



DEHESA SCHOOL DISTRICT
Regular Governing
Board Meeting

AGENDA

July 20, 2017

Welcome

Welcome to the meeting of the Dehesa School District Governing Board. Your interest in our school district is appreciated.

Our Governing Board

Our community elects five Board members who serve four-year terms. The Board members are responsible for the overall operation for the school district. Among its duties, the Board adopts an annual budget, approves expenditures, establishes policies and regulations, authorizes employment of all personnel, approves curriculum and textbooks, and appoints the Superintendent.

Cindy White -

Mrs. White was first elected to the governing Board in November 2002, re-elected in 2006, 2010 and 2014. Her current term expires in 2018.

Karl Becker -

Mr. Becker was elected to the board in 2010 and reelected in 2014. His current term expires in 2018.

Christina Becker

Mrs. Becker was first elected to the Governing Board in the year 2014. Her current term expires in 2018.

Vincent Blanco, Jr.

Mr. Blanco was appointed to the Governing Board in April 2017 His current term expires in 2018.

Mark Zacovic

Dr. Zacovic was elected to the Governing Board in December 2016. His term expires in 2020.

DEHESA SCHOOL DISTRICT

LOCATION & TIME

CLOSED SESSION - 6:00 p.m.

Dehesa School – Conf Room D4

LOCATION & TIME -

OPEN SESSION - 7:00 p.m.

Dehesa School - MPR

REGULAR GOVERNING BOARD MEETING

JULY 20, 2017

AGENDA

Accommodations: In compliance with the American with Disabilities Act 1990, if you need special assistance to participate in this meeting, please contact the office of the Superintendent at 619-444-2161. Notification of 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to that meeting.

In compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the board in advance of a meeting, may be viewed at Dehesa School District, 4612 Dehesa Road, El Cajon, CA 92019, or at the scheduled meeting. In addition, if you would like a copy of any record related to an item on the agenda, please contact Deborah Cagney.

Board of Education agendas and minutes are, by law, public documents. Please note the Dehesa School District posts Board agendas and minutes on the school website; <https://dehesasd.sdcoc.net>.

I. Call to Order

- A. Public Comment on Closed Session Items.

II. Closed Session

- A. PUPIL PERSONNEL MATTERS: The Governing Board will recess to Closed Session to consider pupil personnel matters pursuant to Government Code Section 35146, 72122, and 48918
- B. PERSONNEL MATTERS: The Governing Board will recess to Closed Session to consider personnel matters pursuant to Government Code Section 54957
 - 1. Appointment, Employment, Evaluation of Performance, Discipline, Leaves, or Dismissal of a Public Employee
- C. NEGOTIATIONS: The Governing Board will recess to Closed Session to consider negotiations and related matters pursuant to Government Code 54957.
 - 1. Employee Organizations: DTA, CSEA, and Unrepresented Employees
- D. POTENTIAL LITIGATION: The Governing Board will recess to Closed Session to consider possible litigation pursuant to Government Code 54956.9 (b.)(1).
- E. REAL PROPERTY: The Governing Board will recess to Closed Session to consider real property pursuant to Government Code 54956.8 (b.)(1). Case No. 37-2015-00030843-CU-WM-CTL

III. Public Meeting

- A. Call to Order and Establishing a Quorum
- B. Closed Session Report of Any Action Taken
- C. Pledge of Allegiance
- D. Agenda Approval

IV. Requests to Address the Board

A. District/Community Organization Reports

- 1. Parents' Club – Patience Stevens, President
- 2. Dehesa Teacher's Association – Christine Lavigne and Lacey Rana
- 3. California School Employees Association # 663 - Jackie Finch, President
- 4. Element Education – Terri Novacek, Director
 - a. Dehesa Charter School
 - b. Community Montessori
- 5. Diego Hills Charter School – Kevin Ogden
- 6. The Heights Charter School – Diana Whyte
- 7. Inspire Charter – Nick Nichols
- 8. Method Schools – Jessica Spallino
- 9. Valiant Charter – Justin Schmitt
- 10. Citizen Input

B. Board Input

V. Routine Action Items

The following items are considered by the Superintendent to be of a routine nature and are acted on with one motion. Any recommendation may be removed at the request of any Board Member and placed under new and/or unfinished business.

- A. Approval of Minutes – It is recommended that the board of Trustees approve the minutes of the following meeting:
 - 1. Regular Board Meeting – June 15, 2017
- B. Approval of Purchase Orders and Commercial Warrants– It is recommended that the Board of Trustees approve the commercial warrants and purchase orders as presented.
- C. It is recommended that the Board of Trustees approve the following annual contract agreements:
 - 1. Annual Science Outreach Program agreement with SDCOE.
 - 2. Loomis Service Agreement.
 - 3. NvLS Professional Services, LLC.
- D. Conferences and Workshops – None

VI. Information & Proposals (Action may be taken)

A. Correspondence:

B. Report, Information, and Presentations

1. Budget Report
2. State School Building Report
3. Principal's Report
4. Enrollment
5. Williams Complaint

C. Discussion

VII. Action Items

A. Public Hearings

1. Charter Petition from Diego Hills Central Public Charter School.

B. Old Business – Prop 39 update.

C. New Business

1. The Board will consider the Agreement for Legal Services between Dehesa School District and Hatch & Cesario.
2. The Board will consider the Approval of the East County Special Education Local Plan.
3. The Board will consider the Approval of the Agreement to participate in Circle of Equity Title VII grant with SDCOE.
4. The Board will consider the Approval of the 2017-2018 Consolidated Application Reporting System (CARS) Spring Release.
5. The Board will consider the Approval of the Management Salary Schedule.
6. The Board will consider the Approval of Community Montessori Addendum to MOU for Special Education Services and Oversight.
7. The Board will consider the Approval of Dehesa Charter Addendum to MOU for Special Education Services and Oversight.
8. The Board will consider the Approval of the Professional Development Contract for speaker Derek Clark.

D. Negotiations – None

E. Board Policies

1. The Board will review and consider the approval of Updated Board Policies 0000-0520 Concepts and Roles.

F. Personnel –

Certificated:

1. To hire 3 certificated employees effective 8/17/2017. (To fill open positions.)

Classified:

1. To reinstate 2 3.75 hour per day instructional assistants effective 8/18/17 due to resignation of full-time instructional assistant.
2. To reinstate the Student Care Coordinator Position 30 hours per week effective 8/15/17.

3. To reinstate one Student Care Assistant Position 10-18.75 hours per week effective 8/18/17.

VIII. Advance Planning

A. Next Meeting

1. Regular Board Meeting – August 17, 2017. Closed Session at 6:00 pm. Open Session at 7:00 pm.

B. Agenda Items – Trustees may request placing items on the next agenda.

C. Future Meeting Dates

1. Regular Board Meeting – Sept 14, 2017. Closed Session at 6:00 pm. Open Session at 7:00 pm.

IX. Adjournment

DEHESA SCHOOL DISTRICT REGULAR GOVERNING BOARD MEETING MEETING MINUTES

June 15, 2017

I. Call to order

President Cindy White called the meeting to order at 6:00 pm and the Board convened into Closed session.

II. Closed Session

III. Public Meeting

The Board reconvened at 7:07 pm and President White called the meeting to order and reported no action was taken in closed session. A quorum was established with members being present: Cindy White, Christina Becker, Vincent Blanco, Jr, and Mark Zacovic (Mark was present via teleconference). Nancy Hauer led the Pledge of Allegiance. Mark Zacovic made a motion to approve the agenda, seconded by Christina Becker. Board approved the agenda as follows:

Ayes: Cindy White, Christina Becker, Mark Zacovic, and Vincent Blanco, Jr.

Nays: None

Absent: Karl Becker

Abstain: None

IV. Requests to Address the Board

A. District/Community Organization Reports

1. Parents' Club: Patience Stevens was present from the Parents' Club and spoke about how well the end of year picnic turned out. Everything was well organized and with having it at the school the Parents' Club was able to afford to give every student a gift bag full of goodies to take home on the last day of school. Sycuan donated the food for the event. Parents' Club is very appreciative of Sheila White who worked hard helping to serve all the food to the families at the picnic. Already have the Board in place for the upcoming year. Patience Stevens-President, Jade Clark-Treasurer, and a new parent is going to be Secretary. Still would like to have more parents involved in the Parents' Club. Looking forward to this next year and trying new things while keeping some of the older traditions.

