the course of study or individual course, as determined by the supervising teacher

The Superintendent or designee shall ensure that students participating in independent study are provided with content aligned to grade level standards at a level of quality and intellectual challenge substantially equivalent to in-person instruction. (Education Code 51747)

The Superintendent or designee shall ensure that students participating in independent study for 16 school days or more receive the following throughout the school year. (Education Code 51747)

1. For students in grades transitional kindergarten, kindergarten, and grades 1 to 3, opportunities for daily synchronous instruction
2. For students in grades 4-8, opportunities for both daily live interaction and at least weekly synchronous instruction

The Superintendent or designee shall ensure that procedures for tiered reengagement strategies are used for all students who are not generating attendance for more than three school days or 60 percent of the instructional days in a school week, or who are in violation of their written agreement. This requirement only applies to students participating in an independent study program for 16 school days or more. The procedures shall include, but are not necessarily limited to, all of the following: (Education Code 51747)

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6158

INSTRUCTION

INDEPENDENT STUDY

General Independent Study Requirements (continued)

1. Verification of current contact information for each enrolled student
2. Notification to parents/guardians of lack of participation within one school day of the absence of lack of participation
3. A plan for outreach from the school to determine student needs, including connection with health and social services as necessary
4. A clear standard for requiring a student-parent-educator conference to review a student's written agreement and reconsider the independent study program's impact on the student's achievement and well-being

The Superintendent or designee shall develop a plan to transition students whose families wish to return to in-person instruction from independent study expeditiously and, in no case later than five instructional days. This requirement only applies to students participating in an independent study program for 16 school days or more. (Education Code 51747)

The Superintendent or designee shall ensure that a written master agreement exists for each participating student as prescribed by law. (Education Code 51747, 51749.5)

The District shall provide written notice to the parents/guardians of all enrolled students of the option to enroll their child in in-person instruction or independent study during the 2021-22 school year. This notice shall be posted on the District's web site, and shall include, at a minimum, information about the right to request a student-parent-educator conference before enrollment, student rights regarding procedures for enrolling, disenrolling, and reenrolling in independent study, and the instructional time, including synchronous and asynchronous learning, that a student will have access to as part of independent study. (Education Code 51747)

Upon the request of the parent/guardian of a student, before making a decision about enrolling or disenrolling in independent study and entering into a written agreement to do so, the District shall conduct a telephone, videoconference, or in-person student-parent-educator conference or other meeting during which the student, parent/guardian, or their advocate may ask questions about the educational options, including which curriculum offerings and nonacademic supports will be available to the student in independent study. (Education Code 51747)

Master Agreement

A written agreement shall be developed and implemented for each student participating in independent study for one or more school days. (Education Code 46300, 51747; 5 CCR 11703)

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6158

INSTRUCTION

INDEPENDENT STUDY

Master Agreement (continued)

For student participation for 16 school days or more, a signed written agreement shall be obtained, before the student begins independent study. For student participation of less than 16 school days, a signed written agreement shall be obtained at any time during the school year. (Education Code 46300, 51747)

The agreement shall include general student data, including the student's name, address, grade level, birth date, school of enrollment, and program placement.

The independent study agreement for each participating student also shall include, but are not limited to, all of the following: (Education Code 51747; 5 CCR 11700, 11702)

1. The frequency, time, place and manner for submitting the student's assignments, reporting the student's academic progress, and communicating with a student's parent/guardian regarding the student's academic progress.
2. The objectives and methods of study for the student's work and the methods used to evaluate that work.
3. The specific resources that will be made available to the student, including materials and personnel, and access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work.
4. A statement of the Board's policy detailing the maximum length of time allowed between an assignment and its completion, the level of satisfactory educational progress, and the number of missed assignments which will trigger an evaluation of whether the student should be allowed to continue in independent study.
5. The duration of the independent study agreement, including the beginning and ending dates for the student's participation in independent study under the agreement, with a maximum of one school year.
6. A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the agreement, to be earned by the student upon completion.
7. A statement detailing the academic and other supports that will be provided to address the needs of students who are not performing at grade level, or need support in other areas, such as English learners, students with disabilities with an individualized education program or a Section

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6158

INSTRUCTION

INDEPENDENT STUDY

Master Agreement (continued)

504 plan in order to be consistent with their program or plan, students in foster care or experiencing homelessness, and students requiring mental health supports.

8. A statement that independent study is an optional educational alternative in which no student may be required to participate.

9. In the case of a suspended or expelled student who is referred or assigned to any school, class, or program pursuant to Education Code 48915 or 48917, a statement that instruction may be provided through independent study only if the student is offered the alternative of classroom instruction.

10. For independent study less than 16 school days, agreements may be signed any time during the school year. For independent study of 16 school days or more, agreements must be signed before the independent study dates. Independent study agreements for both short-term (fewer than 16 school days) and long-term (16 or more school days) shall be signed and dated by the student, the student's parent/guardian or caregiver if the student is under age 18 years, the certificated employee responsible for the general supervision of independent study, and, if the independent study is for students with disabilities, the certificated employee designated as having responsibility for the special education programming of the student.

Written agreements may be signed using an electronic signature that complies with state and federal standards, as determined by the California Department of Education (CDE). (Education Code 51747)

The parent/guardian's signature on the agreement shall constitute permission for the student to receive instruction through independent study.

Student-Parent-Educator Conferences

A student-parent-educator conference shall be held as appropriate including, but not limited to, as a reengagement strategy and/or if requested by a parent/guardian prior to enrollment or disenrollment from independent study. (Education Code 51745.5, 51747, 51749.5)

Records for Audit Purposes

The Superintendent or designee shall ensure that records are maintained for audit purposes. These records shall include, but not be limited to: (Education Code 51748; 5 CCR 11703)

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6158

INSTRUCTION

INDEPENDENT STUDY

Records for Audit Purposes (continued)

1. A copy of the Board policy, administrative regulation, and other procedures related to independent study
2. A listing of the students, by grade level, program, and school, who have participated in independent study, along with the units of the curriculum attempted and completed by students in grades K-8
3. A file of all agreements, with representative samples of each student's work products bearing the supervising teacher's notations indicating that the teacher has personally evaluated the work or personally reviewed the evaluations made by another certificated teacher
4. As appropriate to the program in which the students are participating, a daily or hourly attendance register that is separate from classroom attendance records, maintained on a current basis as time values of student work products judged by a certificated teacher, and reviewed by the supervising teacher if they are two different persons
5. Appropriate documentation of compliance with the teacher-student ratios required by Education Code 51745.6 and 51749.5 (Education Code 51745.6 and 51749.5)
6. Appropriate documentation of compliance with the requirements pursuant to Education Code 51747.5 to ensure the coordination, evaluation, and supervision of the independent study of each student by a District employee who possesses a valid certification document pursuant to Education Code 44865 or an emergency credential pursuant to Education Code 44300 (Education Code 51747.5)

The District shall document each student's participation in live interaction and synchronous instruction pursuant to Education Code 51747 on each school day, as applicable, in whole or in part, for which independent study is provided. A student who does not participate in independent study on a school day shall be documented as nonparticipatory for that school day. (Education Code 51747.5)

The Superintendent or designee also shall maintain a written or computer-based record such as a grade book or summary document of student engagement, for each class, of all grades, assignments, and assessments for each student for independent study assignments. (Education Code 51747.5)

The signed, dated agreement, any supplemental agreement, assignment records, work samples, and attendance records may be maintained on file electronically. (Education Code 51747)

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6158

INSTRUCTION

INDEPENDENT STUDY

Legal Reference:

EDUCATION CODE

17289 Exemption for facilities
41976.2 Independent study programs; adult education funding
42238 Revenue limits
42238.05 Local control funding formula; average daily attendance
44865 Qualifications for home teachers and teachers in special classes and schools
46200-46208 Instructional day and year
46300-46300.6 Methods of computing average daily attendance
47612.5 Independent study in charter schools
48204 Residency
48206.3 Home or hospital instruction; students with temporary disabilities
48220 Classes of children exempted
48340 Improvement of pupil attendance
48915 Expulsion; particular circumstances
48916.1 Educational program requirements for expelled students
48917 Suspension of expulsion order
49011 Student fees
51225.3 Requirements for high school graduation
51745-51749.6 Independent study programs
52522 Adult education alternative instructional delivery
52523 Adult education as supplement to high school curriculum; criteria
56026 Individuals with exceptional needs
58500-58512 Alternative schools and programs of choice

FAMILY CODE

6550 Authorization affidavits

CODE OF REGULATIONS, TITLE 5

11700-11703 Independent study

19819 State audit compliance

UNITED STATES CODE, TITLE 20

6301 Highly qualified teachers

COURT DECISIONS

Modesto City Schools v. Education Audits Appeal Panel, (2004) 123 Cal.App.4th 1365

EDUCATION AUDIT APPEALS PANEL DECISIONS

Lucerne Valley Unified School District, Case No. 03-02 (2005)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Elements of Exemplary Independent Study

WEB SITES

California Consortium for Independent Study: <http://www.ccis.org>

California Department of Education, Independent Study: <http://www.cde.ca.gov/sp/eo/is>

Education Audit Appeals Panel: <http://www.eaap.ca.gov>

Policy Adopted: 10/20/98
Policy Revised: 08/25/20
Policy Revised: 09/14/21
Policy Revised: 10/08/24

INSTRUCTION

INDEPENDENT STUDY

Educational Opportunities

Commencing with the 1990–91 school year, the District may offer independent study to meet the educational needs of students as specified in Education Code 51745 unless the District has obtained a waiver. (Education Code 51745)

Educational opportunities offered through independent study may include, but are not limited to: (Education Code 51745)

1. Special assignments extending the content of regular courses of instruction.
2. Individualized study in a particular area of interest or in a subject not currently available in the regular school curriculum.
3. Individualized alternative education designed to teach the knowledge and skills of the core curriculum, but not provided as an alternative curriculum.
4. Continuing and special study during travel.
5. Individualized study for a student whose health, as determined by the student's parent/guardian, would be put at risk by in-person instruction

In addition, when requested by a parent/guardian due to an emergency, vacation, or illness, independent study may be used on a short-term basis to ensure that the student is able to maintain academic progress in his/her regular classes.

Equivalency

The District's independent study option shall be substantially equivalent in quality and quantity to classroom instruction to enable participating students to complete the District's adopted course of study within the customary time frame. Students in independent study shall have access to the same services and resources that are available to other students in the school and shall have equal rights and privileges.

Students participating in independent study shall have access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work. (Education Code 51747)

The District shall not provide independent study students and their parents/guardians with funds or items of value that are not provided for other students and their parents/guardians. Providing

INSTRUCTION

INDEPENDENT STUDY

Equivalency (continued)

access to Internet connectivity and local educational agency-owned devices adequate to participate in an independent study program and complete assigned work consistent with Education Code 51747, or to participate in an independent study course, as authorized by Education Code 51749.5, shall not be considered funds or other things of value. (Education Code 46300.6, 51747.3)

Eligibility for Independent Study

Students are eligible for independent study as authorized in law, and as specified in board policy and administrative regulation.

For the 2022-23 school year and thereafter, the Superintendent or designee may approve the participation of a student who demonstrates the motivation, commitment, organizational skills, and academic skills necessary to work independently, provided that experienced certificated staff are available to effectively supervise students in independent study. The Superintendent or designee may also approve the participation of a student whose health would be put at risk by in-person instruction. A student whose academic performance is not at grade level may participate in independent study only if the program is able to provide appropriate support, such as supplemental instruction, tutoring, counseling, ongoing diagnostic assessments, and/or differentiated materials, to enable the student to be successful. For an elementary student, the Superintendent or designee may consider the parent/guardian's level of commitment to assist the student.

A student participating in independent study must be a resident of the county or an adjacent county. Full-time independent study shall not be available to students whose District residency status is based on their parent/guardian's employment within District boundaries pursuant to Education Code 48204. (Education Code 46300.2, 51747.3)

A student with disabilities, as defined in Education Code 56026, shall not participate in independent study unless the student's individualized education program specifically provides for such participation. (Education Code 51745)

A temporarily disabled student shall not receive individual instruction pursuant to Education Code 48206.3 by means of independent study. (Education Code 51745)

Monitoring Student Progress

The independent study administrator and/or supervising teacher shall promptly and directly address any failure by the student to meet the terms of his/her written agreement. The following supportive strategies may be used:

1. A letter to the parent/guardian.

INSTRUCTION

INDEPENDENT STUDY

Monitoring Student Progress (continued)

2. A meeting between the student and the teacher and/or counselor.
3. A meeting between the student and the independent study administrator, including the parent/guardian if appropriate.
4. An increase in the amount of time the student works under direct supervision.

When the student has failed to make satisfactory educational progress or missed the number of assignments specified in the written agreement as requiring an evaluation, the Superintendent or designee shall conduct an evaluation to determine whether or not independent study is appropriate for the student. This evaluation may result in termination of the independent study agreement and the student's return to the regular classroom program or other alternative program.

A written record of the findings of any such evaluation shall be treated as a mandatory interim student record which shall be maintained for three years from the date of the evaluation. (Education Code 51747)

Responsibilities of Independent Study Administrator

The responsibilities of the independent study administrator include, but are not limited to:

1. Recommending certificated staff to be assigned as independent study teachers at the required teacher-student ratios pursuant to Education Code 51745.6 and supervising staff assigned to independent study functions who are not regularly supervised by another administrator.
2. Approving or denying the participation of students requesting independent study.
3. Facilitating the completion of written independent study agreements.
4. Ensuring a smooth transition for students into and out of the independent study mode of instruction.
5. Approving the academic achievement to be earned through independent study.
6. Completing or coordinating the preparation of all records and reports required by law, Board policy, or administrative regulation.

INSTRUCTION

INDEPENDENT STUDY

Assignment and Responsibilities of Independent Study Teachers

Each student's independent study shall be coordinated, evaluated, and carried out under the general supervision of a certificated employee who possesses a valid certification document pursuant to Education Code 44865 or emergency credential pursuant to Education Code 44300, registered as required by law, and who consents to the assignment. (Education Code 44865, 51747.5; 5 CCR 11700)

The ratio of student average daily attendance for independent study students age 18 years or younger to full-time equivalent certificated employees responsible for independent study shall not exceed the equivalent ratio for all other education programs in the District, unless a new higher or lower ratio for all other educational programs offered is negotiated in a collective bargaining agreement or the District enters into a memorandum of understanding that indicates an existing collective bargaining agreement contains an alternative ratio. (Education Code 51745.6)

The responsibilities of the supervising teacher shall include, but are not limited to:

1. Completing designated portions of the written independent study agreement and signing the agreement
2. Supervising and approving coursework and assignments.
3. Maintaining records of student assignments showing the date the assignment is given and the date the assignment is due.
4. Maintaining a daily attendance register in accordance with item #4 in the section on "Records for Audit Purpose" in the accompanying Board Policy.
5. Providing direct instruction and counsel as necessary for individual student success.
6. Regularly meeting with the student to discuss the student's progress.
7. Determining the time value of assigned work or work products completed and submitted by the student.
8. Assessing student work and assigning grades or other approved measures of achievement.
9. Documenting each student's participation in live interaction and/or synchronous instruction pursuant to Education Code 51747 on each school day for which independent study is provided

INSTRUCTION

INDEPENDENT STUDY

Assignment and Responsibilities of Independent Study Teachers (continued)

The Superintendent or designee shall ensure that independent study teachers have access to professional development and support comparable to classroom-based teachers.

Definitions

Live interaction means interaction between the student and classified or certificated staff, and may include peers, provided for the purpose of maintaining school connectedness, including, but not limited to, wellness checks, progress monitoring, provision of services, and instruction. This interaction may take place in person, or in the form of Internet or telephonic communication. (Education Code 51745.5)

Student-parent-educator conference means a meeting involving, at a minimum, all parties who signed the student's written independent study agreement pursuant to Education Code 51747 or the written learning agreement pursuant to Education Code 51749.6. (Education Code 51745.5)

Synchronous instruction means classroom-style instruction or designated small group or one-on-one instruction delivered in person, or in the form of Internet or telephonic communications, and involving live two-way communication between the teacher and student. Synchronous instruction shall be provided by the teacher of record for that student pursuant to Education Code 51747.5. (Education Code 51745.5)

Regulation Adopted: 10/20/98
Regulation Revised: 08/25/20
Regulation Revised: 09/14/21
Regulation Revised: 10/08/24

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6159

INSTRUCTION

INDIVIDUALIZED EDUCATION PROGRAM

The Governing Board desires to provide educational alternatives that afford students with disabilities full educational opportunities. Students with disabilities shall receive a free, appropriate public education and be placed in the least restrictive environment which meets their needs to the extent provided by law.

The Superintendent or designee shall develop administrative regulations regarding the appointment of the individualized education program team (IEP), the contents of the IEP and the development, review and revision of the IEP.

To the extent permitted by federal law, a foster parent shall have the same rights relative to his/her foster child's IEP as a parent/guardian. (Education Code 56055)

Legal Reference:

EDUCATION CODE

51225.3 Requirements for high school graduation and diploma
56055 Rights of foster parents pertaining to foster child's education
56136 Guidelines for low incidence disabilities areas
56195.8 Adoption of policies
56321 Development or revision of IEP
56321.5 Notice to include right to electronically record
56340.1-56346 Instructional planning and individualized education program
56350-56352 IEP for visually impaired students
56380 IEP reviews; notice of right to request
56390-56393 Certificate of completion, special education
56500-56508 Procedural safeguards
60640-60649 Standardized Testing and Reporting Program
60850 High school exit examination, students with disabilities

FAMILY CODE

6500-6502 Age of majority

GOVERNMENT CODE

7572.5 Seriously emotionally disturbed child, expanded IEP team

CODE OF REGULATIONS, TITLE 5

852-853 Standardized Testing and Reporting Program, accommodations for students with disabilities
1216-1218 High School Exit Examination, accommodations for students with disabilities
3021-3029 Identification referral and assessment
3040-3043 Instructional Planning and the individualized education program

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act of 1974

1400-1487 Individuals with Disabilities Education Act

CODE OF FEDERAL REGULATIONS, TITLE 34

300.1-300.766 Individual Education Act

COURT DECISIONS

Shapiro v. Paradise Valley Unified School District, No. 69 (9th Circuit, 2003) 317 F.3d 1072

Sacramento City School District v. Rachel H. 14F.3d 1398 (9th Cir. 1994)

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6159

INSTRUCTION

INDIVIDUALIZED EDUCATION PROGRAM

Management Resources:

FEDERAL REGISTER

34 CFR 300.a Appendix A to Part 300 – Questions and Answers

34 CFR 300.a1 Attachment 1: Analysis of Comments and Changes

WEB SITES

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

US Department of Education, Office of Special Education and Rehabilitative Services:

Policy Adopted: 10/09/90
Policy Revised: 10/20/98
Policy Revised: 09/07/99
Policy Revised: 09/16/03

INSTRUCTION

INDIVIDUALIZED EDUCATION PROGRAM

At the beginning of each school year, the District shall have an individualized education program (IEP) in effect for each student with a disability within District jurisdiction. (34 CFR 300.342)

Members of the IEP Team

The IEP team for any student with a disability shall include the following members: (20 USC 1414(d)(1); 34 CFR 300.344; Education Code 56341, 56341.2, 56341.5)

1. One or both of the student's parents/guardians, and/or a representative selected by the parent/guardian.
2. If the student is or may be participating in the regular education program, at least one regular education teacher.

If more than one regular education teacher is providing instructional services to the student, the District may designate one such teacher to represent the others.

3. At least one special education teacher or, where appropriate, at least one special education provider for the student.
4. A representative of the District, Special Education Local Plan Area (SELPA) or county office of education who is:
 - a. Qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of students with disabilities.
 - b. Knowledgeable of the general education curriculum.
 - c. Knowledgeable about the availability of District and/or SELPA resources.
5. An individual who conducted an assessment of the student or who is knowledgeable about the assessment procedures used to assess the student and is:
 - a. Familiar with the assessment results or recommendations.
 - b. Qualified to interpret the instructional implication of assessment results.

This individual may already be a member of the team as described in items #104 above or in item #6 below.

INSTRUCTION

INDIVIDUALIZED EDUCATION PROGRAM

Members of the IEP Team (continued)

6. At the discretion of the parent/guardian or District, other individuals who have knowledge or special expertise regarding the student, including related services personnel, as appropriate.

The determination of whether the individual has special expertise regarding the student shall be made by the party who invites the individual to be a member of the IEP team. (Education Code 56341)

7. Whenever appropriate, the student with a disability.

8. For transition service participants pursuant to 34 CFR 300.347:

- a. The student, of any age, with the disability if the purpose of the meeting is the consideration of the student's transition service needs under Education Code 56345.1(a) or (b).

If the student does not attend the IEP team meeting, the District shall take other steps to ensure that the student's preferences and interests are considered.

- b. A representative of any other agency that is likely to be responsible for providing or paying for transition services.