2. Dehesa Teacher's Association: None

3. CSEA: None

4. Method Schools: Jessica Spallino was in attendance along with Mark Holley. They are excited about where they are at and wanted to update the Board about where they are and where they are going. They have made Summer School improvements. With having a new enrollment portal and student information system that they have designed it is eliminating the third party with the SIS. There were 203,801 visitors to Method's website last year. Jessica is out a lot working with other districts to build rapport with the Method Charter School and the different public school districts. They have gained a lot of summer school students due to working with the schools. Did robotics this year and the response was overwhelming so, decided to do over the summer also and the class filled up within an hour. Mindstorm is program used for the robotics.

5-9. Element Education, Diego Hills Charter School, The Heights Charter School, Inspire Charter, and Valiant Charter: Nancy Hauer spoke on behalf of the Charter Schools. All Charter waivers have been granted and most of the schools are out for the summer or close to being out. Graduations have been happening. Inspire had theirs last week and it was really nice. Diego Hills Graduation was wonderful followed by dinner. Element is moving toward going to the El Dorado SELPA.

10. Citizen Input: Matthew Bagdazar was in attendance working on an assignment for school. He attended Dehesa EAK-5th grade. He is now at SDSU.

B. Board Input- Christina Becker spoke about the lead water testing. Levels were non-detect in most faucets and very low in others. All were less than the allowed amount before having to report. Christina mentioned putting a filter or new fixtures on those water fountains that are used often by the children. Such as by the lunch tables and playgrounds. Be pro-active even though we do not have a problem with lead at this time. Mark mentioned how he had been in contact with the YMCA about the swimming lessons and they will be in contact with Nancy. Vincent Blanco talked about how the 8th Grade Graduation was wonderful and that the End of Year Picnic was very well organized.

V. Routine Action Items

Christina made a motion to approve the routine action items, seconded by Vincent Blanco, Jr.
Vote as follows:

Ayes: Cindy White, Christina Becker, Mark Zacovic, and Vincent Blanco, Jr.

Nays: None

Absent: Karl Becker

Abstain: None

VI. Information & Proposals

A. Correspondence: Reviewed information

VII. B. Report, Information, and Presentations:

1. Budget Report: Anna talked about us being on track with receivable. Building fund only had 2 items for May. Costs that were paid by general fund for Business Manager's office and should have been from Building Fund so, transferred the amount.

2. State School Building Report: Included Mimidean letter. Nancy spoke to Wayne before leaving for Hawaii and he will have when he gets back. Christina reported the SAB (State Allocation Board) did not go with option 2 for reimbursement but with option 1. Now Dehesa will have to requalify with enrollment to qualify again for state facility funding. Which means we would have to resubmit and appeal. Enrollment is critical. Cindy said we did what we were supposed to do. Christina clarified that there was a Board resolution that had stated the state was out of money to fund the projects. Christina stated Dehesa is 3 Billion down on the list. We have been acknowledged but, it could be 8 years before getting the reimbursement funds. Christina and Cindy want to know why we did not get this information from Mimidean and Wayne.

3. Budget Reserve Balances: Anna spoke about the numbers for the Reserve Balances.

4. Principal's Report: Tamara spoke about how the cameras that were installed are amazing. Really appreciate the donation of the cameras. Talent Show was really great and wonderful to see the kids outside of a classroom setting. Yearbook is in and very thankful for Brandy Kelley for taking on the role of doing the Yearbook. Mrs. Swanson did a 5th grade science fair and was amazing. Graduation went really well. Only had middle school attend rather than whole school and that worked very well. Sycuan police dept. stopped by to visit with us. They toured the campus and we talked about the safety plan. It is nice to have that partnership with them. ELA Pilot and got Quote from Wonders. Only got 8 year quote and asking for 5 year quote. Working on Title VII Grant and got it done yesterday. The all school picnic went very well. Sheila White was amazing and helped out so much with the food due to last minute changes by Sycuan that they could not prepare food here but would bring it precooked. Slide show emailed to Board Members that was made to show before talent show.

5. Enrollment: Nancy Hauer stated that enrollment is at 176.

C. Discussion: Nancy mentioned that Diego Hills is going to do a promotional video for us for free in fall.

VIII. Action Items

A. Public Hearings- None

B. Old Business- None

C. New Business

1. Education Protection Account Resolution 2017-6-1: Christina Becker made a motion to approve the Education Protection Account Resolution 2017-6-1. Seconded by Vincent Blanco, Jr. Vote as follows:

Ayes: Cindy White, Christina Becker, Mark Zacovic, and Vincent Blanco, Jr.

Nays: None

Absent: Karl Becker

Abstain: None

2. Intra Budget Transfer Resolution 2017-6-2: Christina Becker made a motion to approve the Intra Budget Transfer Resolution 2017-6-2. Seconded by Mark Zacovic. Vote as follows:

Ayes: Cindy White, Christina Becker, Mark Zacovic, and Vincent Blanco, Jr.

Nays: None

Absent: Karl Becker

Abstain: None

3. 2017/2018 Proposed Budget: Christina Becker made a motion to approve the 2017/2018 Proposed Budget. Seconded by Vincent Blanco, Jr. Business Manager, Anna Buxbaum discussed the recommended percentages. Explained how the assumptions were determined for the upcoming year. Office of Education recommending that ADA should not include the Charters in case the waivers do not go through. If the 2 Charters leave to go to El Dorado SELPA it will impact the Special Education revenue greatly. LCFF is the bulk of our income and explained the figures in the Budget. LCFF will be based on the prior year numbers. Title 1 next year is likely going to have a decrease in funding. Title 2 may not be implemented next year which will reduce our funding. Charters are willing to work with us and pay for a program or programs that would equal what rent would be.

Ayes: Cindy White, Christina Becker, Mark Zacovic, and Vincent Blanco, Jr.

Nays: None

Absent: Karl Becker

Abstain: None

4. Local Control Action Plan (LCAP): Christina Becker made a motion to approve the Local Control Action Plan (LCAP). Seconded by Mark Zacovic. Discussion and Vote as follows:

Ayes: Cindy White, Christina Becker, Mark Zacovic, and Vincent Blanco, Jr.

Nays: None

Absent: Karl Becker

Abstain: None

5. Program Specialist Services Contract: Christina Becker made a motion to approve the Program Specialist services contract. Seconded by Vincent Blanco, Jr. Vote as follows:

Ayes: Cindy White, Christina Becker, Mark Zacovic, and Vincent Blanco, Jr.

Nays: None

Absent: Karl Becker

Abstain: None

6. Agreement for Legal Services with Oppen & Varco LLP: Christina Becker made a motion to approve the agreement for legal services with Oppen & Varco LLP. Seconded by Mark Zacovic. Vote as follows:

Ayes: Cindy White, Christina Becker, Mark Zacovic, and Vincent Blanco, Jr.

Nays: None

Absent: Karl Becker

Abstain: None

7. Contract for G. Wayne Oetken & Associates: Motion made by Vincent Blanco, Jr. to approve the contract for G. Wayne Oetken & Associates. Seconded by Mark Zacovic. Vote as follows:

Ayes: Cindy White, Christina Becker, Mark Zacovic, and Vincent Blanco, Jr.

Nays: None

Absent: Karl Becker

Abstain: None

8. Contract for Synergy SMS Database 2017-2020: Motion made by Vincent Blanco, Jr. to approve the contract for Synergy SMS Database 2017-2020. Seconded by Christina Becker. Vote as follows:

Ayes: Cindy White, Christina Becker, Mark Zacovic, and Vincent Blanco, Jr.