If a representative does not attend the meeting, the District shall take other steps to obtain participation of the agency in the planning of any transition services.

9. For students suspected of having a specific learning disability, at least one member of the team who is qualified to conduct individual diagnostic examinations of the student, such as a school psychologist, speech language pathologist or remedial reading teacher.

At least one team member other than the student's regular education teacher shall observe the student's academic performance in the regular classroom setting. If the child is younger than five years or not enrolled in school, a team member shall observe the child in an environment appropriate for a child of that age.

10. For students who have been placed in a group home by the juvenile court, a representative of the group home.

INSTRUCTION

INDIVIDUALIZED EDUCATION PROGRAM

Members of the IEP Team (continued)

If a student with disabilities is identified as potentially requiring mental health services, the District shall request the participation of the county mental health program in the IEP team meeting. (Education Code 56331)

Upon request of the parent/guardian of a child who was previously served under Part C of the Individuals with Disabilities Education Act (20 USC 1431-1444 Infants and Toddlers with Disabilities), the District shall invite the Part C service coordinator or other representative of the system to the IEP team meeting to assist with the smooth transition of services. (20 USC 1414(d)(1)(D)).

In addition, any of the following may participate, as appropriate:

1. The program specialist, school psychologist, school nurse, school social worker, counselor, or other student services worker who has conducted an assessment of the student, when the assessment is significant to the development of the IEP.
2. Any other person whose competence is needed because of the nature and extent of the student's disability.
3. A public agency representative fluent in the student's primary language.

Meetings of the IEP Team

The IEP team shall meet: (20 USC 1414(d); Education Code 56342)

1. Whenever a student has received an initial formal assessment and, when desired, when a student receives any subsequent formal assessment.
2. Whenever the student demonstrates a lack of anticipated progress.
3. Whenever the parent/guardian or teacher requests a meeting to develop, review or revise the IEP.
4. At least annually to:
 - a. Review the student's progress and to determine whether the student's annual goals are being achieved.
 - b. Review the IEP and the appropriateness of placement.

INSTRUCTION

INDIVIDUALIZED EDUCATION PROGRAM

Members of the IEP Team (continued)

- c. Make any necessary revisions to the IEP.

The IEP team shall conduct this review. Others may participate if they have essential expertise or knowledge. (Educational Code 56341; 34 CFR 300.344)

If a participating agency other than the District fails to provide the transition services described in the student's IEP, the team shall reconvene to identify alternative strategies to meet the transition service objectives set out for the student in the IEP. (20 USC 1414(d); Education Code 56345.1)

A meeting to develop an initial IEP shall be conducted within 30 days of a determination that a student needs special education and related services pursuant to 34 CFR 300.343. (Education Code 56344)

An IEP required as a result of an assessment of the student shall be developed within 50 days (not counting days between the student's regular school sessions, terms or days of school vacation in excess of five school days) from the date of receipt of the parent/guardians' written consent for assessment, unless the parent/guardian agrees, in writing, to an extension. (Education Code 56344)

However, an IEP required as a result of an assessment of a student shall be developed within 30 days after the commencement of the subsequent regular school year for each student for whom a referral has been made 20 days or less prior to the end of the regular school year. In the case of student school vacations, the 50-day time limit shall recommence on the date that student school days reconvene. (Education Code 56344)

When a parent/guardian requests an IEP team meeting to review the IEP, the team shall meet within 30 days of receiving the parent/guardian's written request, not counting days between the student's regular school sessions, terms, or days of school vacation in excess of five school days. If a parent/guardian makes an oral request, the District shall notify the parent/guardian of the need for a written request and the procedure for filing a written request. (Education Code 56343.5)

A regular education or special education teacher may request a review of the classroom assignment of a special education student by submitting a written request to the Superintendent or designee. The Superintendent or designee shall consider the request within 20 days of receiving it, not counting days in July and August or, for year-round schools, days when the school is off track. If the review indicates a need for change in the student's placement, instruction and/or related services, the Superintendent or designee shall convene an IEP team

INSTRUCTION

INDIVIDUALIZED EDUCATION PROGRAM

Meetings of the IEP Team (continued)

meeting, which shall be held within 30 days of the Superintendent or designee's review, not counting days in July or August or days when school is off track, unless the student's parent/guardian consents in writing to an extension of time.

As a member of the IEP team, the regular education teacher shall, to the extent appropriate, participate in the development, review and revision of the student's IEP, including assisting in the determination of: (20 USC 1414(d)(3)(C); 34 CFR 300.346; Education Code 56341)

1. Appropriate positive behavioral interventions and strategies for the student.
2. Supplementary aids and services, program modifications or supports for school personnel that will be provided for the student, consistent with 34 CFR 300.347(a)(3)

A member of the IEP team shall not be required to attend an IEP meeting, in whole or in part, if the parent/guardian consents in writing and the District agrees that the attendance of the member is not necessary because the member's area of the curriculum or related services is not being modified or discussed at the meeting. If the meeting involves a discussion of the member's area of the curriculum or related services, the IEP team member may be excused from the meeting if the parent/guardian consents in writing to the excusal and the member submits to the parent/guardian and team written input into the development of the IEP prior to the meeting. (20 USC 1414(d)(1)(C))

To the extent possible, the District shall encourage the consolidation of reassessment meetings and other IEP team meetings for the student. (20 USC 1414(d)(3)(A))

IEP Team Meetings: Parent/Guardian Notice and Attendance

The Superintendent or designee shall take steps to ensure that one or both of the parents/guardians of the student with a disability are present at each IEP meeting or are afforded the opportunity to participate. These steps shall include notifying the parents/guardians of the meeting and scheduling the meeting at a mutually agreed on time and place. (34 CFR 300.345; Education Code 56341.5)

The Superintendent or designee shall send parents/guardians notices of the IEP team meetings early enough to ensure that they will have an opportunity to attend. This notice shall: (34 CFR 300.345; Education Code 56341.5)

INSTRUCTION

INDIVIDUALIZED EDUCATION PROGRAM

IEP Team Meetings: Parent/Guardian Notice and Attendance (continued)

1. Indicate the purpose, time and location of the meeting.
2. Indicate who will be in attendance at the meeting.
3. Inform the parents/guardians of the provisions of 34 CFR 300.345(b)(1)(ii) relating to their right to have on the IEP team other individuals who have knowledge or special expertise about the student.
4. Identify any other local agency that is likely to be responsible for providing or paying for transition services in accordance with 34 CFR 300.344.
5. For students beginning at age 14 (or younger than 14 if deemed appropriate by the IEP team):
 - a. Indicate that a purpose of the meeting will be the development of a statement of the transition service needs of the student pursuant to 34 CFR 300.347(b)(1)
 - b. Indicate that the District will invite the student to the IEP team meeting.
6. For students beginning at age 16 (or younger than 16 if deemed appropriate by the IEP team):
 - a. Indicate the purpose of the meeting is the consideration of needed transition services for the student as required by 34 CFR 300.347(b)(2)
 - b. Indicate that the District will invite the student to the IEP team meeting.
 - c. Identify any other agency that will be invited to send a representative.

At each IEP team meeting convened by the District, the District administrator or specialist on the team shall inform the parent/guardian and student of the federal and state procedural safeguards included in the notice of parental rights provided pursuant to Education Code 56321. (Education Code 56500.1)

If no parent/guardian can attend the meeting, the Superintendent or designee shall use other methods to ensure parent/guardian participation, including individual video conference, individual or conference telephone calls. (20 USC 1414(f); 34 CFR 300.345; Education Code 56341.5)

INSTRUCTION

INDIVIDUALIZED EDUCATION PROGRAM

IEP Team Meetings: Parent/Guardian Notice and Attendance (continued)

An IEP meeting may be conducted without a parent/guardian in attendance if the District is unable to convince the parent/guardian that he/she should attend. In this case, the District shall maintain a record of its attempts to arrange a mutually agreed upon time and place for the meeting, including: (34 CFR 300.345; Education Code 56341.5)

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

Parents/guardians and the District shall have the right to audiotape the proceedings of IEP meetings, provided members of the IEP team are notified of this intent at least 24 hours before the meeting. If the District gives notice of intent to audiotape a meeting, and if the parent/guardian objects or refuses to attend because the meeting would be audiotaped, the meeting shall not be audiotaped. Parents/guardians also have the right to: (Education Code 56341.1)

1. Inspect and review the audiotapes.
2. Request that the audiotapes be amended if the parent/guardian believes they contain information that is inaccurate, misleading or in violation of the student's privacy rights or other rights.
3. Challenge, in a hearing, information that the parent/guardian believes is inaccurate, misleading, or in violation of the student's privacy rights or other rights.

Contents of the IEP

The IEP shall be a written statement determined in a meeting of the IEP team. It shall include, but not be limited to, all of the following: (20 USC 1414(d)(1)(A); 34 CFR 300.347; Education Code 56043, 56345, 56345.1)

1. A statement of the present levels of the student's educational performance, including how the student's disability affects his/her involvement and progress in the general curriculum (i.e., the same curriculum as for nondisabled students:

INSTRUCTION

INDIVIDUALIZED EDUCATION PROGRAM

Contents of the IEP (continued)

For the preschool child, as appropriate, how the disability affects his/her participation in appropriate activities.

2. A statement of measurable annual goals, including benchmarks or short-term objectives related to:
 - a. Meeting the student's needs that result from his/her disability in order to enable the student to be involved in and progress in the general curriculum. For a preschool child, as appropriate, meeting the child's needs that result from his/her disability to enable the child to participate in appropriate activities.
 - b. Meeting each of the student's other educational needs that result from the student's disability.
3. A statement of the specific special education instruction and related services and supplementary aids and services, based on peer-reviewed research if practicable, to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided for the student to:
 - a. Advance appropriately toward attaining the annual goals.
 - b. Be involved and progress in the general curriculum in accordance with item #1 above and to participate in extracurricular and other nonacademic activities.
 - c. Be educated and participate with other students with disabilities and nondisabled students in the activities described in Education Code 56345.
4. An explanation of the extent, if any, to which the student will not participate with nondisabled students in the regular class and in the extracurricular and other nonacademic activities described in item #3 above and other activities pursuant to Education Code 56345.
5. A statement of appropriate accommodations or any individual modifications in the administration of state or District assessments of student achievement that are needed in order for the student to participate in such assessments.

If the IEP team determines that the student will not participate in the administration of a state or District assessment of student achievement (or part of such an assessment), the IEP shall include a statement as to why that assessment is not appropriate for the student and how the student will be assessed.

INSTRUCTION

INDIVIDUALIZED EDUCATION PROGRAM

Contents of the IEP (continued)

6. The projected date for the beginning of the services and modifications described in item #3 above and the anticipated frequency, location and duration of those services and modifications.
7. Appropriate objective criteria, evaluation procedures, and schedules for determining, on at least an annual basis, whether the annual goals are being achieved.
8. A statement of:
 - a. How the student's progress toward the annual goals described in item #2 above will be measured.
 - b. How the student's parents/guardians will be regularly informed (by such means as periodic report cards), at least as often as parents/guardians of nondisabled students, of:
 - (1) Their child's progress toward the annual goals described in item #2 above.
 - (2) The extent to which that progress is sufficient to enable the student to achieve the goals by the end of the year.
9. A statement of transition service needs, as defined in Education Code 56345.1, as follows:
 - a. Beginning at age 14 (or younger than 14 if determined appropriate by the IEP team), and updated annually, a statement of transition service needs of the student under the applicable components of the IEP that focus on the student's courses of study (such as participation in Advanced Placement courses or vocational education program).
 - b. Beginning at age 16 (or younger than 16 if determined appropriate by the IEP team), and annually thereafter, a statement of needed transition services for the student, including, when appropriate, a statement of the interagency responsibilities or any needed linkages.
10. Beginning at least one year before the student reaches age 18, a statement that the student has been informed of his/her rights, if any, pursuant to 34 CFR 300.517 and Education Code 56041.5 that will transfer to the student upon reaching age 18.

Where appropriate, the IEP shall also include: (Education Code 56345)

1. For students grades 7-12, any alternative means and modes necessary for the student to complete the District's prescribed course of study and to meet or exceed standards required for graduation.

INSTRUCTION

INDIVIDUALIZED EDUCATION PROGRAM

Contents of the IEP (continued)

2. Linguistically appropriate goals, objectives, programs and services for students whose native language is not English.
3. Extended school year services when needed, as determined by the IEP team.
4. Provision for transition into the regular education program if the student is to be transferred from a special class or center, or nonpublic, nonsectarian school, into a regular education program in a public school for any part of the school day.

The IEP shall include descriptions of activities intended to:

- a. Integrate the student into the regular education program, including indications of the nature of each activity and the time spent on the activity each day or week.
 - b. Support the transition of the student from the special education program into the regular education program.
5. Specialized services, materials and equipment for students with low incidence disabilities, consistent with the guidelines of Education Code 56136.

Development, Review and Revision of the IEP

In developing the IEP, the IEP team shall consider the following: (20 USC 1414(d)(3)(A); 34 CFR 300.346; Education Code 56341.1, 56345)

1. The strengths of the student and the concerns of the parents/guardians for enhancing the education of their child.
2. The results of the initial assessment or most recent evaluation of the student.
3. The academic, developmental, and functional needs of the student.
4. As appropriate, the results of the student's performance on any general state or District assessment programs.
5. In the case of a student whose behavior impedes his/her learning or that of others, if appropriate, positive behavioral interventions, strategies and supports to address that behavior.

INSTRUCTION

INDIVIDUALIZED EDUCATION PROGRAM

Development, Review and Revision of the IEP (continued)

6. In the case of a student with limited English proficiency, the language needs of the student as such needs relate to the student's IEP.
7. In the case of a student who is blind or visually impaired, the need to provide for instruction in Braille and instruction in the use of Braille.

However, such instruction need not be included in the IEP if the IEP team determines that instruction in Braille or the use of Braille is not appropriate for the student. This determination shall be based upon an evaluation of the student's reading and writing skills, his/her future needs for instruction in Braille or the use of Braille, and other appropriate reading and writing media.

8. The communication needs of the student, and in the case of a student who is deaf or hard of hearing, the student's language and communication needs, opportunities for direct communications with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and communication mode. The team shall also consider the related services and program options that provide the student with an equal opportunity for communication access, including the following:
 - a. The student's native language mode and language, which may include the use of spoken language with or without visual cues and/or the use of sign language.
 - b. The availability of a sufficient number of age, cognitive and language peers of similar abilities.
 - c. Appropriate, direct and ongoing language access to special education teachers and other specialists who are proficient in the student's primary language mode and language.
 - d. Services necessary to ensure communication-accessible academic instructions, school services, and extracurricular activities.
9. Whether the student requires assistive technology devices and services.

If, in considering the special factors in items #1-9 above, the IEP team determines that a student needs a particular device or service, including an intervention, accommodation or other program modification, in order to receive a free and appropriate public education, the IEP team must include a statement to that effect in the student's IEP. (34 CFR 300.346; Education Code 56341.1)

INSTRUCTION

INDIVIDUALIZED EDUCATION PROGRAM

Development, Review and Revision of the IEP (continued)

All IEPs shall be reviewed on an annual basis for student progress, appropriateness of placement, and to include any necessary revisions. (Education Code 56380)

The IEP may be revised, as appropriate, to address: (20 USC 1414(d)(4); Education Code 56341.1)

1. Any lack of expected progress toward the annual goals and in the general curriculum, where appropriate.
2. The results of any reassessment conducted pursuant to Education Code 56381.

A reassessment of the student shall be conducted at least once every three years, or more frequently if conditions warrant a reassessment, or if the student's parent/guardian or teacher requests a reassessment and a new IEP to be developed. (Education Code 56381)

3. Information about the student provided to or by the parents/guardian regarding review of evaluation data pursuant to Education Code 56381(b).
4. The student's anticipated needs.
5. Factors used to develop the IEP pursuant to Education Code 56341.1(a) and described above.
6. Other matters.

The student shall be allowed to provide confidential input to any representative of his/her IEP team.

If a student with disabilities residing in a licensed children's institution or foster family home has been placed by the District in a nonpublic, nonsectarian school, the District shall conduct an annual evaluation as part of the IEP process of whether the placement is the least restrictive environment that is appropriate to meet the student's needs. (Education Code 56157)

If a student with disability transfers to this District during the school year, the District shall provide the student with a free, appropriate public education, including services comparable to those described in the previous district's IEP. For students who transfer from a district within California, these services shall be provided in consultation with the parents/guardians until such time as the District adopts the previously held IEP or develops, adopts and implements a new IEP.

INSTRUCTION

INDIVIDUALIZED EDUCATION PROGRAM

Development, Review and Revision of the IEP (continued)

For students who transfer to this district from another state, these services shall be provided until such time as the District conducts an evaluation, if the District determines such an evaluation is necessary, and develops a new IEP if appropriate. (20 USC 1414(d)(2)(C))

When a change is necessary to a student's IEP after the annual IEP team meeting for the school year has been held, the parent/guardian and the District may agree not to convene an IEP team meeting for the purpose of making the change and instead may develop a written document to amend or modify the student's current IEP. Upon request, the District shall provide the parent/guardian with a revised copy of the IEP with the incorporated amendments. (20 USC 1414(d)(3)(D))

Due Process/Mediation

A student shall not be required to participate in all or part of any special education program unless the parent/guardian is first informed in writing of the facts that make participation in the program necessary or desirable and the contents of the IEP, and the parent/guardian consents, in writing, to all or part of the IEP after receiving this notice. If the parent/guardian does not consent to all of the components of the IEP, then those components of the IEP to which the parent/guardian has consented shall be implemented so as not to delay providing instruction and services to the student. (Education Code 56346)

If the Superintendent or designee determines that a part of the proposed IEP to which the parent/guardian does not consent is necessary in order to provide a free and appropriate public education to the student, he/she shall either initiate a due process hearing or a prehearing mediation conference with the state pursuant to Education Code 56500.3. While the due process hearing or prehearing mediation conference is pending, the student shall remain in his/her current placement unless the parent/guardian and the Superintendent or designee agree otherwise.

While a due process hearing is pending, the Superintendent or designee may choose to meet informally with the parent/guardian pursuant to Education Code 56502 or may hold a mediation conference pursuant to Education Code 56503. If a due process hearing is held, the hearing decision shall be the final administrative determination and shall be binding upon the parties. (Education Code 56346)

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 6159

INSTRUCTION

INDIVIDUALIZED EDUCATION PROGRAM

Regulation Adopted: 10/20/98
Regulation Revised: 09/07/99
Regulation Revised: 09/16/03
Regulation Revised: 06/07/05

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6159.1

INSTRUCTION

PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION

Procedural Safeguards/Due Process Hearings

In order to protect the rights of students with disabilities and their parents/guardians, the District shall follow all procedural safeguards as set forth in law.

Parents/guardians shall receive written notice of their rights, including the right to a due process hearing for any dispute related to the identification, assessment or educational placement of a child or the provision of a free, appropriate public education to the child.

The Superintendent or designee shall represent the District in any due process hearings conducted with regard to District students and shall provide the Governing Board with the results of these hearings.

Complaints for Special Education

Complaints concerning compliance with state or federal law regarding special education shall be addressed in accordance with the District's uniform complaint procedures.

Legal Reference:

EDUCATION CODE

56000 Education for individuals with exceptional needs

56001 Provision of the special education programs

56020-56035 Definitions

56195.7 Written agreements

56195.8 Adoption of policies for programs and services

56300-56381 Identification and referral, assessment, instructional planning, implementation, and review

56440-56447.1 Programs for individuals between the ages of three and five years

56500-56507 Procedural safeguards, including due process rights

56600-56606 Evaluations, audits and information

CODE OF REGULATIONS, TITLE 5

3000-3089 Regulations governing special education

4600-4671 Uniform complaint procedures

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

1400-1491 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act

CODE OF FEDERAL REGULATIONS, TITLE 34

99.10-99.22 Inspection, review and procedures for amending education records

104.36 Procedural safeguards

300.500 – 300.514 Due process procedures for parents and children

Management Resources:

WEB SITES

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

Policy Adopted: 10/20/98

INSTRUCTION

PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION

Informal Process/Pre-Hearing Mediation Conference

Before requesting a due process hearing, the Superintendent or designee and a parent/guardian may agree to meet informally to resolve any issue(s) relating to the identification, assessment or education and placement of a student with disabilities. Superintendent or designee shall have the authority to resolve the issue(s). (Education Code 56502)

In addition, either party may file a request with the Superintendent of Public Instruction for a mediation conference to be conducted by a person under contract with the California Department of Education. Based on the mediation conference, the Superintendent or designee may resolve the issue(s) in a manner that is consistent with state and federal law and is to the satisfaction of both parties. (Education Code 56500.3)

Attorneys may attend or otherwise participate only in those mediation conferences that are scheduled after the filing of a request for due process hearing. (Education Code 56500.3, 56501)

If either of these processes fails to resolve the issue(s), either party may file for a state-level due process hearing.

Due Process Complaint Notice and Hearing Procedures

A parent/guardian, the District, and/or a student who is emancipated or a ward or dependent of the court may initiate due process hearing procedures whenever: (20 USC 1415(b); (Education Code 56501)

1. There is a proposal to initiate or change the identification, assessment or educational placement of the student or the provision of a free, appropriate public education to the student.
2. There is a refusal to initiate or change the identification, assessment or educational placement of the student or the provision of a free, appropriate public education to the student.
3. The parent/guardian refuses to consent to an assessment of his/her child.
4. There is a disagreement between a parent/guardian and the District regarding the availability of a program appropriate for the student, including the question of financial responsibility, as specified in 34 CFR 300.403(b).

INSTRUCTION

PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION

Due Process Complaint Notice and Hearing Procedures (continued)

Prior to having a due process hearing, the party requesting the hearing, or the party's attorney, shall provide the opposing party a due process complaint notice, which shall remain confidential, specifying: (20 USC 1415(b); 34 CFR 300.507)

1. The student' name
2. The student's address, or, in the case of a student identified as homeless pursuant to 42 USC 11434, available contact information for that student
3. The name of the school the student attends
4. A description of the nature of the student's problem relating to the proposed or refused initiation or change, including facts relating to the problem
5. A proposed resolution to the problem to the extent known and available to the complaining party at the time

If the District has not sent a prior written notice to the parent/guardian regarding the subject matter contained in the parent/guardian's due process complaint notice, the District shall send a response to the parent/guardian within 10 days of receipt of the complaint specifying: (20 USC 1415(c)(1))

1. An explanation of why the District proposed or refused to take the action raised in the complaint
2. A description of other options that the individualized education program (IEP) team considered and the reasons that those options were rejected
3. A description of each evaluation procedure, assessment, record, or report the District used as the basis for the proposed or refused action
4. A description of the factors that are relevant to the District's proposal or refusal

If the District has sent prior written notice to the parent/guardian regarding the subject matter of the parent/guardian's due process complaint, the District shall, within 10 days of receipt, send a response specifically addressing the issues in the complaint. (20 USC 1415(c)(1))

INSTRUCTION

PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION

Prior Written Notice

Parties requesting a due process hearing shall file their request with the Superintendent of Public Instruction or designated contracted agency and give a copy of the request, at the same time, to the other party. (Education Code 56502)

The Superintendent or designee shall send to parents/guardians of any student with a disability a prior written notice within a reasonable time before: (Education Code 56500.4, 56500.5, 20 USC 1415(c); 34 CFR 300.503)

1. The District initially refers the student for assessment
2. The District proposes to initiate or change the student's identification, evaluation, educational placement or the provision of a free, appropriate public education
3. The District refuses to initiate or change the identification, evaluation or educational placement of the student or the provision of a free and appropriate public education
4. The student graduates from high school with a regular diploma

This notice shall include: (20 USC 1415(c); 34 CFR 300.503)

1. A description of the action proposed or refused by the District
2. An explanation as to why the District proposes or refuses to take the action
3. A description of any other options that the IEP team considered and why those options were rejected
4. A description of each evaluation procedure, test, record or report the District used as a basis for the proposed or refused action
5. A description of any other factors relevant to the District's proposal or refusal
6. A statement that the parents/guardians of the student have protection under procedural safeguards and, if this notice is not an initial referral for evaluation, the means by which a copy of the description of procedural safeguards can be obtained
7. Sources for parents/guardians to obtain assistance in understanding these provisions

INSTRUCTION

PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION

Prior Written Notice (continued)

Students with disabilities and their parents/guardians shall be provided written notice of their rights in language easily understood by the general public and in the primary language of the parent/guardian or other mode of communication used by the parent/guardian, unless to do so is clearly not feasible. The notice shall include, but not be limited to, those rights prescribed by Education Code 56341. (Education Code 56341, 56506; 34 CFR 300.503)

If the native language or other mode of communication of the parent/guardian is not a written language, the District shall take steps to ensure that: (34 CFR 300.503)

1. The notice is translated orally or by other means to the parent/guardian in his/her native language or other mode of communication
2. The parent/guardian understands the contents of the notice
3. There is written evidence that items #1 and #2 have been satisfied

Procedural Safeguards Notice

A procedural safeguards notice shall be made available to parents/guardians of students with a disability upon once a year and upon: (Education Code 56301; 20 USC 1415(d)(1))

1. Initial referral for evaluation
2. Each notification of an IEP meeting
3. Reevaluation of the student
4. Registration of a complaint
5. Filing for a prehearing mediation conference or a due process hearing

This notice shall include information on the procedures for requesting an informal meeting, prehearing mediation conference, mediation conference, or due process hearing; the timelines for completing each process; whether the process is optional; the type of representative who may be invited to participate; and the right of the parent/guardian and/or the District to electronically record the proceedings of IEP meetings in accordance with Education Code 56341. A copy of this notice shall be attached to the student's assessment plan and referred to at each IEP meeting. (20 USC 1415(d)(2); (Education Code 56321, 56321.5)

INSTRUCTION

PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION

Procedural Safeguards Notice (continued)

In addition, this notice shall include a full explanation of the procedural safeguards relating to independent educational evaluation; prior written notice; parental consent; access to educational records; opportunity to present complaints to initiate due process hearings; the student's placement while due process proceedings are pending; procedures for students who are subject to placement in an interim alternative educational setting; requirements for unilateral placement by parents/guardians of students in private schools at public expense; mediation; due process hearings; state-level appeals; civil action; attorney's fees, and the state's complaint procedure. (20 USC 1415(d)(2); 34 CFR 300.504)

Regulation Adopted: 10/20/98
Regulation Revised: 09/07/99
Regulation Revised: 09/16/03
Regulation Revised: 06/07/05

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6159.2

INSTRUCTION

NONPUBLIC, NONSECTARIAN SCHOOL AND AGENCY SERVICES FOR SPECIAL EDUCATION

The Governing Board may contract with state-certified nonpublic nonsectarian schools or agencies to provide special education services or facilities when an appropriate public education program is not available.

When entering into agreements with nonpublic, nonsectarian schools or agencies, the Board shall consider the needs of the individual student and the recommendations of the individualized education program (IEP) team. The IEP team shall remain accountable for monitoring the progress of students placed in nonpublic, nonsectarian programs towards the goals identified in each student's IEP.

Legal Reference:

EDUCATION CODE

56034-56035 Definitions of nonpublic nonsectarian school and agency

56042 Placement not to be recommended by attorney with conflict of interest

56101 Waivers

56160 Apportionment of funds

56163 Certification

56168 Responsibility for education of student in hospital or health facility school

56195.8 Adoption of policies

56360-56370 Implementation of special education

56711 Computation of state aid

56740-56743 Apportionments and reports

56760 Annual budget plan; service proportions

56775.5 Reimbursement of assessment and identification costs

FAMILY CODE

7911-7912 Interstate compact on placement of children

GOVERNMENT CODE

7570-7588 Interagency responsibilities for providing services to children with disabilities, especially:

7572.55 Seriously emotionally disturbed child; out-of-state-placement

WELFARE AND INSTITUTIONS CODE

362.2 Out-of-home placement for IEP

727.1 Out-of-state placement of wards of court

CODE OF REGULATIONS, TITLE 5

3001 Definitions

3061-3069 Nonpublic nonsectarian school and agency services

UNITED STATES CODE, TITLE 20

1400-1487 Individuals with Disabilities Education Act

CODE OF FEDERAL REGULATIONS, TITLE 34

300.400-300.487 Children with disabilities in private schools

COURT DECISIONS

Agostini v. Felton, (1997) 521 U.S. 203, 117 S.Ct. 1997

Management Resources:

CDE LEGAL ADVISORIES

0317.99 Nonpublic School/Agency Waivers and Reimbursement to Parents

FEDERAL REGISTER

34 CFR 300.a Appendix A to Part 300 – Questions and Answers

34 CFR 300.a1 Attachment 1: Analysis of Comments and Changes

WEB SITES

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

US Department of Education, Office of Special Education and Rehabilitative Services: <http://www.ed.gov/offices/OSERS>

Policy Adopted: 10/20/98

Policy Revised: 09/07/99

INSTRUCTION

NONPUBLIC, NONSECTARIAN SCHOOL AND AGENCY SERVICES FOR SPECIAL EDUCATION

Placement and Services

Procedures specified in law shall govern the selection of appropriate nonpublic school or agency services.

Contracts with a nonpublic school or agency shall be made on forms provided by the California Department of Education and shall include an individual services agreement negotiated for each student. Individual services agreements shall be for the length of time for which nonpublic, nonsectarian school services are specified in the student's individualized education program (IEP), not to exceed one year. Changes in educational instruction, services or placement shall be made only on the basis of revisions to the student's IEP. (Education Code 56366)

The master contract shall specify the general administrative and financial agreements between the nonpublic, nonsectarian school or agency and the District to provide the special education and designated instruction and services, as well as transportation specified in the student's IEP and in compliance with all federal and state guidelines related to National School Lunch Program and School Breakfast Program. The administrative provisions of the contract shall also include procedures for record keeping and documentation, and the maintenance of school records by the contracting District to ensure that appropriate high school graduation credit is received by the student. The contract may allow for partial or full-time attendance at the nonpublic, nonsectarian school. (Education Code 56366)

The specific needs of the pupil must be the primary consideration when an IEP team is determining any transportation needs. These may include:

- Medical diagnosis and health needs consideration; general ability and/or strength to ambulate/wheel; approximate distance from school or the distance needed to walk or wheel oneself to the school;
- Physical accessibility of curbs, sidewalks, streets, and public transportation systems;
- Pupil capacity to avoid getting lost, to avoid dangerous traffic situations, and to avoid other potentially dangerous situations on the way to and from school; and
- Behavioral Intervention Plans [Title 5, CCR 3001(g)] specified by the pupil's IEP.

INSTRUCTION

NONPUBLIC, NONSECTARIAN SCHOOL AND AGENCY SERVICES FOR SPECIAL EDUCATION

Placement and Services (continued)

Students eligible for special education services who do not meet any of the above criteria may use regular home-to-school transportation. A student who would otherwise not be eligible for special transportation may receive such transportation if assigned to a site other than his/her school of residence for the purpose of receiving special education services. Parents of special education students who attend a school in the District on an intradistrict transfer, must on condition of the transfer permit, provide any necessary transportation.

In lieu of providing transportation, the Superintendent or designee may authorize the reimbursement to the parents/guardian of the pupil at the current reimbursable rate per IRS Code Section 312(d) for use of an automobile for medical care.

Students will receive service that is appropriate to serve them safely in the least restrictive environment.

1. In keeping with the goal of serving students in the least restrictive environment, the District may service students with special needs on one of a variety of school buses due to operational reasons.
2. Transportation for students with mild-moderate needs may be provided to those students not attending their home school (school of residence) due to placement recommendations made by the IEP team.
3. The level of transportation services will be determined by the Superintendent or designee in grades preK-2.
4. The level of transportation services will be station to station in grades 3-8 unless otherwise determined by the Superintendent or designee.
5. The District does not provide transportation to daycare outside of District boundaries.

Out-of-State Placements

Before contracting with a nonpublic, nonsectarian school or agency outside California, the Superintendent or designee shall document the District's efforts to find an appropriate program offered by a nonpublic, nonsectarian school or agency within California. (Education Code 56365)

Within 15 days of any decision for an out-of-state placement, the student's IEP team shall submit to the Superintendent of Public Instruction a report with information about the services provided by the out-of-state program, the related costs, and the District's efforts to locate an appropriate public school or nonpublic, nonsectarian school or agency within California. (Education Code 56365)

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 6159.2

INSTRUCTION

**NONPUBLIC, NONSECTARIAN SCHOOL AND AGENCY SERVICES FOR SPECIAL
EDUCATION**

Out-of-State Placements (continued)

If the District decides to place a student with a nonpublic, nonsectarian school or agency outside the state, the District shall indicate the anticipated date of the student's return to a placement within California and shall document efforts during the previous year to return the student to California. (Education Code 56365)

Regulation Adopted: 10/20/98
Regulation Revised: 09/07/99
Regulation Revised: 05/15/12

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6159.3

INSTRUCTION

APPOINTMENT OF SURROGATE PARENT FOR SPECIAL EDUCATION STUDENTS

In order to protect the rights of students with disabilities, the Superintendent or designee shall appoint a surrogate parent to represent a student with disabilities as necessary in accordance with law. He/she shall develop procedures for recruiting, training and assigning adults to serve as surrogate parents.

Legal Reference:

EDUCATION CODE

56028 Parent

56050 Surrogate parents

56055 Rights of foster parents

GOVERNMENT CODE

7570-7588 Interagency responsibilities for providing services to children with disabilities, especially;

7579.5 Surrogate parent; appointment; qualifications; liability

WELFARE AND INSTITUTIONS CODE

300 Children subject to jurisdiction

361 Limitations on parental control

601 Minors habitually disobedient or truant

602 Minors violating laws

726 Limitations on parental control

UNITED STATES CODE, TITLE 20

1414-1482 Individuals with Disabilities Education Act, especially:

1415 Procedural safeguards

UNITED STATES CODE, TITLE 42

1143a Definitions

CODE OF FEDERAL REGULATIONS, TITLE 34

300.20 Definition parent

300.515 Surrogate parents

Management Resources:

FEDERAL REGISTER

34 CFR 300.a Appendix A to Part 300 – Questions and Answers

34 CFR 300.a1 Attachment 1: Analysis of Comments and Changes

WEB SITES

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

US Department of Education, Office of Special Education and Rehabilitative Services: <http://www.ed.gov/offices/OSERS>

Policy Adopted: 10/20/98

Policy Revised: 09/07/99

Policy Revised: 06/07/05

INSTRUCTION

APPOINTMENT OF SURROGATE PARENT FOR SPECIAL EDUCATION STUDENTS

Conditions Necessitating a Surrogate

The Superintendent or designee shall appoint a surrogate parent to represent a student with disabilities under one or more of the following circumstances: (Government Code 7579.5; 20 USC 1415(b)(2); 34 CFR 300.515)

1. No parent/guardian for the student can be identified.
2. The District, after reasonable efforts, cannot discover the location of a parent or legal guardian of the student.
3. The student is adjudicated a dependent or ward of the court pursuant to Welfare and Institutions Code 300, 601 or 602 and all of the following conditions are satisfied:
 - a. The court has referred the student for special education and related services or the student has a valid individualized education program (IEP)
 - b. The court has specifically limited the right of the parent/guardian to make educational decisions for his/her child
 - c. The student has no responsible adult to represent him or her pursuant to Welfare and Institutions Code 361 or 726 or Education Code 56055
4. The student is an unaccompanied homeless youth not in the custody of a parent/guardian, as defined in 42 USC 1143a
5. The student has reached the age of majority but has been declared incompetent by a court of law

Appointment of Surrogate Parents

Upon a determination that a student needs a surrogate parent, the Superintendent or designee shall make reasonable efforts to ensure that the surrogate is appointed within 30 days. (20 USC 1412(b)(2))

When appointing a surrogate parent, the Superintendent or designee shall give first preference to a relative caretaker, foster parent or court-appointed special advocate, provided any of these individuals exist and is willing and able to serve. If none of these individuals is willing or able to act as a surrogate parent, the Superintendent or designee shall select the surrogate parent of his/her choice. If the student is moved from the home of the relative caretaker or foster parent who was appointed as the student's surrogate parent, the Superintendent or designee shall

INSTRUCTION

APPOINTMENT OF SURROGATE PARENT FOR SPECIAL EDUCATION STUDENTS

Appointment of Surrogate Parents (continued)

appoint another surrogate parent if a new appointment is necessary to ensure adequate representation of the student. (Government Code 7579.5)

Surrogate parents shall have no interests that conflict with the student's educational interests and shall have knowledge and skills that ensure adequate representation of the student. If a conflict of interest arises after the appointment of a surrogate parent, the Superintendent or designee shall terminate the appointment and appoint another surrogate parent. (34 CFR 300.515; Government Code 7579.5)

Duties of Surrogate Parent

The surrogate parent shall have all the rights relative to the student's education that a parent has under the Individuals with Disabilities Education Act pursuant to 20 USC 1414-1482 and 34 CFR 300.1-300.756. The surrogate parent may represent the student in all matters relating to identification, assessment, instructional planning and development, educational placement, review and revision of the IEP, and in other matters relating to the provision of a free and appropriate public education. (Education Code 56050; Government Code 7579.5)

In addition, the representation of the surrogate parent shall include the provision of written consent to the IEP including nonemergency medical services, mental health treatment services, and occupational or physical therapy services pursuant to Government Code 7570-7588. (Education Code 56050)

Surrogate parents shall volunteer their services to the District and serve without compensation. The District may reimburse them for mileage and other incidental expenses directly associated with their duties as surrogate parents.

Surrogate parents shall have access to the student's school records as necessary to fulfill their responsibilities as surrogate parents and in accordance with Board policy and administrative regulation.

Termination of Appointment

The Superintendent or designee shall terminate the appointment of surrogate parent under the following conditions:

1. When the student is no longer in need of special education (Government Code 7579.5)

INSTRUCTION

APPOINTMENT OF SURROGATE PARENT FOR SPECIAL EDUCATION STUDENTS

Termination of Appointment (continued)

2. When the student reaches 18 years of age, unless he/she chooses not to make education decisions for himself/herself or is deemed by a court to be incompetent (Government Code 7579.5)
3. Another responsible adult is appointed to make educational decisions for the student (Government Code 7579.5)
4. The right of the parent/guardian to make educational decisions for the student is fully restored (Government Code 7579.5)
5. When the surrogate parent no longer satisfies the requirements for appointments as a surrogate parent, as specified above

Regulation Adopted: 10/20/98
Regulation Revised: 09/07/99
Regulation Revised: 06/07/05

INSTRUCTION

BEHAVIORAL INTERVENTIONS FOR SPECIAL EDUCATION STUDENTS

A special education student's behavior shall be subject to the disciplinary measures applicable to all students for such infractions unless it is a serious behavior problem as defined below.

More serious behavioral problems shall be addressed through the systematic use of behavioral and emergency interventions as provided below.

Definitions

Serious *behavioral problems* are behaviors which are self-injurious, assaultive or cause property damage, and other severe behavior problems that are other pervasive and maladaptive, for which instructional/behavioral approaches specified in the student's individualized education program (IEP) are found to be ineffective. (5 CCR 3001)

Behavioral intervention is a systematic implementation of procedures that result in lasting positive changes in the individual's behavior. "Behavioral intervention" means the design, implementation and evaluation of individual or group instructional and environmental modifications, including programs of behavioral instruction, to produce significant improvements in human behavior through skill acquisition and the reduction of problematic behavior. Behavioral interventions are designed to provide the individual greater access to a variety of community settings, social contacts and public events and ensure the individual's right to placement in the least restrictive environment, pursuant to the student's IEP. The use of behavioral interventions shall not cause pain or trauma, shall respect the individual's human dignity and personal privacy, and shall assure his/her physical freedom, social interaction, and individual choice. (5 CCR 3001)

Behavioral intervention plan is a written document which is developed when the student exhibits a serious behavior problem that significantly interferes with the implementation of the student's IEP.

Behavioral intervention case manager is a designated certificated school/district/county staff member or other qualified personnel contracted by the District or county office, and trained in behavior analysis with emphasis on positive behavioral interventions. (5 CCR 3001)

Behavioral emergency is the demonstration of a serious behavior problem which has not previously been observed and for which a behavioral intervention plan has not been developed, or for which a previously designed behavioral intervention is not effective. (5 CCR 3001)

INSTRUCTION

BEHAVIORAL INTERVENTIONS FOR SPECIAL EDUCATION STUDENTS

Functional Analysis Assessment

When a special education student's serious behavioral problem significantly interferes with implementing the goals and objectives of his/her IEP, the student's IEP team shall determine whether the instructional/behavioral approaches specified in the student's IEP have proven ineffective. If the IEP team finds that these approaches have been ineffective, a functional analysis assessment shall be conducted. (5CCR 3052)

Before a functional analysis assessment begins, parents/guardians shall be notified and consent obtained pursuant to Education Code 56321. No such assessment shall preclude a parent/guardian from requesting a functional analysis assessment on the basis of language and speech disorders or specific learning disabilities. (5 CCR 3052)

The functional analysis assessment shall be conducted by, or be under the supervision of, a person with documented training in behavior analysis with an emphasis on positive behavioral interventions. This staff shall: (5 CCR 3052)

1. Observe the targeted inappropriate behavior, its frequency, duration and intensity
2. Observe events immediately preceding the behavior
3. Observe the consequences of the behavior to determine the purpose it serves for the student
4. Analyze the environment in which the behavior most frequently occurs
5. Analyze records for medical and health factors which may influence behavior
6. Review the history of the behavior, including the effectiveness of interventions used in the past

The parent/guardian shall receive a complete written report of the assessment. The report shall include: (5 CCR 3052)

1. A description of the nature and severity of the targeted behavior(s) in objective and measurable terms
2. A description of the targeted behavior that includes baseline data and an analysis of the antecedents and consequences that maintain the behavior and a functional analysis of the behavior across all appropriate settings in which it occurs

INSTRUCTION

BEHAVIORAL INTERVENTIONS FOR SPECIAL EDUCATION STUDENTS

Functional Analysis Assessment (continued)

3. A description of the rate of alternative behaviors, their antecedents and consequences
4. A proposed behavioral intervention plan for consideration by the IEP team

Behavioral Intervention Plan

Within 10 business days after removing a student for more than 10 school days in a school year or commencing a removal that constitutes a change in placement, the District shall implement a behavioral intervention plan in accordance with 34 CFR 300.520,. Board policy and administrative regulation.