Nays: None

Absent: Karl Becker
Abstain: None

IX. Advance Planning

A. Next Meeting: Regular Board Meeting July 20, 2017. Closed Session at 6:00 pm. Open Session at 7:00 pm.

B. Agenda Items: None

C. Future Meeting Dates:

1. Regular Board Meeting August 17, 2017. Closed Session at 6:00 pm. Open Session at 7:00 pm.

X. Adjournment: President Cindy White adjourned the meeting at 8:55.

Respectfully submitted by:

Approved by:

Deborah Cagney
Administrative Secretary

Christina Becker
Clerk of the Board

PURCHASE ORDERS JULY 2017

TOTAL

**DEHESA SCHOOL DISTRICT
COMMERCIAL WARRANT LISTING
JUNE 2017**

Warrant ID	Vendor Name	Payment Date	Invoice No/Description	Fund	Amount
14266911	Silverstrand Technologies	6/1/2017	QUOQ3848 50%	General Fund	5,952.00
14266912	VISTA HILL	6/1/2017	April 2017 MHC-DSD0417	General Fund	1,350.00
14268900	California State Board of Equalization	6/6/2017	01.01.15-12.31.15 Sales Tax	General Fund	61.57
14268901	California State Board of Equalization	6/6/2017	01.01.16-12.31.16	General Fund	313.92
14268902	Mynor Pinillos	6/6/2017	Reimb_6th Gr Cmp_Art Supplies	General Fund	233.20
14268903	ATKINSON, ANDELSON, LOYA, RUDD	6/6/2017	April 2017	General Fund	926.63
14268904	ALPINE UNION SCHOOL DISTRICT	6/6/2017	March 2017	Cafeteria Fund	6,493.63
14268905	AT & T	6/6/2017	03.20.17-04.19.17	Child Care Fund	44.83
14268906	COUNTY OF SAN DIEGO	6/6/2017	3033_Nov 2016 General Election	General Fund	302.20
14268907	MRC SMART TECHNOLOGY SERVICES	6/6/2017	IN655225_4.14-7.16.17	General Fund	511.07
14268908	TYCO INTEGRATED SECURITY LLC	6/6/2017	Qtrly Alarm Srv 05.01-07.31.17	General Fund	631.56
14269513	SAN DIEGO CTY SPEECH PATHOLOGY	6/7/2017	April 2017	General Fund	1,887.50
14269514	Silverstrand Technologies	6/7/2017	6842_Final	General Fund	7,440.00
14269515	Varco & Rosenbaum	6/7/2017	Inv 20529_Ref 3457.01	Capital Facilities Fund	2,875.61
14269516	VISTA HILL	6/7/2017	March 2017	General Fund	1,350.00
14270885	R.A. WHITE CONSTRUCTION	6/9/2017	Brush Clearing	General Fund	3,500.00
14275473	Department of Justice	6/20/2017	230677	General Fund	172.00
14275474	SYNCHRONY BANK/AMAZON	6/20/2017	April 2017	General Fund	129.52
14275475	SYNCHRONY BANK/AMAZON	6/20/2017	May 2017	General Fund	157.87
14275476	Dominick Avera	6/20/2017	Reim_AR Library Rewards	General Fund	57.32
14275477	Stoneware Inc.	6/20/2017	56857 2/10/17-2/9/18	General Fund	260.00
14275478	A1 LIVESCAN	6/20/2017	Kimlin_Brandt_Mejla	General Fund	57.00
14275479	AARDVARK ANT & PEST CONTROL	6/20/2017	Qrtly Service- May 2017	General Fund	586.00
14275480	AT & T	6/20/2017	04.20.17-05.19.17	Child Care Fund	45.48
14275481	BorderLAN Security	6/20/2017	6076_Sales Tax	General Fund	375.39
14275482	COUNTY PROFLAME	6/20/2017	3065335916 May 2017	General Fund	611.23
14275483	OTAY WATER DISTRICT	6/20/2017	May 2017	General Fund	305.34
14275484	OTAY WATER DISTRICT	6/20/2017	June 2017	General Fund	368.79
14275485	REALLY GOOD STUFF, INC.	6/20/2017	5904939	General Fund	38.87
14275486	SAN DIEGO GAS & ELECTRIC	6/20/2017	May 2017	General Fund	4,511.04
14275487	SAN DIEGO GAS & ELECTRIC	6/20/2017	April 2017	General Fund	3,728.35
14275488	HOME DEPOT/GEFC	6/20/2017	Feb 2017	General Fund	1,863.37
14275489	WASTE MANAGEMENT	6/20/2017	May 2017	General Fund	242.74

Warrant ID	Vendor Name	Payment Date	Invoice No/Description	Fund	Amount
14276206	Girard, Edwards, Stevens & Tucker LLP	6/21/2017	580, 522 April-May 2017	General Fund	2,405.00
14276207	ALPINE UNION SCHOOL DISTRICT	6/21/2017	May 2017	Cafeteria Fund	3,819.76
14276208	Crown Awards	6/21/2017	33094339	General Fund	50.21
14276209	CAJON VALLEY UNION SCHOOL DIST	6/21/2017	Fuel Jan_Feb_Mar 2017	General Fund	1,712.76
14276210	Fischbeck & Oberndorfer	6/21/2017	Dec 2016	General Fund	525.00
14278112	Kully Supply	6/23/2017	413670	Deferred Maintenance Fund	1,116.38
14278113	XEROX EDUCATION PUBLICATIONS	6/23/2017	5855 04.18.14-05.03.17	General Fund	750.16
14278891	XEROX EDUCATION PUBLICATIONS	6/26/2017	7855 03.21.17-05.03.17	General Fund	2,477.99
14279456	ATKINSON, ANDELSON, LOYA, RUDD	6/27/2017	May 2017	General Fund	58.37
14279457	COMMUNITY MONTESSORI	6/27/2017	April 2017 In-Lieu	General Fund	36,030.40
14279457	COMMUNITY MONTESSORI	6/27/2017	April 2017 In-Lieu	General Fund	(15,959.60)
14279458	DEHESA CHARTER SCHOOL	6/27/2017	June 2017 In-Lieu	General Fund	77,554.05
14279458	DEHESA CHARTER SCHOOL	6/27/2017	June 2017 In-Lieu	General Fund	(28,303.30)
14281589	ACCO Brands USA LLC	6/29/2017	2622363, 2631834	General Fund	232.98
14281590	Follett School Solutions Inc	6/29/2017	61611f-3	General Fund	4.14
14281591	School Services of California, Inc.	6/29/2017	May Revision- Hauer, Buxbaum	General Fund	330.00
14281592	Decker Equipment	6/29/2017	193827A	General Fund	29.33
14281593	BorderLAN Security	6/29/2017	06212017PS-LH Training	General Fund	1,600.00
14281594	CREATIVE BUS SALES, INC.	6/29/2017	5113184	General Fund	33.60
14281595	SAN DIEGO COUNTY	6/29/2017	09-012967_Youth Mental Health	General Fund	75.00
14281596	CALIFORNIA SCHOOL BOARDS	6/29/2017	Inv 29709-L1X324 Sales Tax	General Fund	3.75
14281597	So-Cal Dominoids Inc	6/29/2017	09421, 09423	Cafeteria Fund	976.50
14281598	G. WAYNE OETKEN & ASSOCIATES	6/29/2017	305_May 2017	Capital Facilities Fund	1,076.41
14281599	HOLLANDIA DAIRY, INC.	6/29/2017	2052486, 2057777	Cafeteria Fund	2,395.26
14281600	The Library Store	6/29/2017	260882	General Fund	22.84
14281601	LYNN'S LOCKSMITH SERVICE	6/29/2017	300691_PO 7314	General Fund	16.02
14281602	POSITIVE PROMOTIONS	6/29/2017	05789562	General Fund	48.90
14281603	PURPOSEFUL PLAY, INC.	6/29/2017	May-June 2017	General Fund	2,280.00
14281604	SAN DIEGO CTY SPEECH PATHOLOGY	6/29/2017	May 2017	General Fund	4,075.00
14281605	SAN JOAQUIN COUNTY OF ED.	6/29/2017	48528	General Fund	50.24
14281606	SOUTHWEST SCHOOL SUPPLY	6/29/2017	285692_PO7317	General Fund	337.08
14281607	Varco & Rosenbaum	6/29/2017	20751_March 2017	Capital Facilities Fund	80.67
14281608	VISTA HILL	6/29/2017	May 2017	General Fund	1,350.00
14281609	ROY WHEELER AUTO SERVICE	6/29/2017	112003 Smog	General Fund	55.00
14281610	WILKINSON HADLEY KING & CO LLP	6/29/2017	20331_2015-16 Audit Final	General Fund	720.00
14281610	WILKINSON HADLEY KING & CO LLP	6/29/2017	20331_2015-16 Audit Final	Building-Bond Fund	3,200.00

Warrant ID	Vendor Name	Payment Date	Invoice No/Description	Fund	Amount
14283154	MUFG Union Bank N.A., Corporate Trust Div	6/30/2017	EJPA Prop 39 Agreement	General Fund	255,423.00
14283154	MUFG Union Bank N.A., Corporate Trust Div	6/30/2017	EJPA Prop 39 Agreement	Deferred Maintenance Fund	100,000.00
14283154	MUFG Union Bank N.A., Corporate Trust Div	6/30/2017	EJPA Prop 39 Agreement	Building-Bond Fund	29,939.00
					<u>533,975.93</u>

San Diego County Office of Education

SCIENCE OUTREACH PROGRAM FIELD TRIP AGREEMENT – 2017-2018

THIS AGREEMENT, made this July 1, 2017 and which will terminate on June 30, 2018, by and between San Diego County Superintendent of Schools, hereinafter called the "County", and Dehesa School District hereinafter called the "District/School/Organization", mutually agree as follows:

1. Basis of Agreement

The County, as coordinator of the education outreach programs, has determined that it is desirable to conduct science outreach programs for schools and districts within the County of San Diego. For each science outreach program scheduled to serve the District/School/Organization, District/School/Organization agrees to adhere to the terms and conditions of this agreement.

It is understood that third parties (such as the Port of San Diego, County of San Diego, City of San Diego, San Diego County Water Authority and various other municipalities and water districts) sometimes agree to pay for a science outreach program to be delivered to a District/School/Organization. In these circumstances, County may invoice the third parties for the designated events (if the third party agrees) or will invoice the District/School/Organization (if the third party provides the funds directly to the District/School/Organization). The fees charged to third parties may be different than those stated below, based on the services requested by them.

Regardless of whether a third party funding source is involved, the District/School/Organization must still execute this agreement and be responsible for payment for any event which is not paid for by a third party.

2. Scope of Agreement

A. General

The County will make available and provide by this contractual agreement the following programs with pricing for school year 2017-2018:

- 1) **Green Machine**
\$455.00 per trip, serving up to four 1-hour classes of up to 30 students each
The Green Machine curriculum aligns with the California Science Content Standards for grades K-4. The presentation describes the journey from seed to dinner table through hands-on learning stations that enable students to learn where their food comes from. A musical and dramatic wrap-up reinforces the learning.
- 2) **Splash Science Mobile Lab**
\$670.00 per trip, serving up to four 1-hour classes of up to 36 students each
The Splash Science Mobile Lab curriculum aligns with the California Science Content Standards for grades 4-6. The presentation offers hands on learning opportunities for students at multiple learning stations; watershed/storm drain, GIS examination of local watersheds, water conservation, San Diego estuary, and microscope.
- 3) **Marine Science Floating Lab**
\$700.00 per morning trip and \$670 per afternoon/ twilight trip, serving up to 40 people on one of two boats. This program consists of half-day field trip on San Diego Bay with hands-on science instruction and materials.

B. County agrees to provide:

- 1) Instructional materials and equipment.
- 2) Boat transportation with qualified crew (Floating Lab only).
- 3) Curriculum and instruction.
- 4) Invoicing of the District/School/Organization for the field trip.

C. District/School/Organization agrees to:

- 1) Schedule their participation in the program of choice with the County by phone or email.
- 2) Provide a written request/authorization for the delivery of the program(s) in the form accepted by District (either a district PO, check or, for Private Schools only, a Personal Letter of Guaranty signed by the site administrator).
- 3) Send no more than the maximum number of allowed per Marine Science Floating Lab field trip (40, including chaperones/teachers). If the school arrives for the field trip with a group size of more than 40, the ship captain may, at his/her sole option; refuse to take more than the maximum of 40 on board or agree to accept additional passengers up to a maximum of 45 with the understanding that the District/School/Organization agrees to pay an additional fee of \$50 for each person in excess of 40. Group sizes in excess of 45 will not be accepted under any circumstances. If the group arrives with more than 40, and the ship captain refuses to take more than 40 on board, the group may elect to leave some behind or cancel the trip. If the trip is canceled by the group in this circumstance, there will be no refund or compensation to the District/School/Organization.
- 4) Provide a minimum of number of adult participants authorized by the District/School/Organization to supervise the students and participate in the delivery of each presentation during the day. The Green Machine requires a minimum of one participating adult, the Splash Science Mobile Lab requires two participating adults and the Marine Science Floating Lab requires a minimum of one participating adult.
 - a. Splash Lab and Green Machine only - If the school cannot provide the required participating adults, they must inform County a minimum of five days in advance of the scheduled field trip event. County will endeavor to locate suitable adults to participate in the presentation of the program in lieu of the school's participant(s) subject to a minimum charge of \$150 per participant provided by County.
- 5) Provide written notification to County of field trip cancellation a minimum of twenty (20) working days in advance of the scheduled trip. Cancellation with less than twenty working days notification will result in a cancellation fee equal to fifty percent (50%) of the normal fee for the field trip event. Cancellation with less than five (5) days notice will result in a cancellation fee equal to one hundred percent (100%) of the normal fee for the field trip event.
- 6) Pay the agreed upon fees upon receipt of invoice. District/School/Organization will be invoiced 30 days prior to the trip when possible and refunds will be processed based on the above guidelines if the field trip is canceled.
- 7) County may terminate individual scheduled presentations at any time due to mechanical breakdown or other reason outside of their control (sick staff, etc.). If County cancels a program, they will endeavor to reschedule with the District/School/Organization at the District/School/Organization's earliest convenience. If County cannot reschedule the canceled event at a mutually agreeable time, they will refund all fees paid for the undelivered event.

3. **Authorization to Copy Materials**

The County hereby authorizes the District/School/Organization to make copies of individual pages of the worksheets and teacher's guide as necessary and appropriate to enhance their participation in the County program. Copying materials for any other purpose is prohibited without the express permission of the County.

4. **Confidentiality of Service or Work**

All curriculum and participant information are considered proprietary and confidential. All requests for information relating to the County's program should be directed to the County Office.

5. Independent Contractor

It is expressly understood that at all times while rendering the services described herein and in complying with any terms and conditions of this Agreement, the County is acting as an independent contractor and is not an officer, agent, or employee of the District/School/Organization.

6. Hold Harmless

Each party agrees to hold harmless, defend, and to indemnify the other, its officers, agents, and employees from every claim, demand, or liability which may be made by reason of:

- A. Any injury to person, including death therefrom, or damage to property sustained by the Party or any person, firm, student, teacher, volunteer, or corporation, employed directly or indirectly associated with or employed by it, however caused; and
- B. Any injury to person, including death therefrom, or damage to property sustained by any person, firm, student, teacher, volunteer, or corporation, caused by any act, neglect, default, or omission of the defending party, or of any person, firm, student, teacher, or corporation directly, or indirectly associated with or employed by it upon, or in connection with the services rendered pursuant to this agreement. The defending party at its own cost, expense and risk, shall defend any and all actions, suits or other legal proceedings, that may be brought or instituted against the non-defending party, its officers, agents, or employees, on any such claim or demand, and pay or satisfy the judgment that may be rendered against the San Diego County Superintendent of Schools, its officers, agents, or employees, in any such action, suit, legal proceedings, or result thereof.

7. Insurance Requirements

Both County and District/School/Organization shall maintain programs of general liability, property damage, worker's compensation, and auto insurance as required to protect the County and District/School/Organization as their interests may appear. Participants who are not covered by the Joint Powers Authority (JPA) program must provide a certificate of insurance for Comprehensive General Liability or Commercial Liability insurance in a minimum amount of \$2,000,000 per occurrence naming the San Diego County Superintendent of Schools as additionally insured and certificate holder under their policy.

8. Compliance With Laws

The District/School/Organization shall be subject to and shall comply with all Federal, State, and local laws, policies and regulations with respect to its performance under this agreement including but not limited to, licensing, employment and purchasing practices, and wages, hours and conditions of employment, including nondiscrimination.

9. Compensation/Costs and Payment Schedule

The contract price is a fixed fee per field trip based on the program and price indicated in Section 2 above. County will prepare and submit an invoice for each field trip. The District/School/Organization agrees to pay County's invoice on a Net 30 day basis from date of receipt of invoice.

10. Termination

It is mutually agreed that either party may terminate this agreement by giving a minimum of twenty (20) working days written notice.

11. Audit

The District/School/Organization agrees to maintain and preserve any pertinent books, documents, papers, and records related to this agreement until three years after termination of this agreement, and to provide access to said documents to the County or any of its duly authorized representatives for examination or audit.