Based on the functional assessment, the IEP team shall meet to determine whether a behavioral intervention plan is needed. If such a plan is needed, the IEP team shall be expanded to include a behavioral intervention case manager, qualified staff knowledgeable of the student's health needs, and others with expertise as deemed necessary by the parent/guardian, District or Special Education Local Plan Area (SELPA). This team shall develop a written behavioral intervention plan which includes: (5 CCR 3001)

1. A summary relevant and determinative information gathered from the functional analysis assessment
2. An objective and measurable description of the targeted maladaptive behavior(s) and replacement positive behavior(s)
3. The student's goals and objectives specific to the behavioral intervention plan
4. A detailed description of interventions to be used and the circumstances for their use
5. Specific schedules for recording the frequency of intervention use and the frequency of the targeted and replacement behaviors, including specific criteria for discontinuing an intervention for lack of effectiveness or replacing it with a specified and identified alternative
6. Criteria by which the procedure will be faded or phased-out, or less intense/restrictive intervention schedules or techniques that will be used
7. Those behavioral interventions which will be used in the home, residential facility, work site or other noneducational settings

INSTRUCTION

BEHAVIORAL INTERVENTIONS FOR SPECIAL EDUCATION STUDENTS

Behavioral Intervention Plan (continued)

8. Specific dates when the IEP team will periodically review the efficacy of the program
9. The frequency of the consultation to be provided by the behavioral intervention case manager to the staff and parents/guardians who are responsible for implementing the plan

Based on the results of the functional analysis assessment, interventions specified in the plan may include: (5 CCR 3052)

1. Altering the identified antecedent event to prevent the occurrence of the behavior
2. Teaching the student alternative behaviors that produce the same consequences as the inappropriate behavior
3. Teaching the student adaptive behaviors which ameliorate negative conditions that promote the display of inappropriate behaviors
4. Manipulating the consequences for the display of inappropriate behaviors and alternative, acceptable behaviors, so that the alternative behaviors more effectively produce desired outcomes

Acceptable responses to targeted behavior may include, but are not limited to, one or more of the following: (5 CCR 3052)

1. The behavior is ignored, but not the student.
2. The student is verbally or verbally and physically redirected to an activity.
3. The student is provided with feedback.
4. The message of the behavior is acknowledged.
5. A brief physical prompt to interrupt or prevent aggression, self-abuse or property destruction.

The behavioral intervention plan shall become a part of the student's IEP and shall be sufficiently detailed so as to direct the plan's implementation. (5 CCR 3052)

A copy of the behavioral intervention plan shall be provided to the person or agency responsible for implementation in noneducational settings. (5 CCR 3001)

INSTRUCTION

BEHAVIORAL INTERVENTIONS FOR SPECIAL EDUCATION STUDENTS

Behavioral Intervention Plan (continued)

At intervals scheduled by the IEP team, the behavioral intervention case manager, parent/guardian and others as appropriate shall evaluate the effectiveness of the behavioral intervention plan in accordance with law. This review may be conducted in meetings, by telephone conference, or by other means, as agreed upon by the IEP team. (5 CCR 3052)

If the IEP team determines that changes in the behavioral intervention plan are necessary, the teacher and behavioral intervention case manager shall conduct additional functional analysis assessments and, based on the outcomes, propose changes to the plan. (5 CCR 3052)

The parent/guardian and the behavioral intervention case manager or qualified designee may make minor modifications without an IEP team meeting. The parent/guardian shall be notified of the need for modification and shall be able to review the existing program evaluation data prior to implementing the modification. Parents/guardians shall be informed of their right to question any modification to the plan through the IEP procedures. (5 CCR Section 3052)

The IEP team also may include in the plan contingency schedules for altering specified procedures, their frequency or their duration, without reconvening the IEP team. (5 CCR 3052)

Emergency Interventions

Emergency interventions not specified in a student's behavioral intervention plan shall be used only when necessary to control unpredictable, spontaneous behavior which poses clear and present danger of serious physical harm to the student or others and which cannot be immediately prevented by a response less restrictive than the temporary application of a technique used to contain the behavior. Emergency interventions shall not be used as a substitute for systematic behavioral intervention plans. (5 CCR 3052)

Only emergency interventions approved by the SELPA may be used. No emergency intervention shall be used for longer than is necessary to contain the behavior. Upon prolonged use of an emergency intervention, staff shall seek assistance of the principal or law enforcement agency, as applicable to the situation. (5 CCR 3052)

Parents/guardians shall be notified within one school day whenever emergency intervention is used or serious property damage occurs. A behavior emergency report shall immediately be completed, kept in the student's file, and forwarded to the Superintendent or designee for review. This report shall include: (5 CCR 3052)

1. The name and age of the student

INSTRUCTION

BEHAVIORAL INTERVENTIONS FOR SPECIAL EDUCATION STUDENTS

Emergency Interventions (continued)

2. The setting and location of the incident
3. The name of the staff or other persons involved
4. A description of the incident and the emergency intervention used
5. A statement of whether the student is currently engaged in a systematic behavioral intervention plan
6. Details of any injuries sustained by the students or others, including staff, as a result of the incident

If the behavior emergency report is for a student who does not have a behavioral intervention plan, the Superintendent or designee shall, within two days, schedule an IEP team meeting to review the emergency report, determine the necessity for a functional analysis assessment, and determine the necessity for an interim behavioral intervention plan. The IEP team shall document the reasons for not conducting an assessment and/or not developing an interim plan. (5 CCR 3052)

If the behavior emergency report is for a student who has a behavioral intervention plan, any incident involving a previously unseen serious behavior problem or where a previously designed intervention is not effective shall be referred to the IEP team. The IEP team shall review the incident and determine whether the student's plan needs to be modified. (5 CCR 3052)

Prohibited Interventions

The District prohibits any use of the following: (5 CCR 3052)

1. Any intervention designed or likely to cause physical pain
2. Releasing noxious, toxic or otherwise unpleasant sprays, mists, or substances near the student's face
3. Any intervention that denies adequate sleep, food, water, shelter, bedding, physical comfort or access to the bathroom
4. Any intervention that subjects the student to verbal abuse, ridicule, humiliation or excessive emotional trauma

INSTRUCTION

BEHAVIORAL INTERVENTIONS FOR SPECIAL EDUCATION STUDENTS

Prohibited Interventions (continued)

5. Use of any material or objects which simultaneously immobilize all hands and feet, except that prone containment or similar techniques may be used by trained staff as a limited emergency intervention
6. Locked seclusion, unless in a facility otherwise licensed or permitted by law to use a locked room
7. Any intervention that precludes adequate supervision of the student
8. Any intervention that deprives the student of one or more of his/her senses
9. Force exceeding what is reasonable and necessary under circumstances

Legal Reference:

EDUCATION CODE

49001 Prohibition of corporal punishment

56321 Notice of parental rights; consent of parents

56500-56508 Procedural safeguards, including due process rights

56520-56524 Behavioral Interventions

CODE OF REGULATIONS, TITLE 5

3001 Definitions

3052 Designated positive behavioral interventions

UNITED STATES CODE, TITLE 20

1412 State eligibility

1415 Procedural safeguards

CODE OF FEDERAL REGULATIONS, TITLE 34

300.1-300.756 Assistance to states for the education of students with disabilities

Management Resources:

FEDERAL REGISTER

34 CFR 300.a1 Appendix a to Part 300 – Notice of Interpretation

Regulation Adopted: 10/20/98
Regulation Revised: 09/07/99

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6160

INSTRUCTION

INSTRUCTIONAL SERVICES AND RESOURCES

The Governing Board recognizes that appropriate texts, library reference facilities, maps, globes, laboratory equipment, audiovisual equipment, films, filmstrips, records, tapes, study prints, art supplies, athletic equipment, current periodicals, standard tests and questionnaires, and similar materials are the tools of the teaching profession. The Governing Board agrees that at all times the schools should be as well-equipped and maintained as well as possible within existing financial limitations.

Legal Reference:

Education Code

1720	Preparation of elementary school courses of study
35272	Educational and athletic materials
18111	Exclusion of books by Governing Board
51510	Prohibited study or supplemental materials
60040	Cultural and racial diversity of society
60044	Prohibited treatment of subject matter
60200	et. seq. Elementary Instructional Materials

BOARD POLICY

BP 6161

INSTRUCTION

EQUIPMENT, BOOKS AND MATERIALS

The selection and use of instructional materials shall be determined by the curriculum approved by the Governing Board. Textbooks and related instructional materials selected should meet the unique learning needs of individual students and support the effectiveness of the instructional program. Advances in the ever expanding field of educational technology shall be continually addressed.

The Superintendent or designee shall coordinate the planning, development and administration of procedures for the selection, ordering and evaluation of instructional materials among the various building principals and shall regularly report on these procedures to the Board. Parents, community members and teachers shall be involved in the process of recommending instructional materials for purchase and use in the district. Selection of instructional materials shall be coordinated with the overall development and evaluation of the district's curriculum.

(c.f. 6141 Curriculum Development and Evaluation)

The Governing Board shall approve the instructional materials of use in the district's curriculum and shall make decisions regarding funds for the purchase of instructional materials within existing financial resources.

The Superintendent or designee shall be responsible for the development of procedures for determining the obsolescence of instructional materials and for the development of procedures for the donation or sale of surplus or undistributed obsolete materials in accordance with legal requirements.

Legal Reference:

Education Code

1720-1723	Preparation of courses of study
18111	Exclusion of books by governing board
35272	Educational and athletic materials
44805	Teachers enforcing proper use of instructional materials
51501	Subject matter reflecting on race, color, etc.
51510	Prohibited study or supplemental materials
60003	School district governing board powers
60010-60028	Definitions
60070-60076	Prohibited acts (re: instructional materials)
60110-60111	Instructional materials on drug education
60200-60206	Elementary school materials

BOARD POLICY

BP 6161

INSTRUCTION

EQUIPMENT, BOOKS AND MATERIALS

Legal Reference: (Continued)

Education Code

60260-60264	Local ordering procedures
60400-60414	High school Textbooks
60420	Disposal of old high school textbooks
60500-60530	Obsolete materials

California Constitution, Article IX

Section 7.5	Adoption of instruction materials
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Government Code

3543.2	Scope of representation
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Revised: 10/9/90

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6161.1

INSTRUCTION

OVERDUE, DAMAGED OR LOST INSTRUCTIONAL MATERIALS

When property of the district is lent to students, the Governing Board expects that it shall be returned in a timely manner, with no more than usual wear and tear. If the property has been willfully cut, defaced or otherwise damaged, or if the student refuses to return it at the request of a district employee, the district shall afford the student his/her due process rights and subsequently may withhold the student's grades, diploma and transcripts until the student or parent/guardian has paid all damages. As provided by law, the parent/guardian of a minor shall be liable for all damages caused by the minor's misconduct. (Education Code 48904)

The district will notify the student's parent/guardian of the alleged misconduct before withholding grades, diploma and transcripts. If the parent/guardian or student is unable to pay for the damages or return the property, the district shall provide a program of voluntary work for the student to do instead. When the work is done, the student's grades, transcripts and diploma shall be released.

Legal Reference:

EDUCATION CODE

48904 Willful misconduct; limit of liability of parent or guardian

48904.3 Withholding grades, diplomas or transcripts of students causing property damage or injury; transfer of students to new school districts; notice to rescind decision to withhold

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6161.2

INSTRUCTION

TOXIC ART SUPPLIES

The Governing Board recognizes its responsibility to protect the health and safety of students in the selection of materials used for instruction in arts and crafts activities.

The Superintendent or designee shall develop procedures for the purchase, use the proper disposal of arts and crafts materials which insure that the health and safety of students is protected from harmful exposure to toxic substances. These procedures shall be developed in accordance with information provided by the State Department of Education and the State Department of Health Services.

In no event shall arts and crafts materials be purchased for use in grades K through 6 which contain toxic substances or cause chronic illness as determined by the State Department of Health Services.

In grades 7 and 8, the purchase of arts and crafts materials containing toxic substances is permitted if the products are properly labeled to warn of potential adverse health effects in accordance with the requirements of Education Code 32056. The Superintendent or designee shall develop procedures that insure extreme care when those materials are incorporated into the classroom instruction process.

Legal Reference:

EDUCATION CODE

32060 Legislative findings and declarations

32061 Art or craft material; definition

32062 Human carcinogen; definition

32063 Toxic substance causing chronic illness; definition

32064 Restrictions on purchase of arts and crafts materials

32065 Warning labels

32066 List of toxic art supplies; preparation and distribution

HEALTH AND SAFETY CODE

28794-28797 Labeling of arts and crafts materials, effective January 1, 1986

INSTRUCTION

LIBRARY MEDIA CENTERS

The District Learning Resource Center, under the direction and coordination of the Director – Curriculum and Instruction, will provide services to all schools in the district. Teachers may obtain multimedia and audiovisual materials, equipment, textbooks/supplemental reading, and provide graphics and video services for use in their classrooms by referring to the comprehensive Learning Resource Center Catalog listing all materials housed in the three resource centers.

Instructional media may be personally selected by the teachers by visiting the Learning Resource Center or the teachers may call or send in the appropriate order forms to the Center. Materials available may be hand carried by the teachers or delivered daily by a district truck to each school.

The Learning Resource Center will provide media support and resources in a variety of formats, i.e., film, video, computer software, filmstrips, realia, books, records and cassettes so as to provide for the individual needs and learning pattern within the classroom. The Learning Resource Center will also coordinate and assist the school with instructional equipment repair, instructional television resources, media production, equipment utilization and purchasing of instructional materials for school use.

Library services will be provided for the district by maintaining a district resource center of textbooks and supplemental reading in addition to those books purchased with the monies allocated by the State Department of Education Instructional Materials funds.

A Curriculum/Art Resource Center provides a variety of instructional resources: instructional games, manipulative activities, art and craft ideas, bulletin board and room environment patterns, task cards, teaching units and learning centers are available in this center.

Each school should have a Learning Resource Representative. The Principal, with the assistance of the Director – Curriculum and Instruction, is responsible for the selection of one teacher from his/her staff to assume this function. The suggested responsibilities of the building representative might be as follows:

1. Organize a system for checking in and out and for the repair of instructional equipment and media resources in his/her school to permit maximum use on an equal basis to all teachers.
2. Coordinate all correspondence, announcements, notices, newsletters, questionnaires relating to available learning resources in the district as it relates to the school
3. Assist in the previewing, evaluation and selection of instructional media resources for the Media Resource Center and the individual schools.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6162.1

INSTRUCTION

LIBRARY MEDIA CENTERS

4. Attend and participate in meetings established by the Director of Learning Resources so as to expedite the above areas.

Policy Revised: 10/09/90

ADMINISTRATIVE REGULATION

AR 6162.1

INSTRUCTION

INSTRUCTIONAL RESOURCES FOR TEACHERS

LIBRARY BOOK SELCTION POLICY

I. Philosophy of the District Library Resource Center

The Ocean View School District Library Resource Center affirms the School Library Bill of Rights of the American Association of School Librarians.

The American Association of School Librarians asserts that the responsibility of the school library is:

1. To provide materials that will enrich and support the curriculum taking into consideration the varied interests, abilities, and maturity levels of the pupils served.
2. To provide materials that will stimulate growth in factual knowledge, literary appreciation, aesthetic values and ethical standards.
3. To provide a background of information which will enable pupils to make intelligent judgments in their daily life.
4. To provide materials on opposing sides of controversial issues so that young citizens may develop under guidance the practice of critical reading and thinking.
5. To provide materials representative of the many religions, ethnic and cultural groups and their contributions to our American heritage.
6. To place principle above personal opinion and reason above prejudice in the selection of materials of the highest quality in order to assure a comprehensive collection appropriate for the users of the library.

II. Objectives of the District Library/School Library

The primary objective of the school library is to implement, enrich and support the educational program of the school. Other objectives include:

1. Development of reading skill, literary taste, discrimination in choice of materials.
2. Instruction in the use of books and libraries.
3. Development of social, intelligent, and spiritual values of students.

ADMINISTRATIVE REGULATION

AR 6162.1

INSTRUCTION

LIBRARY BOOK SELECTION POLICY (Continued)

III. Responsibility of selection of books and other printed materials

The ultimate responsibility for selection of books and other printed materials rests with the District Superintendent and his/her staff. Materials for school libraries shall be selected by administration, faculty, students and parents.

IV. Policies for selection of books and other printed materials

A. The staff will base selection of books and other printed materials on its knowledge of the following needs:

1. Needs of the individual schools
 - a. Based on knowledge of the curriculum
 - b. Based on requests of administrators and teachers
2. Needs of individual students
 - a. Based on a knowledge of children and youth
 - b. Based on requests of students and parents
 - c. Provision of a wide range of materials at all levels of difficulty with a diversity of appeal and the presentation of different points of view
 - d. Provision of materials of high artistic quality

B. The staff will use the following criteria in the evaluation of books and other printed materials:

1. Educational significance
2. Need and value to the collection
3. Reputation of author
4. Scope of text
5. Validity, accuracy, objectivity, up-to-dateness, and appropriateness of text
6. Organization of contents
7. High degree of readability
8. High degree of user appeal
9. High quality literary style
10. Quality format

C. The staff may be guided by the following reputable, unbiased, professionally prepared book selection aids:

ADMINISTRATIVE REGULATION

AR 6162.1

INSTRUCTION

LIBRARY BOOK SELCTION POLICY (Continued)

1. Bibliographies published by:
 - a. American Library Association
 - b. H.W. Wilson
 - c. R.R. Bowker Company
 - d. Selected professional organizations

 2. Current reviewing media:
 - a. Children's Catalog
 - b. Junior High School Catalog
 - c. One Word Booklist
 - d. Wilson Library Bulletin
 - e. Library Journal
 - f. Horn Book Magazine
 - g. Other selected periodicals
- D. All gifts shall be subjected to the same critical examination given to materials recommended for purchase.

Revised: 10/9/90

BOARD POLICY

BP 6162.2

INSTRUCTION

RESEARCH/STANDARDIZED TESTING

The Governing Board believes that schools must consider each student as an individual and that testing, by itself, cannot determine the best educational choices for a student. Major conclusions about students and district programs shall always be based upon a variety of evaluation measures. (cf. 6164.2 – Guidance Services)

The Governing Board believes that standardized tests which measure student performance and growth as related to state or national norms can provide useful information for program planning and evaluation. However, the Board believes that misinterpreting or overemphasizing test scores is detrimental to the success of the district.

Because standardized tests often measure only the most commonly tested skills rather than broad understanding of concepts, overemphasizing testing can limit curricular options and the richness of district programs. When district test scores are published, the Superintendent or designee shall provide supplementary information to interpret the results.

The district shall administer all tests required by state law.

Whenever standardized tests are given, parents/guardians shall receive a written explanation of the standardized achievement test's use and purpose along with the student's individual test score. Parents/guardians shall also be invited to contact the school staff for further explanations and information about how best to help the student improve his/her performance. (Education Code 60722)

California Assessment Program

California Assessment Program (CAP) achievement tests shall be given in grades 3, 6, and 8 to evaluate student performance in basic skills courses and content courses. (Education Code 60603)

Districtwide results of the CAP tests shall be reported to the Board annually. (Education Code 60607) Because these tests are designed to match state requires curriculum, test results may assist certificated staff in guiding individual students and also may assist the Board in evaluating and revising its educational program.

Physical Fitness Test

Students in grade 5 and 7 shall be given the state health-related physical fitness test between March and May. All students shall take as much of the test as their physical conditions will permit.

BOARD POLICY

BP 6162.2

INSTRUCTION

RESEARCH/STANDARDIZED TESTING (Continued)

Golden State Examination Program

In order to allow our students to receive recognition and academic honors, the Board shall participate in the statewide Golden State Examination Program. Students shall be notified of the opportunity to take the examination. An honors designation and insignia shall be placed on the diploma of students with qualifying scores. The district shall administer the examination in accordance with procedures established by the State Department of Education.

Instructional Resources for Teachers – Research; Testing

All tests are to be administered according to the instructions to be provided by the director, Pupil Personnel Services.