12. **Safety**
District/School/Organization will take all necessary precautions to ensure the safety of the students, staff, and visitors from any hazards inherent in execution of the field trips under this agreement.
13. **Governing Law/Venue San Diego**
In the event of litigation, the agreement and related matters shall be governed by and construed in accordance with the laws of the State of California. Venue shall be with the appropriate State or Federal court located in San Diego County.
14. **Final Approval**
This agreement is of no force and effect until approved by signature by the San Diego County Superintendent of Schools or his designee, the Interim Senior Director of Outdoor Education.
15. **Contract Participants**
If signed by a District, this contract will apply to all schools in the District, otherwise, it will apply only to the individual school or organization which signs the contract.
16. **County Contact Person**
San Diego County Office of Education
Bob Mueller, Interim Senior Director Outdoor Education
6401 Linda Vista Road, Room 410, San Diego, California 92111-7399
(858) 292-3695 Fax (858) 571-7206
17. **Entire Agreement**
This agreement represents the entire agreement and understandings of the parties hereto and no prior writings, conversations or representations of any nature shall be deemed to vary from the provisions hereof. This agreement may not be amended in any way except by a writing duly executed by both parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused the Contract to be duly executed, such parties acting by their representatives being duly authorized.

Dehesa School District

By _____

Title _____

Date _____

Authorized or ratified by the Board of Education
on _____

Rules for acceptance and participation in these outreach programs are the same for everyone without regard to race, color or national origin, sex, age or disability.



AMENDMENT

Effective August 1, 2017, the parties hereto agree that the following paragraphs shall serve to amend the Agreement, dated _____, by and between Loomis Armored US, LLC ("LOOMIS") and _____ ("CUSTOMER") (the "Agreement").

The Agreement is hereby amended as follows:

1. Section 3, **Billing and Payment** is modified to include the following:

- a. **Third Party Billing.** LOOMIS agrees to accept payment from CUSTOMER'S banking institution, Mission Federal Credit Union ("Bank"), if payments from Bank are properly labeled with Customer's name, account number and invoice number. CUSTOMER understands that if payments by Bank on behalf of CUSTOMER are not labeled with CUSTOMER'S account number, invoice number and name, CUSTOMER'S account may not be credited. The parties agree that Bank is not intended as a third party beneficiary to this Agreement and is not entitled to any of the rights or benefits hereunder. CUSTOMER assumes the entire risk of non-payment by Bank and shall remain liable to LOOMIS for any unpaid amounts. CUSTOMER understands and agrees that it is solely responsible for notifying LOOMIS in writing if it decides to change its banking institution.

This Amendment shall, in no other way, alter, delete, waive or amend any other rights and responsibilities as between CUSTOMER and LOOMIS, with regard to the Agreement. All other terms and conditions contained in the Agreement, except as set forth above, shall continue, without alteration, in full force and effect as long as this Amendment is in force.

CUSTOMER

By: _____

Printed Name _____

Title _____

Date _____

LOOMIS

By _____

Printed Name _____

Title _____

Date _____



Page 1

Excess Item Handling: A fee of \$1.50 per Item is assessed when the number of items or containers exceeds ten (10) items per shipment. An "Item" refers to the number of containers, sealed bags or other vessels LOOMIS is required to transport.

Non-Scheduled/Off-Day Service: \$45.00 per trip, per location in Urban areas. Additional fees apply for off-route and remote locations.

Holiday Service Fee: A fee of \$100.00 will be charged for the service provided on those Holidays as listed in Section 11.

Excess Liability: A fee of \$0.40 per \$1,000 or fraction thereof for any amounts which exceed the Liability Coverage per Shipment Amount.

Insurance Fee: A fee of 7% will be assessed to all services provided within this Agreement.

CUSTOMER does not desire this Excess Liability Coverage, CUSTOMER must decline Excess Liability Coverage by initialing the box below:

☐

Decline

Reconstruction Obligations:

As explained in Section 7(c), of the Terms and Conditions, CUSTOMER has certain obligations regarding reconstruction of lost, damaged, destroyed checks or items that provide an audit trail. If CUSTOMER prefers to opt-out of these reconstruction obligations, CUSTOMER must decline by initialing the box below.

☐

Decline

If CUSTOMER does NOT agree to reconstruction obligations or cannot meet its reconstruction obligations contained within Section 7(c), LOOMIS' liability for all checks contained within the shipment is limited to Ten Thousand Dollars (\$10,000.00) regardless of the face value of the checks in shipment.

TERMS AND CONDITIONS

1. **Service(s):** LOOMIS agrees to pick up, receive from, and/or deliver to CUSTOMER, or any designated agent, securely sealed or locked shipments which may contain any or all of the following: currency, coin, checks, securities, or other valuables. If the shipment container(s) does not appear to be securely locked or sealed, LOOMIS has the right to refuse to accept such container(s) and will not receive said container(s) from the CUSTOMER or its designated agent. If LOOMIS accepts the sealed container(s), LOOMIS will give CUSTOMER a receipt for said sealed container(s), and transport and deliver such sealed container(s) to the consignee designated by the CUSTOMER. CUSTOMER agrees that it will not conceal or misrepresent any material fact or circumstances concerning the property delivered to LOOMIS pursuant to this Agreement. The fee payable by CUSTOMER to LOOMIS is based upon the Maximum Liability Amount(s) and level(s) of service provided by LOOMIS as stated in this Agreement. All additional or special services must be evidenced and agreed to in a signed amendment to this Agreement.

2. **Billing and Payment:** CUSTOMER agrees to pay LOOMIS within fifteen (15) days of receipt of invoices which shall include any applicable federal, state or local taxes. In addition, LOOMIS may, at its discretion, impose a service charge of one and one-half percent (1.5%) per month or eighteen percent (18%) per annum or such lesser rate as may be required by law, of the amount unpaid by CUSTOMER, as is due and payable to LOOMIS on all invoices not paid in full by invoice due date. CUSTOMER further agrees that undisputed portions of any invoice shall be remitted to LOOMIS in accordance with normal payment terms. However, should CUSTOMER fail to pay any undisputed amounts within thirty (30) days of the invoice date, LOOMIS may, in its sole discretion, terminate this Agreement upon ten (10) days written notice to CUSTOMER. CUSTOMER agrees to notify LOOMIS of dispute(s) arising from any invoice within thirty (30) days after such invoice has been presented to CUSTOMER, or else such claim shall be deemed waived. All amounts due hereunder shall be paid by cash, check or ACH unless otherwise agreed on the signature page of this Agreement.

3. **Rate Adjustment:** LOOMIS shall annually increase the service fee(s) based upon the year to year changes in the Consumer Price Index (CPI) or other applicable economic factor(s).

To account for future movements in the price of diesel fuel LOOMIS will henceforth adjust the monthly fuel fee based on U.S. average diesel prices as measured and published by the Department of Energy (WWW.EIA.DOE.GOV). The monthly fuel fee shall equal the product of the applicable percentage (based on the chart below) multiplied by the aggregate monthly service fee (including any applicable Ancillary Item). LOOMIS' established baseline is \$1.31. Any cost above the \$1.31 baseline cost will be adjusted on a monthly basis by 0.5% on price movements of 10 cents per gallon (i.e. if diesel prices rise to \$1.41, the corresponding fuel fee is increased by 0.5%). The applicable fuel fee percentage will be based on the national average of diesel fuel prices published on the Department of Energy Website averaged over the first four Mondays of the month rounded to the next cent. The table is for reference only and does not reflect the maximum rate which may be assessed.

Minimum	Maximum	Per Gallon	Fee (%)
\$4.91	\$5.00	\$.10	18.00%
\$4.81	\$4.90	\$.10	17.50%
\$4.71	\$4.80	\$.10	17.00%
\$4.61	\$4.70	\$.10	16.50%
\$4.51	\$4.60	\$.10	16.00%
\$4.41	\$4.50	\$.10	15.50%
\$4.31	\$4.40	\$.10	15.00%
\$4.21	\$4.30	\$.10	14.50%
\$4.11	\$4.20	\$.10	14.00%
\$4.01	\$4.10	\$.10	13.50%
\$3.91	\$4.00	\$.10	13.00%
\$3.81	\$3.90	\$.10	12.50%
\$3.71	\$3.80	\$.10	12.00%
\$3.61	\$3.70	\$.10	11.50%
\$3.51	\$3.60	\$.10	11.00%
\$3.41	\$3.50	\$.10	10.50%
\$3.31	\$3.40	\$.10	10.00%
\$3.21	\$3.30	\$.10	9.50%

\$3.11	\$3.20	\$.10	9.00%
\$3.01	\$3.10	\$.10	8.50%
\$2.91	\$3.00	\$.10	8.00%
\$2.81	\$2.90	\$.10	7.50%
\$2.71	\$2.80	\$.10	7.00%
\$2.61	\$2.70	\$.10	6.50%
\$2.51	\$2.60	\$.10	6.00%
\$2.41	\$2.50	\$.10	5.50%
\$2.31	\$2.40	\$.10	5.00%
\$2.21	\$2.30	\$.10	4.50%
\$2.11	\$2.20	\$.10	4.00%
\$2.01	\$2.10	\$.10	3.50%
\$1.91	\$2.00	\$.10	3.00%
\$1.81	\$1.90	\$.10	2.50%
\$1.71	\$1.80	\$.10	2.00%
\$1.61	\$1.70	\$.10	1.50%
\$1.51	\$1.60	\$.10	1.00%
\$1.41	\$1.50	\$.10	.50%
\$1.31	\$1.40	\$.10	.00%

a) LOOMIS reserves the right in times of global economic downturn or due to changes in regulatory obligations to renegotiate rates and fees in good faith with CUSTOMER. In the event that CUSTOMER refuses to consent to such adjustment(s) or fee(s), LOOMIS shall have the right to terminate this Agreement upon thirty (30) days written notice to CUSTOMER.

4. **Liability:** LOOMIS agrees to assume the liability for any Cargo Loss, according to the terms of this Agreement of the securely sealed container(s) from the time LOOMIS signs for and receives physical custody of the sealed container(s). The term "Cargo Loss" shall mean any loss or destruction of currency ("Cargo") that occurs while the Cargo is under Loomis' sole care, custody and control. LOOMIS' responsibility terminates when the CUSTOMER or its designated consignee takes physical possession of the sealed container(s) and signs LOOMIS' receipt. If it is impossible to complete the delivery, LOOMIS shall be responsible for any Cargo Loss until the sealed container(s) is returned to the CUSTOMER or its designated agent and a signed receipt obtained. While the sealed container(s) is stored in the CUSTOMER'S premises, LOOMIS does not assume the liability for any loss. If CUSTOMER conceals or misrepresents any material fact or circumstance concerning the property or container, or the contents thereof, LOOMIS will have no liability for any loss in any way related to such fact or circumstance. CUSTOMER agrees that LOOMIS does not undertake the obligation of an absolute insurer in the performance of this Agreement. LOOMIS reserves the right to take any and all action as may be reasonably necessary to prevent money laundering to the extent permitted under applicable law or regulation or as may be required by any regulatory body that may exert a right of control over LOOMIS.

UNDER NO CIRCUMSTANCES WILL LOOMIS BE LIABLE TO THE OTHER PARTY FOR LOST PROFITS OR FOR ANY INDIRECT, INCIDENTAL, CONSEQUENTIAL, SPECIAL, PUNITIVE OR EXEMPLARY DAMAGES ARISING FROM THE SUBJECT MATTER OR SERVICES OF THIS AGREEMENT, REGARDLESS OF THE TYPE OF CLAIM AND EVEN IF THAT PARTY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES; SUCH AS, BUT NOT LIMITED TO LOSS OF REVENUE, LOSS OF INTEREST, LOST DATA, DATA TRANSPORTATION OR TRANSMISSION ERROR OR ANTICIPATED PROFITS OR LOST BUSINESS. EXCEPT FOR ANY CARGO LOSS (WHICH SHALL BE SUBJECT TO THE MAXIMUM LIABILITY AMOUNT), IN NO EVENT SHALL LOOMIS' LIABILITY TO CUSTOMER EXCEED THE SERVICE FEE PAID BY CUSTOMER TO LOOMIS FOR THE SERVICE OUT OF WHICH THE ALLEGED LIABILITY AROSE.

5. **Excess Liability:** The following terms will apply if CUSTOMER did not decline excess liability coverage. If LOOMIS accepts tender of a shipment in excess of the Maximum Liability Amount, CUSTOMER agrees to pay LOOMIS the excess liability fee set forth herein. CUSTOMER, by paying this additional fee, will obtain full dollar coverage of any or all losses, subject to the other provisions of this Agreement. If CUSTOMER declines Excess Liability Coverage, liabilities covered under this Agreement are limited to the Maximum Liability Amount.

6. **Indemnity:** CUSTOMER agrees to indemnify, defend and hold harmless LOOMIS from all claims, costs or expenses arising out of any third party's or government's threatened or actual claim, suit, demand, garnishment or seizure of any funds or property provided by CUSTOMER hereunder that is in LOOMIS' custody. LOOMIS agrees to give CUSTOMER prompt notice of any such claim, suit, demand or seizure and to provide CUSTOMER reasonable cooperation on the defense.

7. **Claim Procedures:** The following provisions shall control in the event of any Cargo Loss, notwithstanding anything to the contrary contained in this Agreement:

a) In the event of a Cargo Loss, CUSTOMER agrees to notify LOOMIS in writing within four (4) calendar days after the loss is discovered or should have been discovered in the exercise of due care, and in no event later than forty-five (45) days after the pick-up by LOOMIS of the securely sealed container in connection with which the Cargo Loss is asserted. If notice of the Cargo Loss is not received by LOOMIS within this forty-five (45) day period, the claim for the Cargo Loss shall be deemed waived and released by the CUSTOMER. All claim notices must be signed and received on company letterhead and contain a brief description of the loss to include: date of service/date of loss, claim amount, Loomis branch performing service, ATM number if applicable, customer contact information with payment instructions and supporting documentation if available at the time of notice. **All claims must be sent to the Loomis Centralized Claim Unit via email at claims2@us.loomis.com.** It is agreed that both parties will work together to determine the extent of the Cargo Loss, and if possible, the cause of Cargo Loss.

b) Notwithstanding anything set forth in this Agreement to the contrary, the sole liability of LOOMIS in the event of a Cargo Loss, from whatever cause, shall be subject to the Maximum Liability Amount or the Excess Liability Coverage, if not declined by CUSTOMER.

c) CUSTOMER shall retain sufficient information to allow reconstruction of item(s) in the event of a Cargo Loss. CUSTOMER agrees it will cooperate and assist in reconstructing lost, damaged, or destroyed items constituting a part of any loss. In no event shall LOOMIS' liability for any Cargo Loss, irrespective of the Maximum Liability Coverage amount, include the face value of any lost or destroyed check. LOOMIS' liability, unless otherwise stated in this Agreement, shall be limited to the payment to the CUSTOMER for the reasonable costs necessary to reconstruct the checks, but never to exceed ten thousand dollars (\$10,000.00) per shipment "Reconstruction" shall mean the identification of the face amount, the identity of the maker or endorser of the check, identification of the payee and identification of the financial institution upon which the check is drawn. CUSTOMER agrees in the event of a loss, that any liability of LOOMIS shall be reduced by the face value of reconstructed or recovered item(s).

d) Upon the request of LOOMIS, CUSTOMER will furnish a proof of loss to LOOMIS or its insurance carrier. Once reimbursement has been made to CUSTOMER, LOOMIS and its insurer shall receive any and all of the CUSTOMER'S rights and remedies of recovery.