Achievement tests are used to aid teachers and administrators in developing flexible programs of instruction to meet individual student needs. Such test scores are part of a student's record of progress and, upon parent's request, may be shown and interpreted to the parent during a consultation between a certificated employee of the school district and the parent of the student.

Legal Reference:

Education Code

51041	Governing Board shall evaluate educational program
52011 (c)	Establishment of plan for phase-in of schools with greatest number of concentration of educationally disadvantaged youth
60600-60614	California School Testing Act of 1969
60660-60663	Testing evaluation and analysis
60650	Personal Beliefs (re: questionnaires, etc.)
60700-60703	Golden State Examination Program
60722	Published standardized tests: duties of districts

Code of Regulations, Title 5

1041	Physical performance testing program
4400	Concentrations of educationally disadvantaged youth

Revised 10/9/90

INSTRUCTION

USE OF COPYRIGHTED MATERIALS

All District staff shall adhere to the provisions of the federal copyright law and maintain the highest ethical standards in using copyrighted materials.

It is the intent of Ocean View School District to adhere to the provisions of copyright laws in the area of microcomputer programs. Though there continues to be controversy regarding interpretation of those copyright laws, the following procedures represent a sincere effort to operate legally. We recognize that computer software piracy is a major problem for the industry and that violations of computer copyright laws contribute to higher costs and greater efforts to prevent copies and/or lessen incentives for the development of good educational software. All of these results are detrimental to the development of effective educational uses of microcomputers. Therefore, in an effort to discourage violation of copyright laws and to prevent such illegal activities:

1. The ethical and practical problems caused by software piracy will be taught in all schools in the District.
2. District employees will be expected to adhere to the provisions of Public Law 96.517, Section 7(b) which amends Section 117 of Title 17 of the United States Code to allow for making of a backup copy of computer programs. This states that "... it is not an infringement for the owner of a copy of a computer program to make or authorize the making of another copy or adaptation of that computer program provided:
 - a. that such a new copy or adaptation is created as an essential step in the utilization of the computer program in conjunction with a machine and that it is used in no other manner; or
 - b. that such a new copy and adaptation is for archival purposes only and that all archival copies are destroyed in the event that continued possession of the computer program should cease to be rightful.
3. When software is to be used on a disk sharing system, efforts will be made to secure this software from copying.
4. Illegal copies of copyrighted programs may not be made or used on school equipment.
5. The legal or insurance protection of the District may not be extended to employees who violate copyright laws.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6162.3

INSTRUCTION

USE OF COPYRIGHTED MATERIALS

6. The Superintendent or Assistant Superintendent of Business of this school district is designated as the only individual who may sign license agreements for software for schools in the District. (Each school using the software also should have a signature on a copy of the software agreement for local control.)
7. The principal of each school site is responsible for establishing practices which will enforce this policy at the school level.

Legal Reference:

EDUCATION CODE
35182 Computer Software
UNITED STATES CODE, TITLE 17

Policy Revised: 10/09/90

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6162.5

INSTRUCTION

STUDENT ASSESSMENT

The Governing Board believes that the primary purpose of student assessments should be to help students, parents/guardians and teachers identify individual student's academic accomplishments, progress and areas needing improvements in order to enhance teaching and learning.

The Superintendent or designee shall ensure that assessments are conducted for purposes of determining students' eligibility for an appropriate placement in district programs, need for supplemental instruction and eligibility for promotion.

The Board desires to use a variety of evaluation measures to reach the above-stated goals. To have validity, tests must correspond to the material that is being taught and reliably measure the extent to which students meet specified standards of achievement.

The effectiveness of the schools, teachers and district shall be evaluated in part on the basis of these student assessments.

When district-wide and school-level results of student assessments are published, the Superintendent or designee may provide supplementary information to assist parents/ guardians and the local community in interpreting test results and evaluating school performance.

Legal Reference:

EDUCATION CODE

51041 Evaluation of educational program

51450-51455 Golden State Seal Merit Diploma

60600-60652 Assessment of academic achievement

60800 Physical fitness testing

60810 Assessment of language development

CODE OF REGULATIONS, TITLE 5

850-870 Standardized Testing and Reporting program

880-901 Designated primary language test

Management Resources:

CDE PROGRAM ADVISORIES

Students with Disabilities: Guidelines for Testing the California Standardized Testing and Reporting Program

0327.86 Reporting norm-referenced standardized achievement test scores to parents

CSBA ADVISORIES

0306.01 California Assessment Update

0313.00 Districts must ensure that all required student data is submitted to the publisher, or face financial penalty #00-01

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

The Use of Tests as Part of High-Stakes Decision-Making for Students: A Resource Guide for Educators and Policy-Makers, December 2000

WEB SITES

CSBA: <http://www.csba.org> California Department of Education, Testing and Accountability: <http://www.cde.ca.gov/ta>

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

Policy Adopted: 10/06/98

Policy Revised: 03/19/02

ADMINISTRATIVE REGULATION

AR 6162.5

INSTRUCTION

INSTRUCTIONAL RESOURCES FOR TEACHERS-

STUDENT ASSESSMENT

Standardized Testing and Reporting Program

The Superintendent or designee shall administer the mandatory state achievement test in the Standardized Testing and Reporting (STAR) program to all students in grades 2 through 11 before May 15 of each year. (Education Code 60640)

Any district student of limited English proficiency who had been enrolled in a California public school for less than 12 months shall take both the statewide assessment in English and a test in his/her primary language if such a test is available. (Education Code 60640)

(cf. 6174 – Education for English Language Learners)

Appropriate adaptations or accommodations may be made in administering the achievement test to students eligible for special education or Section 504 programs, including but not limited to large print, Braille, extended time, or the use of a reader or scribe. The reading section of any test shall not be read, interpreted to translated to any student. (Code of Regulations, Title 5, Section 852)

(cf. 6164.4 – Identification of Individuals for Special Education)
(cf. 6164.6 – Identification and Education under Section 504)

Special education students shall be exempted from the testing requirement if they have an explicit provision in their individualized education program that so exempts them. (Education Code 60640)

(cf. 6159 – Individualized Education Program)

Any student shall be excused from any or all parts of statewide student assessments upon written request by his/her parent/ guardian. (Education Code 60615)

The Superintendent or designee shall arrange two make-up days for the testing of students who were absent during the period that any school administers the achievement test. All make-up testing shall occur within 10 instructional days of the last date that the district administered the test or by May 25, whichever is earlier. (Education Code 60640; Code of Regulations, Title 5, Section 855)

By December 15 of each year, the Superintendent or designee shall designate a district coordinator who shall serve as the district representative and liaison with the California Department of Education.

ADMINISTRATIVE REGULATION

AR 6162.5

INSTRUCTION

INSTRUCTIONAL RESOURCES FOR TEACHERS

STUDENT ASSESSMENT

Standardized Testing and Reporting Program (Continued)

Education for all matters relating to the STAR program. The Superintendent or designee also shall designate a coordinator at each test site. (Code of Regulations, Title 5, Sections 857-858)

The Superintendent or designee shall report the results of each student's test in writing to the student's parents/guardians within the 20 working days of receiving results from the test publisher. If the test results are received from the publisher after the last day of instruction in the school year, each student's results shall be mailed to his/her parents/guardians. The report shall include a clear explanation of the purpose of the test, the student's score and its intended use by the district. (Education Code 60641; Code of regulations, Title 5, Section 863)

(cf. 5145.6 – Parental Notifications)

Individual student scores shall also be reported to their school and teachers and shall be included in their student records. Individual test results shall not be released without the permission of the student's parents/guardians. (Education Code 60641)

(cf. 5125 Student Records)

District-wide, school-level and grade-level results shall be reported to the Governing Board at a regularly scheduled meeting. The Board shall not receive individual students' scores or the relative position of any individual student. (Education Code 60641)

(cf. 9321.1 – Closed Session Actions and Reports)

Within 10 working days of the last day of make-up testing in the district, the Superintendent or designee shall report the following information to the California Department of Education, by grade level: (Education Code 60640; Code of Regulations, Title 5, Section 862)

1. The number of students enrolled in the district in grades 2 through 11 on the first day of testing in the district
2. The number of students in the district to whom an achievement test was administered in grades 2 through 11
3. The number of special education students in the district who were exempted from the test based on an explicit provision in their individualized education program

ADMINISTRATIVE REGULATION

AR 6162.5

INSTRUCTION

INSTRUCTIONAL RESOURCES FOR TEACHERS

STUDENT ASSESSMENT

Standardized Testing and Reporting Program (Continued)

4. The number of students in the district who were exempted from the test at the request of their parents/guardians
5. The sales and use tax rate for the location in which the district does business
6. The number of tests administered with pre-identified answer documents, if applicable
7. The following information relevant to the primary language test:
 - a. The number of students who are limited-English-proficient
 - b. The number of limited-English-proficient students who were administered the primary language test pursuant to Education Code 60640(f) and 60640(g)
 - c. The number of limited-English-proficient exempted upon request of their parents/guardians pursuant to Education Code 60615
 - d. The total number of limited-English-proficient students exempted pursuant to any provision in their individual learning plan which explicitly exempts them from standardized testing

Individual Record of Accomplishment

The Superintendent or designee shall ensure that each student, by the end of grade 8, has an individual record of accomplishment that includes the following: (Education Code 60607)

1. The results of the achievement test administered under the Standardized Testing and Reporting program pursuant to Education Code 60640-60647

Regulation Approved: 10/6/98

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6162.51

INSTRUCTION

STANDARDIZED TESTING AND REPORTING PROGRAM

The Superintendent or designee shall administer mandatory student assessments within the state Standardized Testing and Reporting (STAR) program as required by law and in accordance with Governing Board policy and administrative regulation.

The Board desires to use the results of the achievement tests to evaluate the performance of district students against that of students in other districts across the state and against national norms.

In order to help ensure a high amount of student participation, the Superintendent or designee shall notify students and parents/guardians of the importance of these achievement tests.

Legal Reference:

EDUCATION CODE

51041 Evaluation of educational program

60600-60652 Assessment of academic achievement

60810 Assessment of language development

CODE OF REGULATIONS, TITLE 5

850-870 Standardized Testing and Reporting program

880-901 Designated primary language test

1032 Testing irregularities, ineligibility for state awards program, as proposed 11/21/00

Management Resources:

CDE PROGRAM ADVISORIES

Students with Disabilities: Guidelines for Testing the California Standardized Testing and Reporting Program

0327.86 Reporting norm-referenced standardized achievement test scores to parents

CSBA ADVISORIES

0306.01 California Assessment Update

0313.00 Districts must ensure that all required student data is submitted to the publisher, or face financial penalty #00-01

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

The Use of Tests as Part of High-Stakes Decision-Making for Students: A Resource Guide for Educators and Policy-Makers, December 2000

WEB SITES

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

CSBA:

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

Policy Adopted: 03/19/02

INSTRUCTION

STANDARDIZED TESTING AND REPORTING PROGRAM

Testing Period

The Superintendent or designee shall administer the designated achievement test and the standards-based achievement test of the Standardized Testing and Reporting (STAR) program to all students in grades 2 through 11 before June 15 of each year. (Education Code 60640; 5 CCR 855)

These tests shall be administered to all students in grades 2 through 8 during a testing window of 21 instructional days that includes 10 instructional days before and after completion of 85% of the school's instructional days. Testing for all students, including make-up testing, shall be completed within this 21 instructional day window unless all or part of the 21 instructional day window unless all or part of the 21 instructional day period falls after June 15. (Education Code 60640; 5 CCR 855)

The Superintendent or designee shall arrange for at least two make-up days for the testing of students who were absent during the period that any school administered the designated achievement test and the standards-based test. All make-up testing shall occur within five instructional days of the last date that the district administered the tests but not later than the 21 instructional day window established above. (Education Code 60640; 5 CCR 855)

Exemptions

A parent/guardian may submit to the school a written request to excuse his/her child from any or all parts of STAR and/or the designated primary language test. The parent/guardian must initiate the request, and the district and its employees shall not solicit or encourage any written request on behalf of any child. (5 CCR 852, 881)

Testing of English Language Learners

Any district student of limited English proficiency who has been enrolled in a California public school for less than 12 months shall take the designated achievement test and the standards-based achievement test in English and a test in his/her primary language if such a test is available. (Education Code 60640)

English language learners enrolled in the district for less than one year may be tested with standard or nonstandard accommodations in accordance with the manuals or other instructions provided by the test publisher. Nonstandard accommodations may include, but are not limited to, reading and translating the test instructions into the student's primary language and use of a bilingual dictionary. (5 CCR 853)

INSTRUCTION

STANDARDIZED TESTING AND REPORTING PROGRAM

Testing of English Language Learners (continued)

Accommodations shall not include translation of test passages or content.

All English language learners enrolled in the district for less than one year shall be provided nonstandard accommodations.

Testing of Special Education Students

Special education students shall be tested with the designated achievement test and the standards-based test, unless an explicit provision in their individualized education program specifically exempts them from the STAR program. (5 CCR 852, 881)

Students in special education programs with individualized education program or students with current Section 504 plans delineating accommodations such as, but not limited to, large print, Braille, extended time, or the use of a reader or scribe or a calculator shall be tested and the prescribed adaptations or accommodations shall be made. (5 CCR 853)

District and Test Site Coordinators

By October 15 of each year, the Superintendent or designee shall designate a district coordinator who shall serve as the district representative and liaison with the California Department of Education for all matters relating to the STAR program. The Superintendent or designee also shall designate a coordinator at each test site. (5 CCR 857-858, 886-887)

In addition to the duties prescribed in 5 CCR 857-858 and 886, the district coordinator shall establish guidelines to help ensure that the publisher is provided complete student information, as specified in 5 CCR 861 and 870, for purposes of the Academic Performance Index.

Within five working days of receiving reports and files from the publisher, the Superintendent and the district coordinator shall review the files and reports for completeness and accuracy, and shall notify the publisher and the California Department of Education of the findings. The Superintendent or STAR coordinator shall notify the California Department of Education in writing whether any errors, discrepancies, or incomplete information have been resolved. (5 CCR 857)

INSTRUCTION

STANDARDIZED TESTING AND REPORTING PROGRAM

Reports

Within 10 working days of the last day of make-up testing in the district, the Superintendent or designee shall report the following information to the California Department of Education, for grades 2-11: (Education Code 60640; 5 CCR 862)

1. The number of students enrolled in each school and in the district on the first day of testing in the district
2. The number of special education students in each school and in the district who were exempted from the test based on an explicit provision in their individualized education program pursuant to Education Code 60640(e)
3. The number of students in each school and in the district who were exempted from the test at the request of their parents/guardians pursuant to Education Code 60615
4. The number of students in each school and the district to whom the designated achievement test was administered

Within 10 working days of the last day of make-up testing in the district, the Superintendent or designee shall report the following information relative to the designated primary language test to the California Department of Education, for grades 2-11: (5 CCR 891)

1. The number of students who are English language learners
2. The number of English language learners who were administered each designated primary language test pursuant to Education Code 60640(f)
3. The number of English language learners who were administered each designated primary language test pursuant to Education Code 60640(g)
4. The total number of English language learners exempted from the test at the request of their parents/guardians pursuant to Education Code 60615
5. The total number of English language learners exempted pursuant to any provision in their individual education programs which explicitly exempts them from standardized testing

INSTRUCTION

STANDARDIZED TESTING AND REPORTING PROGRAM

Reports (continued)

The Superintendent or designee shall report the results of each student's test in writing to the student's parents/guardians within 20 working days of receiving results from the test publisher. If the test results are received from the publisher after the last day of instruction in the school year, each student's results shall be mailed to his/her parents/guardians. The report shall include a clear explanation of the purpose of the test, the student's score and its intended use by the district. (Education Code 60641; 5 CCR 863)

An individual student's scores shall also be reported to his/her school and teachers and shall be included in his/her student record. Individual test results shall not be released without the permission of the student's parents/guardians. (Education Code 60641)

Districtwide, school-level and grade-level results shall be reported to the Governing Board at a regularly scheduled meeting. The Board shall not receive individual student's scores or the relative position of any individual student. (Education Code 60641)

BOARD POLICY

BP 6162.6

INSTRUCTION

INSTRUCTIONAL SERVICES

Software Copyright

It is the intent of Ocean View School District to adhere to the provisions of copyright laws in the area of microcomputer programs. Though there continues to be controversy regarding interpretation of those copyright laws, the following procedures represents a sincere effort to operate legally. We recognize that computer software piracy is a major problem for the industry and that violations of computer copyright laws contribute to higher costs and greater efforts to prevent copies and/or lessen incentives for the development of good educational software. All of these results are detrimental to the development of effective educational uses of microcomputers. Therefore, in an effort to discourage violation of copyright laws and to prevent such illegal activities:

1. The ethical and practical problems caused by software piracy will be taught in all schools in the District.
2. District employees will be expected to adhere to the provisions of Public Law 96.517, Section 7(b) which amends Section 117 of Title 17 of the United States Code to allow for the making of a backup copy of computer programs. This states that” ...it is not an infringement for the owner of a copy of a computer program to make or authorize the making of another copy or adaptation of that computer program provided:
 - a. that such a new copy or adaptation is created as an essential step in the utilization of the computer program in conjunction with a machine and that it is used in no other manner, or
 - b. that such a new copy and adaptation is for archival purposes only and that all archival copies are destroyed in the event that continued possession of the computer program should cease to be rightful.”
3. When software is to be used on a disk sharing system, efforts will be made to secure this software from copying.
4. Illegal copies of copyrighted programs may not be made or used on school equipment.
5. The legal or insurance protection of the District may not be extended to employees who violate copyright laws.

BOARD POLICY

BP 6162.6

INSTRUCTION

INSTRUCTIONAL SERVICES

Software Copyright (Continued)

6. Dr. Monte McMurray of this school district is designated as the only individual who may sign license agreements for software for schools in the District. (Each school using the software also should have a signature on a copy of the software agreement for local control.)

7. The principal of each school site is responsible for establishing practices which will enforce this policy at the school level.

Policy Adopted: 11/5/85

BOARD POLICY

BP 6163

INSTRUCTION

REGULATIONS RELATING TO THE CARE OF LABORATORY ANIMALS

The district requires that a person be designated the responsibility for inspections of facilities utilized for the care and treatment of animals.

The building principal has been designated as the person responsible for this activity and the regulations for treatment and care of animals maintained by teachers or other persons in the schools are as follows:

1. All persons desiring to keep animals on school property or in school facilities must apply to the principal for permission and supply the following information:
 - a. Type of animal
 - b. Type of cage or other container
 - c. Purpose for keeping animal
 - d. Approximate length of time animal will be kept
 - e. Will animal be accessible to children?
2. The person maintaining animals in any facility of the school district is responsible for adherence to the regulations prescribed for laboratory animals by the California department of Public Health. Failure to meet the requirements could result in serious lawsuit.

Revised: 10/23/90

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6163.2

INSTRUCTION

ANIMALS AT SCHOOL

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

The Superintendent or designee shall develop rules and procedures to ensure that when animals are brought to school, the health, safety, and welfare of students, staff, and the animals are protected. However, the District assumes no liability for the safety of animals allowed on District property.

Definition of Service Animals

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

A service animal is any guide dog, signal dog or other animal individually trained to do work or perform tasks for the benefit of an individual with a disability, including but not limited to guiding individuals with impaired vision, alerting individuals with impaired hearing, providing minimal rescue or protection work, pulling a wheelchair or fetching dropped items. The service the animal is providing must be one it has been individually trained to perform, and directly related to the functional limitation of the person's disability. Service animals are working animals, not pets.

The provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of the definition of a service animal. Therapy, emotional support, or companion animals are not service animals, and therefore, are not permitted on campus to accompany students or staff throughout the instructional school day.

Legal Reference:

EDUCATION CODE

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

CIVIL CODE

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

GOVERNMENT CODE

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

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6163.2

INSTRUCTION

ANIMALS AT SCHOOL

VEHICLE CODE

21113 Public grounds

CODE OF REGULATIONS, TITLE 13

1216 Transportation of property

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Rehabilitation Act of 1973, Section 504

CODE OF FEDERAL REGULATIONS, TITLE 28

35.104 Definitions

35.136 Service Animals

COURT DECISIONS

Sullivan v. Vallejo City USD, 731 F.Supp. 947 (1990)

Management Resources:

FEDERAL REGISTER

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

CSBA PUBLICATIONS

Indoor Air Quality: Governing Board Actions for Creating Healthy School Environments, Policy Brief, July 2008

Asthma Management in the Schools, Policy Brief, March 2008

WEBSITES:

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

American Society for the Prevention of Cruelty to Animals: <http://www.asPCA.org>

Humane Society of the United States: <http://www.hsus.org>

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

Policy Adopted: 11/14/17

ADMINISTRATIVE REGULATION

AR 6163.2

INSTRUCTION

ANIMALS AT SCHOOL

Use of Animals for Instructional Purposes

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

All animals brought to school must be in good physical condition and must be appropriately immunized. The teacher shall ensure that the species of animal is appropriate for the instructional purpose and age and maturity of the students.