8. **Limitations & Force Majeure:**

a) The CUSTOMER agrees that LOOMIS will not be liable for any loss caused by or resulting from Shortages claimed in the contents of the sealed or locked shipment(s), for non-performance or delays, or for the breakage of statuary, marble, glassware, bric-a-brac, porcelains and similar fragile articles. A "Shortage" shall mean any difference between the stated value on the Deposit Ticket and the actual value of the contents of any sealed shipment container. Likewise, LOOMIS shall not be liable to CUSTOMER for failure to render service if LOOMIS in its sole discretion, determines the same may endanger the safety of CUSTOMER'S property or personnel or LOOMIS' vehicles or employees.

b) It is further agreed that LOOMIS shall not be held accountable or liable for any damages or losses, caused by or resulting from illegal or fraudulent acts of CUSTOMER's employees, agents, representatives, or third-party contractors.

c) CUSTOMER agrees that LOOMIS shall not have any liability for losses of any documentation carried by LOOMIS at CUSTOMER's request without compensation.

d) CUSTOMER expressly understands and accepts that ownership (title) to cash transported or stored by LOOMIS shall never transfer to LOOMIS.

e) It is further agreed LOOMIS shall not be held accountable or liable for any damages or losses, whether controlled or uncontrolled, and whether such loss be direct or indirect, proximate or remote, or be in whole or in part caused by, contributed to, or aggravated by the peril(s) for which liability is assumed by LOOMIS, resulting from:

- (i) Hostile or warlike action in time of peace or war, including action hindering, combating or defending against an actual, impending or expected attack; (1) by any government or sovereign power (de jure or de facto) or by any authority maintaining or using military, naval or air forces; or (2) by military, naval or air forces; or (3) by any agent of any such government, power authority or forces.
- (ii) Nuclear reaction, nuclear radiation, radioactive contamination or any weapon of war employing atomic fission or radioactive force whether in time of peace or war.
- (iii) Insurrection, rebellion, revolution, terrorist act, civil war, usurped power, or action taken by governmental authority in hindering, combating or defending against such an occurrence; seizure or destruction under

quarantine or customs regulations; confiscation by order of any governmental or public authority; or risks of contraband or illegal transportation or trade.

- (iv) Acts of God, strikes, labor disturbances, impostor pick-up or deliveries, or other conditions or circumstances beyond LOOMIS' reasonable control.

9. **Disputes:** CUSTOMER and LOOMIS agree that except for disputes regarding over-payment or non-payment of fees for services under this Agreement, any controversy or claim, including any claim of misrepresentation, arising out of or related to this Agreement, or the furnishing of any service by LOOMIS to CUSTOMER, shall be settled by arbitration under the then current rules of the American Arbitration Association. The arbitrator shall be chosen from a panel of persons knowledgeable in the fields of financial institution security operations and armored car services. CUSTOMER and LOOMIS agree to equally share in the cost and fees of this resolution process. The decision and award of the arbitrator shall be final and binding. Judgment upon the award so rendered may be entered in any court having jurisdiction thereof. Any arbitration hereunder shall be held in Houston, Texas.

10. **Container Value Limitation:** CUSTOMER acknowledges and agrees that the maximum value which LOOMIS will transport in any individual container will not exceed two hundred & fifty thousand dollars (\$250,000). If the total value of a shipment which CUSTOMER seeks to tender to LOOMIS exceeds two hundred & fifty thousand dollars (\$250,000), such shipment must be broken down into separate shipment containers of two hundred & fifty thousand dollars (\$250,000) or less.

11. **Holiday Service:** LOOMIS agrees to provide service as stated in the Agreement with the following holiday exceptions: New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Columbus Day, Thanksgiving Day, Christmas Day, federal banking and any local applicable observed holiday. Charges for service on such days will be as stated upon page 2 of this Agreement, excluding Christmas Day. LOOMIS will not provide Christmas Day service.

12. **Specials:** Unscheduled pickups or deliveries are available under the same conditions and provisions of this Agreement. Prices are quoted upon request.

13. **Excess Liability Coverage:** LOOMIS reserves the right to refuse tender of any shipment in excess of the Maximum Liability Amount.

14. **Confidentiality:** Each party receiving information (each being a "Receiving Party" and a "Disclosing Party") undertakes to retain in confidence the terms of this Agreement and all other non-public information, technology, materials and know-how of the other party disclosed or acquired by the Receiving Party pursuant to or in connection with this Agreement which is either designated as proprietary and/or confidential or, by the nature of the circumstances surrounding disclosure, ought in good faith to be treated as proprietary and/or confidential ("Confidential Information"). Neither party shall use any Confidential Information for any purpose other than to carry out the activities contemplated by this Agreement. Each party agrees to use commercially reasonable efforts to protect Confidential Information of the other party, and in any event, to take precautions at least as great as those taken to protect its own confidential information of a similar nature. Each party shall also notify the other promptly in writing in the event such party learns of any unauthorized use or disclosure of any Confidential Information that it has received from the other party, and will cooperate in good faith to remedy such occurrence to the extent reasonably possible. Confidential Information shall not include:

- (1) information which was already known by, or already in the possession of, Receiving Party prior to receipt from Disclosing Party;
- (2) information which is obtained by Receiving Party from a third person who, to the actual knowledge of Receiving Party is not in violation of any agreement to a third party not to disclose such information
- (3) information which is or becomes publically available other than through breach by the Receiving Party of this Agreement; and,
- (4) information which is independently developed by or on behalf of Receiving Party.

15. **Entire Agreement:** This Agreement: (a) shall be governed by and construed in accordance with the laws of the State of Texas without reference to conflict of laws principles; (b) constitutes the entire agreement and understanding of the parties with respect to its subject matter, except that the terms of any agreement regarding confidential information of the parties shall be deemed to be a part of this Agreement; (c) and the terms and conditions including fees set forth in it shall be treated as confidential information; (d) is not for the benefit of any third party; (e) may not be amended except by a written instrument signed by both CUSTOMER and LOOMIS; (f) may not be assigned by CUSTOMER without LOOMIS

prior written consent; (g) may be assigned by LOOMIS, provided that LOOMIS shall furnish written notice of such assignment to CUSTOMER; (h) shall be binding upon any assignees, and defined terms used in this Agreement to apply to either party shall be construed to refer to such party's assignee; (i) is the product of negotiation; (j) is subject to a contractually agreed one (1) year statute of limitations on all claims or the minimum allowable by applicable law; (k) shall not be deemed to have been drafted by either party; (l) contains article and section headings which are for convenience of reference only and which shall not be deemed to alter or affect the meaning or interpretation of any provision of this Agreement; (m) does not make either party the agent, fiduciary or partner of the other; (n) does not grant either party any authority to bind the other to any legal obligation; (o) does not intend to nor grant any rights to any third party and (p) shall remain valid and enforceable despite the holding of any specific provision to be invalid or unenforceable, except for such specific provision. The waiver by either party of any rights arising out of this Agreement shall not cause a waiver of any other rights under this Agreement, at law or in equity. Any and all correspondence regarding this Agreement shall be delivered via certified mail (return receipt requested) or verifiable third-party courier (return receipt requested).

This Agreement may be executed in two or more identical counterparts, each of which shall be deemed to be an original and all of which taken together will be deemed to constitute one and the same agreement when a duly authorized representative of each party has signed a counterpart. The parties may sign and deliver this Agreement by facsimile or electronic (i.e., .pdf) transmission. Each party acknowledges that the delivery hereof by facsimile or electronic transmission will have the same force and effect as delivery of original signatures.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their respective duly authorized representatives.

CUSTOMER

By _____
Printed Name _____
Title _____
Date _____

LOOMIS

By _____
Printed Name _____
Title _____
Date _____

**Nancy von Langen-Scott
NvLS Professional Services, LLC**

11321 Legacy Terrace
San Diego, CA. 92131-3552

nancyvls@nvls-erate.com

Ofc: (858) 271-8585

Fax: (858) 271-0743

Cell: (858) 722-4456

The enclosed documents authorize NvLS Professional Services, LLC to file E-Rate documents for the Dehesa Elementary School District for a one-year time period of **July 1, 2017 - June 30, 2018**. There are three places for signatures: Contract, Certifications and General Letter of Agency (on your letterhead). If you are using ATT services, the **AT&T Letter of Agency will be emailed to you in the next few weeks for signature**. Please be sure to sign in all three areas of the attached documents.

The **first signature** needed is in the NvLS Professional Services Contract document, which describes the services that NvLS Professional Services, LLC will perform and the fee schedule.

The **second signature**, included behind the contract, is for Certification clauses that are contained in the various E-Rate forms.

The **third signature** needed is on the General Letter of Agency, required by the Universal Services Administrative Company. Please cut and paste the attached document onto letterhead.

Please read, date and sign all of the documents above and email back to Renee Rose at renee@nvls-erate.com.

Please let us know if you have any questions or concerns. If you would prefer a two or three year contract, please contact us immediately and we will revise and email to you. These documents should be read, dated, signed, and returned via email to renee@nvls-erate.com as soon as possible. Your prior contract expires 6/30/17. If you choose not to continue with us for Erate Consulting services, you will be charged \$150 per hour for any work performed after July 1, 2017. We will confirm with you your intentions for 2017-18 before proceeding with any work.

Thank you again for the honor of serving you.