All animals brought to school shall be adequately fed, effectively controlled, humanely treated, and properly housed in cages or containers suitable for the species. The teacher shall ensure that cages and containers are cleaned regularly and that waste materials are removed and disposed of in an appropriate manner.

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

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

Use of Service Animals by Individuals with Disabilities

For an individual with a disability, service animal means any dog that is individually trained to do work or perform tasks related to the individual's disability and for his/her benefit. For example, for an individual who is blind or has low vision, a service animal may mean a dog that helps him/her with vision, navigation, and other tasks; for an individual who is deaf or hard of hearing, a service animal may mean a dog that alerts him/her to the presence of people or sounds; and for an individual with psychiatric or neurological disabilities, a service animal may mean a dog that assists him/her by preventing or interrupting impulsive or destructive behaviors. The provisions of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of the definition of a service animal. (28 CFR 35.104)

The Superintendent or designee may make two inquiries of any person accompanied by an animal on school premises to determine if the animal is a service dog: 1) Is the animal required because

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 6163.2

INSTRUCTION

ANIMALS AT SCHOOL

of a disability?; and 2) What work or tasks is the animal individually trained to perform to address the disability? (28 CFR 35.136; 28 CFR 35.104) The Superintendent or designee may prohibit the use of emotional support animals, and other animals that do not meet the definition of a service animal, on school premises or transportation.

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

The Superintendent or designee may permit the use of a miniature horse as a service animal when the horse has been individually trained to do work or perform tasks for the benefit of an individual with a disability, provided that:

1. The District's facility can accommodate the type, size, and weight of the horse.
2. The individual has sufficient control of the horse.
3. The horse is housebroken.
4. The horse's presence in the specific facility does not compromise legitimate safety requirements of the facility.

The Superintendent or designee may ask any individual with a disability to remove his/her service animal from school premises or transportation if the animal is out of control and the individual does not take effective action to control it or the animal is not housebroken. When an individual's service animal is excluded, he/she shall be given an opportunity to participate in the service, program, or activity without having the service animal present. (Education Code 39839; Civil Code 54.2; 28 CFR 35.136)

Regulation Adopted: 11/14/17

BOARD POLICY

BP 6163.4

INSTRUCTION

STUDENT USE OF TECHNOLOGY

The Governing Board intends that technological resources provided by the District be used in a safe, responsible, and proper manner in support of the instructional program and for the advancement of student learning.

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

Before a student is authorized to use the District's technological resources, the student and his/her parent/guardian shall sign and return the Acceptable Use Agreement, specifying user obligations and responsibilities. In that agreement, the student and his/her parent/guardian shall agree not to hold the District or any District staff responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes or negligence. They shall also agree to indemnify and hold harmless the District and District personnel for any damages or costs incurred.

The Superintendent or designee, with input from students and appropriate staff, shall regularly review and update this policy, the accompanying administrative regulation, and other relevant procedures to enhance the safety and security of students using the District's technological resources and to help ensure that the District adapts to changing technologies and circumstances.

Use of District Computers for Online Services/Internet Access

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

To reinforce these measures, the Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet and to ensure that students do not engage in unauthorized or unlawful online activities. Staff shall supervise students while they are using online services and may have teacher aides, student aides, and volunteers assist in this supervision.

The Superintendent or designee shall also establish regulations to address the safety and security of students and student information when using email, chat rooms, and other forms of direct electronic communication.

BOARD POLICY

BP 6163.4

INSTRUCTION

STUDENT USE OF TECHNOLOGY (continued)

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

Harassment or bullying of students or staff, includes, but is not limited to, cyberbullying, intimidation, hazing or initiation activity, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause violence, bodily harm, or substantial disruption.

“Cyberbullying” includes the transmission of communications, posting of harassing messages, direct threats, or other harmful texts, sounds, or images on the Internet, social networking sites, or other digital technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person’s electronic account and assuming that person’s identity in order to damage that person’s reputation or friendships.

When a student is suspected of, or reported to be using, electronic or digital communications to engage in cyberbullying against other students or staff, or to threaten District property, the investigation shall include documentation of the activity, identification of the source, and a determination of the impact on the school activity or school attendance.

A student who violates this policy may be prohibited from possessing a mobile communications device at school or school-related events and/or may be subject to further discipline in accordance with Board policy and administrative regulation.

Any student who engages in cyberbullying using District-owned equipment, on school premises, or off-campus in a manner that impacts a school activity or school attendance shall be subject to discipline in accordance with District policies and regulations. If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the Superintendent or designee also may file a complaint with the Internet site or service to have the material removed.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6163.4

INSTRUCTION

STUDENT USE OF TECHNOLOGY (continued)

Use of District Computers for Online Services/Internet Access (continued)

School staff shall receive related professional development, including the information about early warning signs of harassing/intimidating/bullying/cyberbullying behaviors and effective prevention and intervention strategies. Parents/guardians and students may be provided with similar information.

Legal Reference:

EDUCATION CODE

51006 Computer education and resources
51007 Programs to strengthen technological skills
51870-51874 Education Technology
60044 Prohibited instructional materials

PENAL CODE

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

UNITED STATES CODE, TITLE 15

6501-6506 Children's Online Privacy Protection Act

UNITED STATES CODE, TITLE 20

6751-6777 Enhancing Education Through Technology Act, Title II, Part D, especially:
6777 Internet safety

UNITED STATES CODE, TITLE 47

254 Universal service discounts (E-rate)

CODE OF FEDERAL REGULATIONS, TITLE 16

312.1-312.12 Children's Online Privacy Protection Act

CODE OF FEDERAL REGULATIONS, TITLE 47

54.520 Internet safety policy and technology protection measures, E-rate discounts

Management Resources:

CSBA PUBLICATIONS

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

FEDERAL TRADE COMMISSION PUBLICATIONS

How to Protect Kids' Privacy Online: A Guide for Teachers, December 2000

MYSPEACE.COM PUBLICATIONS

The Official School Administrator's Guide to Understanding MySpace and Resolving Social Networking Issues

(See Board Policy 5131)

Policy Adopted: 09/15/98

Policy Revised: 08/13/02

Policy Revised: 06/19/12

ADMINISTRATIVE REGULATION

AR 6163.4

INSTRUCTION

STUDENT USE OF TECHNOLOGY

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

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

Online Internet Services: User Obligations and Responsibilities

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

1. The student, in whose name an online services account is issued, is responsible for its proper use at all times. Students shall keep personal account numbers and passwords private and shall only use the account to which they have been assigned.
2. Students shall use the District's system safely, responsibly, and primarily for educational purposes.
3. Students shall not access, post, submit, publish, or display harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs.

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

ADMINISTRATIVE REGULATION

AR 6163.4

INSTRUCTION

STUDENT USE OF TECHNOLOGY

Online Internet Services: User Obligations and Responsibilities (continued)

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

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

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

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

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

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

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

10. Students shall not attempt to interfere with other users' ability to send or receive email, nor shall they attempt to read, delete, copy, or modify other users' email, or use another individual's identity.

11. Students shall report any security problem or misuse of the services to the teacher or principal.

ADMINISTRATIVE REGULATION

AR 6163.4

INSTRUCTION

STUDENT USE OF TECHNOLOGY

Online Internet Services: User Obligations and Responsibilities (continued)

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

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

Regulation Adopted: 09/15/98

Regulation Revised: 08/13/02

Regulation Revised: 06/19/12

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6164.2

INSTRUCTION

GUIDANCE SERVICES

The Student Study Team shall be an integral part of the total program of instruction. The major objective of the Student Study Team is to help each student make the best of his/her educational opportunities toward a normal, useful and happy life.

The program shall be directed toward the growth and improvement of all students in the school, recognizing however, that some students are in greater need of individual guidance than others.

The program shall attempt to provide for each student a sense of belonging, self-respect, emotional security, achievement, recognition, and develop an appreciation and understanding of the world in which he/she lives by providing a classroom and school environment in which effective learning and good behavior takes place.

The program shall provide a positive program of correction and prevention of antisocial behavior of students. It shall aim to provide a sense of responsibility and self-respect in students.

At the seventh and eighth grades, student advisement and PAL (Peer Assistance Leadership) programs may be used to meet the individual as well as group needs of adolescent age students.

Legal Reference:

EDUCATION CODE

35300 Counseling program; types

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6164.3

INSTRUCTION

PSYCHOLOGICAL SERVICES

Specialized psychological counseling service will be made³ available to all students enrolled in the schools within financial limitations. We provide this service because we believe that:

1. students learn best when their emotional needs are met. The first and most important responsibility of the school is to educate, to teach students the necessary attitudes and skills to enable them to live successfully in our community and country; and
2. anything that hinders the teaching-learning process is the concern of the school.

All persons directly or indirectly concerned with any person receiving psychological counseling shall handle the relationship in a professional manner.

All information divulged in conversation or case conference reporting shall be regarded as highly confidential.

Legal Reference:

EDUCATION CODE

49060-49068 Legislative Intent: Definitions; General Provisions (Student records)

49069-49072 Rights of Parents (Student records)

49073-49078 Privacy of Pupil Records

49420 Appointment of supervisor of health and other medical personnel

49442 Report to Parent (re: evidence of impaired mental health)

49443 Written consent of parent required for psychiatric treatment of pupil

49444 Contract for mental health services

Policy Revised: 10/23/90

INSTRUCTION

IDENTIFICATION OF INDIVIDUALS FOR SPECIAL EDUCATION

The Governing Board recognizes the need to actively seek out and evaluate District residents from birth to age 21 who have disabilities in order to provide them with appropriate educational opportunities in accordance with state and federal law.

The Superintendent or designee shall develop processes to determine when an individual is eligible for special education services and shall establish systematic procedures for special education program identification, screening, referral, assessment, planning, implementation, review and triennial assessment. (Education Code 56301)

The Superintendent or designee shall develop a method to ensure that all eligible individuals residing within the District are currently receiving needed special education and related services. In addition, the Superintendent or designee shall consult with appropriate representatives of private school students with disabilities on how to identify, locate and evaluate these students. (20 USC 1412(a)(3); 34 CFR 300.451)

The Superintendent or designee shall establish a method whereby parents/guardians, teachers, appropriate professionals and others may refer an individual for assessment for special education services. Identification procedures shall be coordinated with school site procedures for referral of students with needs that cannot be met with modifications to the regular instructional program. (Education Code 56302)

For assessment purposes, staff shall use appropriate tests to identify specific information about the individual's abilities in accordance with Education Code 56320.

The Superintendent or designee shall notify parents/guardians in writing of their rights related to identification, referral, assessment, instructional planning, implementation and review, including the District's procedures for initiating a referral for assessment to identify individuals who need special education services.

Legal Reference:

EDUCATION CODE

44265.5 Professional preparation for teachers of impaired students
56000-56001 Special education programs, especially:
56026 Individuals with disabilities
56170-56177 Children in private schools
56195.8 Adoption of policies
56300-56304 Identification of individuals with disabilities
56320-56330 Assessment
56340-56347 Instructional planning and individualized education program
56381 Reassessment of students
56425-56435 Early education for individuals with disabilities
56441.11 Eligibility criteria, children 3 to 5 years old
56445 Transition to grade school; reassessment
56500-56508 Procedural safeguards

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6164.4

INSTRUCTION

IDENTIFICATION OF INDIVIDUALS FOR SPECIAL EDUCATION

GOVERNMENT CODE

95000-95029 *California Early Intervention Services Act*

CODE OF REGULATIONS, TITLE 5

3021-3029 *Identification, referral and assessment*

3030-3031 *Eligibility criteria*

UNITED STATES CODE, TITLE 20

1232g *Family Educational Rights and Privacy Act of 1974*

1412 *State eligibility*

1415 *Procedural safeguards*

CODE OF FEDERAL REGULATIONS, TITLE 34

104.35 *Evaluation and placement*

104.36 *Procedural safeguards*

300.1-300.756 *Assistance to states for the education of students with disabilities*

COURT DECISIONS

Agostini v. Felton, (1997) 521 U.S. 203, 117 S.Ct. 1997

Management Resources:

FEDERAL REGISTER

34 CFR 300.a *Appendix A to Part 300 – Questions and Answers*

34 CFR 300a1 *Attachment 1: Analysis of Comments and Changes*

WEB SITES

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

U.S. Department of Education, Office of Special Education Programs: <http://www.ed.gov/offices/OSERS/OSEP>

Policy Adopted: 10/23/90

Policy Revised: 09/07/99

Policy Revised: 09/16/03

INSTRUCTION

IDENTIFICATION OF INDIVIDUALS FOR SPECIAL EDUCATION

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

All referrals for special education and related services from school staff shall include a brief reason for the referral and description of the regular program resources that were considered and/or modified for use with the student, and their effect. (5 CCR 3021)

Within 15 days of a referral for assessment, unless the parent/guardian agrees in writing to an extension, the student's parent/guardian shall receive a notice of parental rights and a written proposed assessment plan. The 15-day period does not include days between the student's regular school session or terms or days of school vacation in excess of five school days from the date of receipt of the referral. (Education Code 56043, 56321)

The proposed assessment 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 primary 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 assessment to be conducted.
4. State that no individualized education program (IEP) will result from the assessment without parent/guardian consent.

Upon receiving the proposed assessment plan, the parent/guardian shall have at least 15 days to decide whether or not to consent to the assessment. The assessment may begin as soon as informed parental consent is received by the District. The District shall not interpret parent/guardian consent for initial assessment as consent for initial placement or initial provision of special education services. (Education Code 56321; 34 CFR 300.505)

Informed parental consent means that the parent/guardian: (34 CFR 300.500)

1. Has been fully informed of all information relevant to the activity for which consent is sought, in his/her native language or other mode of communication.
2. Understands and agrees in writing to the assessment.
3. Understands that the granting of consent is voluntary on his/her part and may be revoked at any time.

ADMINISTRATIVE REGULATION

AR 6164.4

INSTRUCTION

IDENTIFICATION OF INDIVIDUALS FOR SPECIAL EDUCATION

If the student is a ward of the state and is not residing with his/her parents/guardians, the District shall make reasonable efforts to obtain informed consent from the parent/guardian as defined in 20 USC 1401 for an initial evaluation to determine whether the student is a student with a disability. (20 USC 1414(a)(1))

The District shall not be required to obtain informed consent from the parent/guardian of a student for an initial evaluation to determine whether the student is a student with a disability if either of the following situations exists: (20 USC 1414(a)(1))

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

As part of the assessment plan, the parent/guardian shall receive written notice that: (Education Code 56329; 34 CFR 300.502)

1. Upon completion of the administration of tests and other assessment materials, an IEP team meeting that includes the parent/guardian or his/her representative shall be scheduled pursuant to Education Code 56341. At this meeting, the team shall determine whether or not the student is a student with disabilities as defined in Education Code 56026 and shall discuss the assessment, the educational recommendations and the reasons for these recommendations. A copy of the assessment report and the documentation of determination of eligibility shall be given to the parent/guardian.
2. If the parent/guardian disagrees with an assessment obtained by the District, the parent/guardian has the right to obtain, at public expense, an independent educational assessment of the student from qualified specialists, in accordance with 34 CFR 300.502. If the parent/guardian disagrees with an assessment obtained by the District, the parent/guardian has the right to obtain, at public expense, an independent educational assessment of the student from qualified specialists, in accordance with 34 CFR 300.502

If the District observed the student in conducting its assessment, or if its assessment procedures make it permissible to have in-class observation of a student, an equivalent opportunity shall apply to the independent educational assessment. This equivalent opportunity shall apply to the student's current placement and setting as well as

INSTRUCTION

IDENTIFICATION OF INDIVIDUALS FOR SPECIAL EDUCATION

observation of the District's proposed placement and setting, regardless of whether the independent educational assessment is initiated before or after the filing of a due process hearing proceeding.

3. The District may initiate due process hearing pursuant to Education Code 56500-56508 to show that its assessment is appropriate. If the final decision resulting from the due process hearing is that the assessment is appropriate, the parent/guardian still has the right for an independent educational assessment, but not at public expense.

If the parent/guardian obtains an independent educational assessment at private expense, the results of the assessment shall be considered by the District with respect to the provision of free, appropriate public education 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 assessment, or if its assessment procedures make it permissible to have in-class observation of a student, an equivalent opportunity shall apply to an independent educational assessment of the student in the student's current educational placement and setting, if any, proposed by the District, regardless of whether the independent educational assessment is initiated before or after the filing of a due process hearing.

4. If a parent/guardian proposes a publicly financed placement of the student in a nonpublic school, the District shall have an opportunity to observe the proposed placement and, if the student has already been unilaterally placed in the nonpublic school by the parent/guardian, the student in the proposed placement. Any such observation shall only be of the student who is the subject of the observation and may not include the observation or assessment of any other student in the proposed placement unless that student's parent/guardian consents to the observation or assessment. The results of any observation or assessment of another student in violation of Education Code 56329(d) shall be inadmissible in any due process or judicial proceeding regarding the free appropriate public education of that other student.

An IEP required as a result of an assessment shall be developed within a total time not to exceed 50 days, not counting days between the student's regular school sessions, terms, or days of school vacation in excess of five school days, from the date of the receipt of the parent/guardian's consent for assessment, unless the parent/guardian agrees in writing to an extension. (Education Code 56043)

Before entering kindergarten or first grade, children with disabilities who are in a preschool program shall be reassessed to determine if they still need special education and services. IEP teams shall identify a means of monitoring the continued success of children who are determined to be eligible for less intensive special education programs to ensure that gains made are not lost by a rapid removal of individualized programs and supports for these individuals. (Education Code 56445)

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 6164.4

INSTRUCTION

IDENTIFICATION OF INDIVIDUALS FOR SPECIAL EDUCATION

Regulation Adopted: 09/07/99
Regulation Revised: 09/16/03
Regulation Revised: 06/07/05

INSTRUCTION

IDENTIFICATION AND EDUCATION UNDER SECTION 504

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

The Superintendent or designee shall provide identified students with disabilities with a free appropriate public education, as defined under Section 504 of the federal Rehabilitation Act of 1973. Such students shall receive regular or special education and related services designed to meet their individual educational needs as adequately as the needs of nondisabled students are met. (34 CFR 104.33) Specific services will be determined through the 504 Team process.

In addition, qualified students with disabilities shall be provided an equal opportunity to participate in programs and activities that are integral components of the District's basic education program, including, but limited to, extracurricular athletics, interscholastic sports, and/or other nonacademic activities. (34 CFR 104.37)

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

The Superintendent or designee shall maintain a list of impartial hearing officers who are qualified and willing to conduct Section 504 hearings. To ensure impartiality, such officers shall not be employed by or under contract with the District in any other capacity except as hearing officer and shall not have any professional or personal involvement that would affect their impartiality or objectivity in the matter.

Legal Reference:

EDUCATION CODE

49423.5 *Specialized physical health care services*

CODE OF REGULATIONS, TITLE 5

3051.12 *Health and Nursing Services*

UNITED STATES CODE, TITLE 20

1232g *Family Educational Rights and Privacy Act of 1974*

1400-1482 *Individuals with Disabilities Education Act*

UNITED STATES CODE, TITLE 29

705 *Definitions; Vocational Rehabilitation Act*

794 *Rehabilitation Act of 1973, Section 504*

UNITED STATES CODE, TITLE 42

12101-12213 *Americans with Disabilities Act*

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6164.6

INSTRUCTION

IDENTIFICATION AND EDUCATION UNDER SECTION 504

Legal Reference: (continued)

CODE OF FEDERAL REGULATIONS, TITLE 34

- 104.1 104.61 Nondiscrimination on the basis of handicap, especially:
- 104.1 Purpose to effectuate Section 504 of the Rehabilitation Act of 1973
- 104.3 Definitions
- 104.32 Location and notification
- 104.33 Free appropriate public education
- 104.34 Educational setting
- 104.35 Evaluation and placement
- 104.36 Procedural safeguards

COURT DECISIONS

Christopher S. v. Stanislaus County Office of Education, (2004) 384 F.3d 1205

Management Resources:

CSBA PUBLICATIONS

Rights of Students with Diabetes and Section 504, Policy Brief, November 2007

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

Legal Advisory on Rights of Students with Diabetes in California's K-12 Public Schools, August 2007

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

Dear Colleague Letter; January 2013

Dear Colleague Letter and Questions and Answers on ADA Amendments Act of 2008 for Students with Disabilities Attending Public Elementary and Secondary Schools; January 2012

Free Appropriate Public Education for Students with Disabilities: Requirements under Section 504 of the Rehabilitation Act of 1973, September 2007

WEB SITES

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

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

U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/about/offices/list/ocr>

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 6164.6

INSTRUCTION

IDENTIFICATION AND EDUCATION UNDER SECTION 504

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

Superintendent or Designee
Ocean View School District
17200 Pinehurst Lane
Huntington Beach, CA 92647
(714) 847-2551

Definitions

For the purpose of implementing Section 504 of the Rehabilitation Act of 1973, the following terms and phrases shall have only the meanings specified below:

Free appropriate public education (FAPE) means the provision of regular or special education and related aids and services designed to meet the individual educational needs of a student with disabilities as adequately as the needs of nondisabled students are met, without cost to the student or his/her parent/guardian, except when a fee is imposed on nondisabled students. (34 CFR 104.33)

Student with a disability means a student who has a physical or mental impairment which substantially limits one or more major life activities. (34 CFR 104.3)

Physical impairment means any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal, special sense organs; respiratory, including speech organs; cardiovascular; reproductive, digestive, genito-urinary; hemic and lymphatic; skin; and endocrine. (34 CFR 104.3)

Mental impairment means any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. (34 CFR 104.3)

Substantially limits major life activities means limiting a person's ability to perform functions such as caring for himself/herself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working. Major life activities also includes major bodily functions such as functions of the immune system, normal cell growth, and digestive, bowel, bladder,

Definitions (continued)

INSTRUCTION

IDENTIFICATION AND EDUCATION UNDER SECTION 504

neurological, brain, respiratory, circulatory, endocrine, and reproductive functions. Substantially limits shall be determined without regard to the ameliorative effects of mitigating measures other than ordinary eyeglasses or contact lenses. Mitigating measures include, but are not limited to, medications, prosthetic devices, assistive devices, learned behavioral, or adaptive neurological modifications which an individual may use to eliminate or reduce the effects of an impairment. (42 USC 12102; 34 CFR 104.3)

Referral, Identification, and Evaluation

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

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

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

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

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

Referral, Identification, and Evaluation (continued)

ADMINISTRATIVE REGULATION

AR 6164.6

INSTRUCTION

IDENTIFICATION AND EDUCATION UNDER SECTION 504

The District's evaluation procedures shall ensure that the tests and other evaluation materials:

- a. Have been validated and are administered by trained personnel in conformance with the instruction provided by the test publishers
- b. Are tailored to assess specific areas of educational need and are not merely designed to provide a single general intelligence quotient
- c. Reflect the student's aptitude or achievement or whatever else the tests purport to measure rather than his/her impaired sensory, manual, or speaking skills, except where those skills are the factors that the tests purport to measure

Section 504 Services Plan and Placement

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

1. A multi-disciplinary 504 team shall be convened to review the evaluation data in order to make placement decisions.
2. The 504 team shall consist of a group of persons knowledgeable about the student, the meaning of the evaluation data, and the placement options. (34 CFR 104.35)

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

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

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

Section 504 Services Plan and Placement (continued)

INSTRUCTION

IDENTIFICATION AND EDUCATION UNDER SECTION 504

4. If the 504 team determines that no services are necessary for the student, the record of the team's meeting shall reflect whether or not the student has been identified as a disabled person under Section 504 and shall state the basis for the determination that no special services are presently needed. The student's parent/guardian shall be informed in writing of his/her rights and procedural safeguards, as described in the "Procedural Safeguards" section below.
5. The student shall be placed in the regular educational environment, unless the District can demonstrate that the education of the student in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily. The student shall be educated with those who are not disabled to the maximum extent appropriate to his/her individual needs. (34 CFR 104.34)
6. The District shall complete the identification, evaluation, and placement process within a reasonable time frame.
7. A copy of the student's Section 504 services plan shall be kept in his/her student record. The student's teacher(s) and any other staff who provide services to the student shall be informed of the plan's requirements.

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

Review and Reevaluation

The 504 team shall monitor the progress of the student and, at least annually, shall review the effectiveness of the student's Section 504 services plan to determine whether the services are appropriate and necessary and whether the student's needs are being met as adequately as the needs of nondisabled students. In addition, each student with a disability under Section 504 shall be reevaluated at least once every three years.

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

Procedural Safeguards

INSTRUCTION

IDENTIFICATION AND EDUCATION UNDER SECTION 504

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

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

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

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

1. The parent/guardian shall submit a written request to the Coordinator within 30 days of receiving the District's decision or, if an administrative review is held, within 14 days of the completion of the review. The request for the due process hearing shall include:
 - a. The specific nature of the decision with which he/she disagrees
 - b. The specific relief he/she seeks
 - c. Any other information he/she believes is pertinent to resolving the disagreement
2. Within 30 days of receiving the parent/guardian's request, the Superintendent or designee and 504 Coordinator shall select an impartial hearing panel. This 30-day deadline may be extended for good cause or by mutual agreement of the parties.
3. Within 45 days of the selection of the hearing panel, the Section 504 due process hearing shall be conducted and a written decision mailed to all parties. This 45-day deadline may be extended for good cause or by mutual agreement of the parties.

Procedural Safeguards (continued)

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 6164.6

INSTRUCTION

IDENTIFICATION AND EDUCATION UNDER SECTION 504

4. The parties to the hearing shall be afforded the right to:
 - a. Be accompanied and advised by counsel and by individuals with special knowledge or training related to the problems of students with disabilities under Section 504
 - b. Present written and oral evidence
 - c. Question and cross-examine witnesses
 - d. Receive written findings by the hearing panel stating the decision and explaining the reasons for the decision

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

Notifications

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

Regulation Adopted: 03/04/2014

BOARD POLICY

BP 6171

INSTRUCTION

Title I Programs

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

Title I funds shall be used to supplement, not supplant, funds available from state and local sources for the education of students participating in Title I programs. (20 USC 6314, 6321) Descriptions of how the District will address the required components of the Title I local educational agency plan, as specified in 20 USC 6312, shall be included within the District's Local Control and Accountability Plan (LCAP), the LCAP Federal Addendum, or another document. School-level strategies shall be aligned with the District's plan and be tailored to the specific needs of the students at the school. In addition, the District and each school receiving Title I funds shall develop a written parent/guardian and family engagement policy in accordance with 20 USC 6318.

Comparability of Services

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

1. Adopt and implement a Districtwide salary schedule
2. Ensure equivalence in teachers, administrators, and other staff, as measured by either or both of the following:
 - a. The ratio of students to instructional staff at each Title I school within a grade span, which shall not exceed 115 percent of the average ratio for all non-Title I District schools within that grade span
 - b. Salary expenditures for instructional staff at each Title I school, which shall be no less than 85 percent of the average salary expenditure across non-Title I District schools.
3. Ensure equivalence in the provision of curriculum materials and instructional supplies, by determining whether the per-student expenditure of state and local funds for curriculum materials and instructional supplies in Title I schools is between 85 and 115 percent of the Districtwide average.
4. Determine whether the amount of state and local funds allocated per student for each grade span is between 85 and 115 percent of the per student average for each grade span in non-Title I schools

BOARD POLICY

BP 6171

INSTRUCTION

Title I Programs

Comparability of Services (continued)

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

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

Participation of Private School Students

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

Program Evaluation

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

Legal Reference:

EDUCATION CODE

11503 Parent involvement programs in Title I schools

52060-52077 Local control and accountability plan

54420-5425 State Compensatory Education

64001 School plan for student achievement; consolidated application programs

UNITED STATES CODE. TITLE 20

6301 Highly Qualified Teachers

6311-6322 Improving basic programs for disadvantaged students

6312 Local educational agency plan

BOARD POLICY

BP 6171

INSTRUCTION

Title I Programs

Legal Reference (continued):

6313 Eligibility of schools and school attendance areas; funding allocation 6314 Title I schoolwide programs
6315 Targeted assistance schools
6318 Parent and family engagement
6320 Participation of private school students
6321 Fiscal requirements/comparability of services
6333-6335 Grants to local educational agencies
6391-6399 Education of migratory children
7881 Participation of private school students

Management Resources:

UNITED STATES DEPARTMENT OF EDUCATION PUBLICATIONS

Fiscal Changes and Equitable Services Requirements Under the Elementary and Secondary Education Act of 1965 (ESEA)

Designing Schoolwide Programs, Non-Regulatory Guidance, March 22, 2006

Title I Services to Eligible Private School Students, October 17, 2003

Title I Fiscal Issues, Non-Regulatory Guidance, February 2008

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Frequently Asked Questions About Title I Schoolwide Programs

Local Control and Accountability Plan Federal Addendum Template

Meeting Title I, Part A Comparability Requirements, October 2017

WEBSITES

California Department of Education: <http://www.cde.ca.gov/iasalttitleone> US.

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

California School Boards Association: <http://www.csba.org>

Policy Revised: 03/19/96
Policy Revised: 02/17/04
Policy Revised: 01/24/23

ADMINISTRATIVE REGULATION

AR 6171

INSTRUCTION

Title I Programs

Schoolwide Programs

A school may operate a Title I schoolwide program in order to upgrade the entire educational program of the school when at least 40 percent of the students in the school attendance area, or at least 40 percent of the students enrolled in the school, are from low-income families. (20 USC 6314; 34 CFR 200.25)

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

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

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

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

1. Provide opportunities for all students, including economically disadvantaged students, ethnic subgroups, students with disabilities, and English learners, to meet state academic standards.
2. Use methods and instructional strategies that strengthen the school's academic program, increase the amount and quality of learning time, and help provide an enriched and accelerated curriculum, which may include programs, activities, and courses necessary to provide a well-rounded education.
3. Address the needs of all students in the school, but particularly the needs of those at risk of not meeting state academic standards, through activities which may include the following:
 - a. Counseling, school-based mental health programs, specialized instructional support services, mentoring services, and other strategies to improve students' skills outside the academic subject areas.

INSTRUCTION

Title I Programs

Schoolwide Programs (continued)

- b. Preparation for and awareness of opportunities for postsecondary education and the workforce, which may include career and technical education programs and broadening secondary school students' access to coursework to earn postsecondary credit while still in high school.
- c. Implementation of a schoolwide tiered model to prevent and address problem behavior, and early intervention services, coordinated with similar activities and services carried out under the Individuals with Disabilities Education Act.
- d. Professional development and other activities for teachers, paraprofessionals, and other school personnel to improve instruction and use of data from academic assessments and to recruit and retain effective teachers, particularly in high-need subjects.
- e. Strategies for assisting preschool children in the transition from early childhood education programs to local elementary school programs.

The plan shall also include a description of any applicable federal, state, and local programs that will be consolidated in the schoolwide program. (20 USC 6314; 34 CFR 200.27)

The plan and its implementation shall be regularly monitored and revised as necessary based on student needs to ensure that all students are provided opportunities to meet state academic standards. (20 USC 6314)

Targeted Assistance Schools

Any schools that receive Title I funds but does not operate schoolwide programs shall use Title I funds to serve students identified by the school as failing, or most at risk of failing, to meet state's academic standards. Students shall be identified on the basis of multiple, educationally related, objective criteria except that students in preschool through grade 2 shall be selected solely on the basis of criteria, including objective criteria, established by the District and supplemented by the school. (20 USC 6315)

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

Any targeted assistance program shall: (20 USC 6315)

INSTRUCTION

Title I Programs

Targeted Assistance Schools (continued)

1. Use program resources to help participating students meet state academic standards which may include programs, activities, and academic courses necessary to provide a well-rounded education.
2. Use methods and instructional strategies that strengthen the academic program, through activities which may include:
 - a. Expanded learning time, before- and after-school programs, and summer programs and opportunities.
 - b. A schoolwide tiered model to prevent and address behavior problems, and early intervention services, coordinated with similar activities and services carried out under the Individuals with Disabilities Education Act.
3. Coordinate with and support the regular education program, which may include services to assist preschool students in the transition to elementary school programs.
4. Provide professional development to teachers, principals, other school leaders, paraprofessionals, and, if appropriate, specialized instructional support personnel and other school personnel who work with eligible students in Title I programs or in the regular education program. The professional development shall be provided using funds from Title I and, to the extent practicable, other sources.
5. Implement strategies to increase the involvement of parents/guardians of participating students.
6. If appropriate and applicable, coordinate and integrate federal, state, and local services and programs, such as programs supported by the Elementary and Secondary Education Act, violence prevention programs, nutrition programs, housing programs, Head Start programs, adult education programs, career technical education programs, and comprehensive or targeted support and improvement activities under 20 USC 6311.
7. Provide assurances to the Superintendent or designee that the program will:
 - a. Help provide an accelerated, high-quality curriculum.
 - b. Minimize the removal of students from the regular classroom during regular school hours for instruction supported by Title I funds.

INSTRUCTION

Title I Programs

Targeted Assistance Schools (continued)

- c. On an ongoing basis, review the progress of participating students and revise the targeted assistance program, if necessary, to provide additional assistance to enable such students to meet state academic standards.

Participation of Private School Students

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

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

The Superintendent or designee shall consult with appropriate private school officials, in a meaningful and timely manner during the design and development of the District's Title I programs with the goal of reaching agreement on how to provide equitable and effective programs for eligible private school students. Such consultation shall occur before the District makes any decision that affects the opportunities of eligible private school students to participate in Title I programs and shall include consultation on issues such as the following: (20 USC 6320)

1. How the needs of private school students will be identified.
2. What services will be offered.
3. How, where and by whom the services will be provided.
4. How the services will be academically assessed and how assessment results will be used to improve those services.
5. The size and scope of the equitable services to be provided to private school students, the proportion of funds to be allocated for such services, and how that proportion of funds is determined.
6. The method or sources of data that are used to determine the number of students from low-income families in participating school attendance areas who attend private schools.

INSTRUCTION

Title I Programs

Participation of Private School Students (continued)

7. How and when the District will make decisions about the delivery of services to such students, including a thorough consideration and analysis of the views of private school officials on the provision of services through a third-party provider.
8. How, if the District disagrees with the views of private school officials on the provision of services through a third-party provider, the District will provide to private school officials a written analysis of the reasons that the District has chosen not to use a contractor.
9. Whether the District will provide services directly or through a separate government agency, consortium, entity, or third-party contractor.
10. Whether to provide services to eligible private school students by pooling funds or on a school-by-school basis.
11. When services will be provided, including the approximate time of day.
12. Whether to consolidate and use funds provided under Title I with other funds available for services to private school students.

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

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

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

The Superintendent or designee shall also maintain copies of program descriptions, notices, funding allocations, and other communications and records pertaining to the provision of services to private school students.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

ADMINISTRATIVE REGULATION

AR 6171

INSTRUCTION

Title I Programs

Regulation Adopted: 03/19/96
Regulation Revised: 02/17/04
Regulation Revised: 01/24/23

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6172

INSTRUCTION

GIFTED AND TALENTED STUDENT PROGRAM

The Governing Board believes that all students deserve an education that challenges them to meet their full potential. The Board shall provide gifted and talented students opportunities for learning commensurate with their particular abilities and talents.

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

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

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

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

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

Legal Reference:

EDUCATION CODE

48800-48802 Enrollment of gifted students in community college

51740 Instruction by correspondence

51745-51749.3 Independent study programs

76001 Enrollment in community college

CODE OF REGULATIONS, TITLE 5

1633 Instructions by correspondence

3820-3870 Gifted and Talented Pupil Program

Management Resources:

WEB SITES

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

California Association for the Gifted: <http://www.cagifted.org>

National Association for Gifted Children: <http://www.nagc.org>

Policy Adopted: 09/04/01

INSTRUCTION

GIFTED AND TALENTED STUDENT PROGRAM

Definitions

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

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

A *special day class* for gifted and talented students consists of one or more classes totaling a minimum school day where each class: (5 CCR 3840)

1. Is composed of gifted and talented students
2. Is designed to meet the specific academic needs of gifted and talented students for enriched or advanced instruction and is appropriately differentiated from other classes in the same subjects at the school
3. Is taught by a teacher who has specific preparation, experience, personal attributes and competencies in the teaching of gifted children

A *part-time grouping* is one in which students attend classes or seminars that are organized to provide advanced or enriched subject matter for a part of the school day and those classes are composed of identified gifted and talented students. (5 CCR 3840)

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

Independent study provides additional instructional opportunities supervised by a certificated district employee through special tutors or mentors or through enrollment in correspondence courses specified in Education Code 51740 and 5 CCR 1633. (5 CCR 3840)

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

INSTRUCTION

GIFTED AND TALENTED STUDENT PROGRAM

Definitions (continued)

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

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

Program Plan

The Superintendent or designee shall develop a written plan for the district's program which includes the components specified in 5 CCR 3831.

Identification of Gifted and Talented Students

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

1. Intellectual, creative, specific academic, or leadership ability
2. High achievement

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

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

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

INSTRUCTION

GIFTED AND TALENTED STUDENT PROGRAM

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

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

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

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

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

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

Regulation Adopted: 09/04/01

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6173

INSTRUCTION

EDUCATION FOR HOMELESS CHILDREN

The Governing Board recognizes its obligation to ensure that homeless children have access to the same free and appropriate public education provided to other children within the district. The district shall provide homeless students with access to education and other services necessary for these students to meet the same challenging performance standards as other students. Students shall not be segregated into a separate school or program based on their status as homeless, nor shall homeless students be stigmatized in any way.

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

Transportation

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

Legal Reference:

EDUCATION CODE

1980-1986 County community schools

2558.2 Use of revenue limits to determine average daily attendance of homeless children

39807.5 Payment of transportation costs by parents

UNITED STATES CODE, TITLE 42

11431-11435 McKinney-Vento Homeless Assistance Act

Management Resources:

CDE PUBLICATIONS

Enrolling Students in Homeless Situations, 1999

FEDERAL REGISTER

U.S. Department of Education: Notice of school enrollment guidelines, 67 Fed. Reg. 10698

WEB SITES

CDE:

U.S. Department of Education: <http://www.ed.gov/offices/OESE/CEP/hmlsprogresp.html>

National Law Center on Homeless and Poverty: <http://www.nlchp.org>

Policy Adopted: 09/07/04

INSTRUCTION

EDUCATION FOR HOMELESS CHILDREN

Definitions

Homeless means students who lack a fixed, regular and adequate nighttime residence and includes: (42 USC 11435)

1. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement.
2. Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings.
3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.
4. Migratory children who qualify as homeless because the children are living in conditions described in (1)-(3) above.

School of origin means the school that the student attended when permanently housed or the school in which the student was last enrolled. (42 USC 11432)

Best interest means, the extent feasible, continuing a student's enrollment in the school of origin for the duration of his/her homeless, except when doing so is contrary to the wishes of his/her parent/guardian. (42 USC 11432)

District Liaison

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

Director, Student Services
Ocean View School District
17200 Pinehurst Lane
Huntington Beach, CA 92647
714/847-2551

INSTRUCTION

EDUCATION FOR HOMELESS CHILDREN

District Liaison (continued)

The district's liaison for homeless students shall ensure that: (42 USC 11432)

1. Homeless students are identified by school personnel and through coordination activities with other entities and agencies.
2. Homeless students enroll in, and have a full and equal opportunity to succeed in, district schools.
3. Homeless families and students receive educational services for which they are eligible.
4. Parents/guardians are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children.
5. Notice of the educational rights of homeless children is disseminated at places where children receive services, such as schools, shelters, and soup kitchens.
6. Enrollment disputes are mediated in accordance with law, Governing Board policy and administrative regulation.
7. Parents/guardians are fully informed of all transportation services.

Enrollment

Placement decisions for homeless students shall be based on the student's best interest. In determining a student's best interest, a homeless student shall, to the extent feasible, be placed in his/her school of origin, unless his/her parent/guardian requests otherwise. (42 USC 11432)

The student may continue attending the school of origin for the duration of the homelessness and until the end of any academic year in which the student moves into permanent housing. (42 USC 11432)

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

INSTRUCTION

EDUCATION FOR HOMELESS CHILDREN

Once a placement decision has been made, the principal or designee shall immediately enroll the student in the school of choice, even if the parent/guardian is unable to provide the school with the records normally required for enrollment. (42 USC 11432)

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

Enrollment Disputes

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

The parent/guardian shall be provided with a written explanation of the placement decision, including an explanation of the parent/guardian's right to appeal the decision. He/she shall also be referred to the district liaison. (42 USC 11432)

The district liaison shall carry out the dispute resolution process provided by the state as expeditiously as possible after receiving notice of the dispute. (42 USC 11432)

INSTRUCTION

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

The Governing Board intends to provide English language learners with challenging curriculum and instruction that develop proficiency in English as rapidly and effectively as possible in order to assist students in accessing the full educational program and achieving the district's academic standards.

The district's program shall be based on sound instructional theory and shall be adequately supported so that English language learners can achieve results at the same academic level as their English-proficient peers in the regular course of study.

The Board encourages staff to exchange information with other districts and the county office of education about programs, options and strategies for English language learners that succeed under various demographic conditions.

The Superintendent or designee shall maintain procedures which provide for the identification, assessment and placement of English language learners and for their redesignation based on criteria adopted by the Board and specified in administrative regulations.

To evaluate program effectiveness, the Superintendent or designee shall regularly examine program results, including reports of the English language learners' academic achievement, their progress towards proficiency in English and the progress of students who have been redesignated as fluent English proficient. The Superintendent or designee shall annually report these findings to the Board and shall also provide the Board with regular reports from any district or schoolwide English learner advisory committees.

Type of Instruction

Students who are English language learners shall be educated through "sheltered English immersion" or "structured English immersion" during a temporary transition period not normally intended to exceed one year. "Nearly all" of the classroom instruction in the district's sheltered English immersion program shall be in English, but with the curriculum and presentation designed for students who are learning the language. (Education Code 305, 306)

In the structured English immersion program, classroom instruction shall be in English. However, clarification, explanation and support, as needed, may be in a student's primary language.

When an English language learner has acquired a reasonable level of English proficiency as measured by any of the state-designated assessments approved by the California Department of Education or any locally developed assessments and using other criteria developed by the district, he/she shall be transferred from a structured English immersion classroom to an English language mainstream classroom in which the instruction is "overwhelmingly" in English. (Education Code 305; 5 CCR 11301)

INSTRUCTION

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

An English language learner has acquired a “reasonable level of English proficiency” when he/she has demonstrated sustained growth in English reading and writing as measured by the district’s multiple measures of assessment for each grade level on the student assessment profile/rubric.

Upon the request of his/her parent/guardian, a student shall be placed in an English language mainstream classroom. (5 CCR 11301)

Parental Exception Waivers

At any time during the school year, the parent/guardian of an English language learner may have his/her child moved into an English language mainstream program.

Parent/guardian requests for waivers from Education Code 305 regarding placement in a sheltered English immersion program shall be granted accordance with law and administrative regulation.

The principal shall consider all waiver requests made pursuant to Education Code 311(c) for students with special needs and shall submit a rationale of the decision regarding the waiver to the Superintendent. When determining whether or not to recommend the approval of the waiver request, the principal shall assume that the facts justifying the request attested by the parent/guardian are a true representation of the child’s condition. All such waiver requests shall be granted unless: (1) the principal and educational staff determine that the alternative program requested by the parent/guardian would not be better suited for the overall educational development of the student, or (2) the program requested by the parent/guardian is not offered at the school.

When evaluating a waiver request pursuant to Education Code 311(a) for students who already know English and other waiver requests for those students for whom standardized assessment data are not available, other equivalent assessment measures shall be used.

These equivalent measures include the student’s score on the district’s multiple measures for each grade level as listed on the student assessment profile/rubric.

If the waiver requested by the parent/guardian is granted, and less than 20 students at the same school receive a waiver, the student shall be allowed to transfer to another public school in which such a class is offered. (Education Code 310)

Students wishing to transfer shall be subject to the district’s intradistrict and interdistrict attendance policies and administrative regulations. Students wishing to transfer to another district shall also be subject to the receiving district’s interdistrict attendance policies and administrative regulations.

INSTRUCTION

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

If the Superintendent or designee denies the waiver request, he/she shall provide a written justification to the parent/guardian describing the reasons for the denial. A parent/guardian may appeal the Superintendent's decision in writing to the Board. The Board may consider the matter at its next regular Board meeting. The Board may decide not to hear the appeal, in which case the Superintendent's decision shall be final. If the Board hears the appeal, the Superintendent shall send the Board's decision to the parent/guardian within seven working days.

Legal Reference:

EDUCATION CODE

300-340 English language education for immigrant children
430-446 English Learner and Immigrant Pupil Federal Conformity Act
33308.5 CDE guidelines not binding
44253.5-44253.10 Certification for bilingual-cross-cultural competence
48985 Notices to parents in language other than English
51101 Rights of parents to information
51101.1 Rights for parents of English Learners
52015 Components of school improvement plan
52130-52135 Impacted languages act of 1984
52160-52178 Bilingual Bicultural Act
52180-52186 Bilingual teacher training assistance program
54000-54041 Programs for disadvantaged children
62000-62005.5 Evaluation and sunseting of programs

CODE OF REGULATIONS, TITLE 5

4320 Determination of funding to support program to overcome the linguistic difficulties of English learners
11300-11316 English Language Learner Education
11510-11516 California English Language Development Test

UNITED STATES CODE, TITLE 20

1701-1705 Equal Educational Opportunities Act
6312 Local education agency plans
6801-6871 Title III, Language instruction for limited English proficient and immigrant students

COURT DECISIONS

Valeria G. v. Wilson, (9th Circuit) 2002 U.S. App. Lexis 20956
California Teachers Association et al. v. State Board of Education et al., (9th Circuit, 2001) 271 F.3d 1141
McLaughlin v. State Board of Education, (1999) 75 Cal.App.4th 196
Teresa P. et al v. Berkeley Unified School District et al, (1989) 724 F.Supp. 698
Casteneda v. Pickard, (5th Cir. 1981) 648 F.2d 989

ATTORNEY GENERAL OPINIONS

83 Ops.Cal.Atry.Gen 40 (2000)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Guidelines for Reclassification of English Learners, September 2002
Accommodations for the California English Language Development Test, Revised 8/13/01

CSBA ADVISORIES

0812.98 Proposition 227 Advisory

WEB SITES

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

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

Policy Adopted: 03/19/02
Policy Revised: 02/17/04

INSTRUCTION

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

Definitions

The definitions of the terms used in Education Code 300-340 are as follows: (Education Code 306)

English learner means a student who does not speak English or whose native language is not English and who is not currently able to perform ordinary classroom work in English, also known as limited English proficient or LEP child. (Education Code 306)

English language classroom means a classroom in which the language of instruction used by the teaching personnel is overwhelmingly the English language, and in which such teaching personnel possess a good knowledge of the English language. (Education Code 306)

English language mainstream classroom means a classroom in which the students either are native English speakers or already have acquired reasonable fluency in English. (Education Code 306)

Sheltered English immersion or structured English immersion means an English language acquisition process for young children in which nearly all classroom instruction is in English but with the curriculum and presentation designed for children who are learning the language. (Education Code 306)

Bilingual education/native language instruction means a language acquisition process for students in which much or all instruction, textbooks, and teaching materials are in the child's native language. (Education Code 306)

Identification and Assessment

Upon enrollment, each student's primary language shall be determined through use of a home language survey. (5 CCR 11307)

Within 30 calendar days of their initial enrollment, students who are identified as having a primary language other than English as determined by the home language survey, and for whom there is no record of results from an English language development test shall be assessed using the California English Language Development Test (CELDT). (5 CCR 11511)

All students shall have sufficient time to complete the CELDT as provided in the directions for test administration. (5 CCR 11516)

Any student with a disability shall take the CELDT with those accommodations for testing that the student has regularly used during instruction and classroom as delineated in the student's

INSTRUCTION

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

individualized education program (IEP) or Section 504 plan that are appropriate and necessary to address the student's individual needs. (5 CCR 11516.5)

The District shall notify parents/guardians of their child's results on the CELDT within 30 calendar days. (5 CCR 11511.5)

Within 90 days of initial enrollment, students identified as having limited English proficiency shall be further assessed for primary language proficiency in comprehension, speaking, reading and writing. The Superintendent or designee shall develop criteria for determining student needs on the basis of these assessments. (former Education Code 52164.1, 62002)

Before students are enrolled in a program for English language learners, parents/guardians shall receive information about the program and their opportunities for parental involvement. This information shall include the fact that an individual student's participation in the program is voluntary on the part of the parent/guardian. (Education Code 52173)

Not later than 30 calendar days after the beginning of the school year, each parent/guardian of a student participating in, or identified for participation in, a language instruction program supported by federal Title III funds shall receive notification of the assessment of his/her child's English proficiency. The notice shall include all of the following: (Education Code 440; 20 USC 6312)

1. The reason for the student's classification as English language learner
2. The level of English proficiency
3. A description of the program for English language development instruction, including a description of all of the following:
 - a. The manner in which the program will meet the educational strengths and needs of the student
 - b. The manner in which the program will help the student develop his/her English proficiency and meet age-appropriate academic standards
 - c. The specific exit requirements for the program, and the expected rate of transition from the program into classrooms not tailored for English language learner students
 - d. Where the student has been identified for special education, the manner in which the program meets the requirements of the student's IEP

INSTRUCTION

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

4. Information regarding a parent/guardian's option to decline to allow the student to become enrolled in the program or to choose to allow the student to become enrolled in an alternative program
5. Information designed to assist a parent/guardian in selecting among available programs, if more than one program is offered.

Parent/guardians also shall be notified of the results of any reassessments. (Education Code 52164.3)

Parental Exception Waivers

At the beginning of each school year, parents/guardians shall be informed of the placement of their children in a structured English immersion program and shall be notified of an opportunity to apply for a parental exception waiver. (Education Code 310; 5 CCR 11309)

A parent/guardian may request that the district wave the requirements of Education Code 305 if the one of the following circumstances exists: (Education Code 310, 311)

1. Students who already know English: The student already possesses good English language skills, as measured by standardized tests of English vocabulary comprehension, reading and writing, in which the student scores at or above the state average for his/her grade level or at or above the fifth-grade average, whichever is lower. (Education Code 311(a))
2. Older students: The student is age 10 years or older, and it is the informed belief of the school principal and educational staff that an alternate course of study would be better suited to the student's rapid acquisition of basic English skills. (Education Code 311(b))
3. Students with special needs: The student already has been placed for a period of not less than 30 calendar days during that school year in an English language classroom and it is subsequently the informed belief of the school principal and educational staff that the student has special physical, emotional, psychological or education needs and that an alternate course of educational study would be better suited to the student's overall educational development. (Education Code 311(c))

Parental Exception Waivers

The parent/guardian shall personally visit the school to apply for the waiver. (Education Code 310)

INSTRUCTION

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

Upon request for a waiver, the Superintendent or designee shall provide to the parents/guardians: (Education Code 310, 311; 5 CCR 11309)

1. A full written description, and a spoken description upon request, of the intent and content of the structured English immersion program, any alternative courses of study offered by the district and available to the student, all educational opportunities offered by the district and available to the student, and the educational materials to be used in the different educational program choices.
2. For a request for waiver pursuant to Education Code 311(c) for students with special needs, notification that the student must be placed for a period of not less than 30 calendar days in an English language classroom and that the Superintendent must approve the waiver pursuant to Governing Board guidelines.

Pursuant to Education Code 311(b) and 311(c), the principal and educational staff may recommend a waiver to a parent/guardian for a student 10 years or older and a student with special needs. Parents/guardians shall be informed in writing of any recommendation for an alternative program made by the principal and staff and shall be given notice of their right to refuse to accept the recommendation. The notice shall include a full description of the recommended alternative program and the educational materials to be used for the alternative program as well as a description of all other programs available to the student. If the parent/guardian elects to request the alternative program recommended by the principal and educational staff, the parent/guardian shall comply with district procedures and requirements otherwise applicable to a parental exception waiver, including Education Code 310. (5 CCR 11309)

Parental exception waivers pursuant to Education Code 311(b) (Students 10 Years or Older) shall be granted if it is the informed belief of the principal and educational staff that an alternate course of educational study would be better suited to the student's rapid acquisition of basic English language skills. (Education Code 311)

Parental exception waivers pursuant to Education Code 311(c) for students with special needs shall be granted if it is the informed belief of the principal and educational staff that, due to the student's special physical, emotional, psychological or educational needs, an alternate course of educational study would be better suited to the student's overall educational development. (Education Code 311)

The principal or designee shall act upon all parental exception waivers within 20 instructional days of submission to the principal. However, parental waiver requests pursuant to Education Code 311(c) for students with special needs shall not be acted upon during the 30-day placement in an English language classroom. These waivers shall be acted upon no later than 10 calendar days after the expiration of that 30-day English language classroom placement or within 20

INSTRUCTION

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

instructional days of submission of the waiver to the principal, whichever is later. (5 CCR 11309)

Students wishing to transfer shall be subject to the district's intradistrict and interdistrict attendance policies and administrative regulations. Students wishing to transfer to another district shall also be subject to the receiving district's interdistrict attendance policies and administrative regulations.

Individual schools in which 20 students or more of a given grade level receive a waiver shall be required to offer such a class; otherwise, they must allow the students to transfer to a public school in which such a class is offered. (Education Code 310)

In cases where a parental exception waiver pursuant to Education Code 311(b) or (c) is denied, the parent/guardian shall be informed in writing of the reason(s) for the denial and advised that he/she may appeal the decision to the Board if the Board authorizes such an appeal, or to the court. (5 CCR 11309)

Waiver requests shall be renewed annually by the parent/guardian. (Education Code 310)

Reclassification/Redesignation

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

1. Demonstrated English language proficiency comparable to that of the district's average native English language speakers.
2. Recouped any academic deficits which may have been incurred in other areas of the core curriculum as a result of language barriers.

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

The following measures shall be used to determine whether an English language learner shall be reclassified as fluent English proficient: (5 CCR 11303)

1. Assessment of English language proficiency utilizing the CELDT as the primary criterion, and objective assessment of the student's English reading and writing skills

INSTRUCTION

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

2. Participation of the student's classroom teacher and any other certificated staff with direct responsibility for teaching or placement decisions
3. Parent/guardian opinion and consultation

Parents/guardians shall receive notice and a description of the redesignation process, including notice of their right to participate in the process. Parent/guardian participation in the process shall be encouraged.

4. Comparison of performance in basic skills, including performance on the English-Language Arts section of the California Standards Tests
5. Objective data on the student's academic performance in English

The Superintendent or designee shall provide subsequent monitoring and support for redesignated students, including but not limited to monitoring the performance of redesignated students in the core curriculum in comparison with their native English-speaking peers, monitoring the rate of redesignation, and ensuring correct classification and placement.

The Superintendent or designee shall develop a process to monitor the effectiveness of the district's program for English language learners. The district's program shall be modified as needed to help ensure language and academic success for each English language learner.

Advisory Committees

At the district level when there are more than 50 English language learners in the district and at each school with more than 20 English language learners, parent/guardian advisory committees shall be maintained to serve the advisory functions specified in law. (5 CCR 11308)

Parents/guardians of English language learners shall constitute committee membership in at least the same percentage as their children represent of the total number of students in the school. (Education Code 52176)

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

1. The development of a district master plan of education programs and services for English learners, taking into consideration the school site plans for English learners
2. The districtwide needs assessment on a school-by-school basis

INSTRUCTION

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

3. Establishment of a district program, goals and objectives for programs and services for English learners
4. Development of a plan to ensure compliance with applicable teacher or aide requirements
5. Administration of the annual language census
6. Review of and comment on the district's reclassification procedures
7. Review of and comments on the written notification required to be sent to parents/guardians pursuant to 5 CCR 11300-11316

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

Regulation Adopted: 03/19/02
Regulation Revised: 02/17/04

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6175

INSTRUCTION

MIGRANT CHILDREN PROGRAM

The Governing Board recognized that children of migratory workers have special educational and health needs. Migrant children tend to move frequently, attend school irregularly, and often have language handicaps which inhibit their educational progress. The Board feels that education is very important for these children and that every possible effort should be made to keep them from falling behind in school or dropping out. The Board encourages parents/guardians and staff to support and assist each other in all such efforts.

The district shall make use of available funds to provide supplementary services for migrant children. Such services shall be coordinated with other existing district resources such as bilingual-cross cultural education, health screening, and compensatory education programs.

The Superintendent or designee shall ensure that children eligible for migrant services are correctly identified and enrolled.

The Superintendent or designee shall provide supplementary staff development activities which improve skills that meet the needs of migrant students.

Parent Advisory Council

The Superintendent or designee shall convene a district Parent Advisory Council to actively involve parents/guardians in planning, operating and evaluating the migrating children program.

The Superintendent or designee shall ensure that advisory council members receive training which enables them to carry out their responsibilities.

Legal Reference:

EDUCATION CODE

54440 Migrant Children: legislative intent

54441-54445 Migrant Children

34 Code of Federal Regulations, 201.1, 201.12, 201.30-201.32, 204.10, 204.22, 204.32, 204.64

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6180

INSTRUCTION

Staff Development

The success of the educational program of the Ocean View School District is dependent on the quality of the instructional and support personnel. To provide for a quality staff requires that attention be given to the qualifications of those being hired and to the continued growth and development of the staff currently employed. While recognizing professional growth is the responsibility of an employee, the District accepts its obligation to provide the opportunity and encouragement for such growth.

The District supports the fundamental concept that the organization must assist its employees in the continuing improvement of skills. Accordingly, staff development is viewed as both an opportunity for individual professional growth and as a necessity for organizational success. A balanced staff development program to meet the identified student and/or professional needs must:

- appropriately serve all certificated and classified personnel;
- provide opportunities for general individual growth;
- provide opportunities for school personnel to create staff development programs to meet identified needs;
- provide opportunities to develop specific professional growth;
- provide procedures for the development, evaluation, and modifications of staff development proposals.

In support of these tenets, the Ocean View School District will maintain a Staff Development Program and commit time and resources to enhance the skills and attitudes of employees as they contribute to the educational process for students.

Policy Adopted: 12/18/78

INSTRUCTION

ALTERNATIVE SCHOOLS/PROGRAMS OF CHOICE

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

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

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

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

Program Evaluation

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

Evaluation reports shall be sent to the Superintendent of Public Instruction on or before August 1 following the close of the school year. (Education Code 58510)

The Board of Trustees shall review the effectiveness of the school or program in meeting program objectives, compare student achievement data with that of students in other District schools, evaluate changes in the school or program over time, and make program modifications as needed.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6181

INSTRUCTION

ALTERNATIVE SCHOOLS/PROGRAMS OF CHOICE

Legal Reference:

EDUCATION CODE

35160.5 Intradistrict open enrollment

48980 Parental notifications

52052 Accountability; numerically significant student subgroups

58500-58512 Alternative schools and programs of choice

CODE OF REGULATIONS, TITLE 5

1068-1074 Alternative schools accountability model

11705 Charter schools as alternative schools

COURT DECISIONS

American Civil Rights Foundation v. Los Angeles Unified School District, (2008) 169 Cal.App.4th 436

Management Resources:

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Creating and Sustaining Successful K-8 Magnet Schools, September 2008

Innovations in Education: Successful Magnet High Schools, September 2008

WEB SITES

California Department of Education, Alternative Schools of Choice: <http://www.cde.ca.gov/sp/eo/as>

Foundation for California Community Colleges, Early College High School Initiative: <http://www.foundationccc.org/ECHS>

U.S. Department of Education, Office of Innovation and Improvement: <https://innovation.ed.gov>

Policy Adopted: 07/07/2020

INSTRUCTION

EVALUATION OF THE INSTRUCTIONAL PROGRAM

The Governing Board recognizes that it is accountable to the students, parents/guardians and community for conducting a continual evaluation of the curriculum and the instructional program.

The Superintendent or designee shall review the effectiveness of district programs in meeting desired outcomes. He/she shall provide the Board and the community with annual achievement reports on student progress toward Board-established standards of expected achievement in the areas of English/Language Arts, Mathematics, Social Science and Science at the grade levels assessed. Based on these annual reports, the Board shall take appropriate actions to maintain the effectiveness of programs and, as needed, to improve the quality of education that district students receive.

Coordinated Compliance Reviews

The Superintendent or designee shall cooperate with the California Department of Education in the conduct of coordinated compliance reviews to ensure that all district categorical programs comply with federal and state laws and regulations. The Superintendent or designee shall notify the Board of the results of these reviews.

Evaluation of Consolidated Programs

The Superintendent or designee shall conduct annual evaluations to determine whether the district's consolidated programs are supportive of the core curriculum and are effective in meeting the needs of the students they are intended to serve. As a basis for this evaluation, the Superintendent or designee shall recommend specific, measurable criteria that shall be used at each school and at the district level. These criteria shall include, but not necessarily be limited to: 1) the progress of the district's and of each school's total student population and each numerically significant subgroup toward growth targets on the statewide Academic Performance Index, and 2) the observable findings of annual site visitations conducted by the Superintendent and the Educational Support Team to confirm that every student has access to the core curriculum and that consolidated programs are effective in meeting the needs of the students they are intended to serve. In addition, an individual school's effectiveness may be confirmed by its official designation as a: 1) California Distinguished School, and/or 2) state or national Title I Achieving School, and/or 3) National Blue Ribbon School.

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, California

BOARD POLICY

BP 6190

INSTRUCTION

EVALUATION OF THE INSTRUCTIONAL PROGRAM

Legal Reference:

EDUCATION CODE
33400-33407 *Educational Evaluations (by CDE)*
44662 *Evaluation and assessment guidelines*
51041 *Education program, evaluation and revisions*
51226 *Model curriculum standards*
52034 *Evaluations required for School Improvement Program*
54650-54659 *Education Improvement Incentive Program*
62005.5 *Failure to comply with purposes of funds*
64000-64001 *Consolidated application process*
CODE OF REGULATIONS, TITLE 5
3930-3937 *Program requirements*
3942 *Continuity of funding*

Management Resources:

CSBA PUBLICATIONS
Maximizing School Board Leadership: Curriculum, 1996
CDE PUBLICATIONS
Update on the status of Program Quality Review and Implementation of SB 374, November 2001
WEB SITES
CSBA: <http://www.csba.org>
CDE, School and District Accountability Division:

Policy Adopted: 01/14/97
Policy Revised: 02/17/04