Sincerely,

Nancy von Langen-Scott
Chief Executive Officer
NvLS Professional Services, LLC

May/June 2017

NvLS Professional Services, LLC (NvLS PS) will prepare and submit the appropriate E-Rate forms, documentation, and reviews for the Dehesa Elementary School District from July 1, 2017 – June 30, 2018.

NvLS Professional Services, LLC (NvLS PS) will provide E-Rate assistance to the School/District as follows:

- 1) Prepare and file current 470, 471, 472, 486 and 500 forms for the school/district, meeting all of the E-Rate requirements and deadlines.
- 2) Notify school/district of E-Rate updates, changes and developments.
- 3) Work with the school/district to familiarize their staff with the E-Rate process.
- 4) Work with school/district to identify new products or services that they may want to include in new E-Rate applications.
- 5) Work with school/district to coordinate RFP or procurement process.
- 6) NvLS PS does not provide legal services. NvLS PS provides E-Rate technical and administrative services only.
- 7) NvLS PS is not liable for any direct, indirect, incidental, special or consequential damages, including the loss of funding. In the event that the school/district wishes to discontinue E-Rate consulting services, NvLS PS is not responsible nor will they pay for the procurement or expense of substitute consulting services.
- 8) File Service Provider forms (i.e. Existing Services, Data Gathering Forms and Designation forms) with the vendors to request monthly credits or annual reimbursement checks.
- 9) Answer PIA (Program Integrity Assurance) questions from the Universal Service Administrative Company's Schools and Libraries Division (USAC/SLD) regarding current applications.
- 10) Prepare or assist preparing responses to other E-Rate forms or requests for information.
- 11) Assist school/district with previous years' applications and collection of past funding approvals not yet received.
- 12) File updates with service providers when school/district notifies NvLS PS of new services.
- 13) File California Teleconnect Fund applications and updates when school provides new service information.
- 14) Term of Agreement:
The term of the Agreement shall be in effect beginning July 1, 2017 and ending June 30, 2018. The Agreement will continue thereafter on an annual basis, starting July 1st of each subsequent year, until terminated by either party by giving advance written notice.

15) Termination of Agreement – Without Cause

The Client and/or NvLS Professional Services, LLC may terminate this Agreement, without cause, at any time by submitting written notice to the other party. The written Notice of Termination must be received no less than Thirty (30) days prior to the desired date of Termination.

- 16) In the event that the Client terminates this Agreement without cause, the Client agrees to compensate NvLS Professional Services, LLC for all work, service fees, and reimbursable expenses completed prior to the date of termination, and release NvLS PS from all liability, claims and causes of action resulting from negligent acts or omissions of the Client, its agents and/or employees performed after the date of termination.

Dehesa Elementary School District will provide the following:

- 1) A signed and dated general Letter of Agency, required by USAC (attached).
- 2) A signed and dated AT&T Letter of Agency, if using their services (to be sent later).
- 3) Billing invoices and information in a timely manner, requested by NvLS Professional Services, LLC (NvLS PS) in order to submit E-Rate forms and answer SLD questions. NvLS PS will not verify the accuracy of these documents or information and is basing applications on the information provided by the school/district.
- 4) A primary and secondary contact person with whom NvLS PS will communicate.
- 5) Relevant information and records for ten years from the last day of service as stipulated by the USAC program.
- 6) The school/district will be billed twice a year: October 1 and April 1 and agrees to pay within 30 days or the next scheduled check run for payment. Late fees will be assessed after 45 days.
- 7) The school/district understands that all E-Rate related documents needed for filing the Erate Form 470 and/or Form 471, including CALPAD's figures, school site addresses, Vendor Invoices, RFP information, Bid Selection Criteria, budget, Item 21 information and counter-signed contracts and any other relevant documentation are to be received in a timely manner prior to the Erate Window deadlines.
- 8) There will be penalties charged if documentation is not provided in a timely manner. We do not guarantee that your Erate applications will be filed if the documents are received less than one week prior to the Erate Window close.

Fees:

Category One Filing of 470, 471, 486, 500 and 472 forms and Consultation, PIA's, Appeals, other USAC Communications, CTF Applications, Vendor ESL, Data Gathering and Designation forms associated with Category One Services (Telecommunications and Internet access)	\$2,500.00 One Year	July 1, 2017 - June 30, 2018
Category Two (Internal Connections, Basic Maintenance of Internal Connections, Managed Broadband) Any work associated with Category Two services, regardless of year, including 470, 471, 486, 500 and 472 forms, Consultation, PIA's, Appeals, other USAC Communications, Vendor Documentation, Data Gathering and Designation forms associated with Category Two Services	\$500.00	
Extensive PIAs or Appeals, Payment Quality Assessment, Selective Reviews, Audits	\$150.00	Per Hour
RFP Assistance	\$150.00	Per Hour
Other requests from USAC or school/district	\$150.00	Per Hour

This contract is in effect from July 1, 2017 until June 30, 2018.

Signature

Nancy von Langen-Scott

Chief Executive Officer

NvLS Professional Services, LLC

Date

Signature

Name

Title

Dehesa Elementary School District

Date

Certifications (from the required E-Rate forms) Updated 5/22/17

470 Application:

I certify that the applicant includes schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. §§ 7801 (18) and (38), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million.

I certify that this FCC Form 470 and any applicable RFP will be available for review by potential bidders for at least 28 days before considering all bids received and selecting a service provider.

I certify that all bids submitted will be carefully considered and the bid selected will be for the most cost-effective service or equipment offering, with price being the primary factor, and will be the most cost-effective means of meeting educational needs and technology goals.

I certify that I have reviewed all applicable FCC, state, and local procurement/competitive bidding requirements and that I have complied with them.

I acknowledge that persons willfully making false statements on this form may be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001.

I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program.

I certify that I will retain required documents for a period of at least 10 years (or whatever retention period is required by the rules in effect at the time of this certification) after the later of the last day of the applicable funding year or the service delivery deadline for the associated funding request.

I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the form for, receipt of, and delivery of services receiving schools and libraries discounts. I acknowledge that I may be audited pursuant to participation in the schools and libraries program. I certify that the services the applicant purchases at discounts provided by 47 U.S.C. § 254 will be used primarily for educational purposes, see 47 C.F.R. § 54.500, and will not be sold, resold or transferred in consideration for money or any other thing of value, except as permitted by the Commission's rules at 47 C.F.R. § 54.513. Additionally, I certify that the entity or entities listed on this form have not received anything of value or a promise of anything of value, other than services and equipment sought by means of this form, from the service provider, or any representative or agent thereof or any consultant in connection with this request for services.

I acknowledge that support under this support mechanism is conditional upon the school(s) and/or library(ies) I represent securing access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support.

I certify that I have considered what financial resources should be available to cover these costs. I certify that I am authorized to procure eligible services for the eligible entity(ies). I certify that I am authorized to submit this request on behalf of the eligible entity(ies) listed on this form, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

471 Application:

I certify that the entities listed in this application are eligible for support because they are schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. §§ 7801(18) and (38), that do not operate as for-profit businesses and do not have endowments exceeding \$50 million.

I certify that the entity I represent or the entities listed on this application have secured access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity, necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support.

I certify that the entities I represent or the entities listed on this application have secured access to all of the resources to pay the discounted charges for eligible services from funds to which access has been secured in the current funding year. I certify that the Billed Entity will pay the non-discount portion of the cost of the goods and services to the service provider(s).

Form 500:

I certify that I am authorized to submit this form on behalf of the above-named billed entity, that I have examined this request, and that, to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

I understand that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the services receive an appropriate share of benefits from those services.

I will retain for at least ten years (or whatever retention period is required by the rules in effect at the time of this certification) after the later of the last day of the applicable funding year or the service delivery deadline for the funding request (1) any and all records that I rely upon to complete this form and (2) all documents necessary to demonstrate compliance with the statutory or regulatory requirements for the schools and libraries universal service support program. I recognize that I may be audited pursuant to this application and the applicant must produce such records as required by 47 C.F.R. § 54.516.

472 (BEAR) Form:

I declare under penalty of perjury that the foregoing is true and correct and that I am authorized to submit this Billed Entity Applicant Reimbursement Form on behalf of the eligible schools, libraries, or consortia of those entities represented on this Form, and I certify to the best of my knowledge, information and belief, as follows:

- A. The discount amounts listed in this Billed Entity Applicant Reimbursement Form represent charges for eligible services and/or equipment delivered to and used by eligible schools, libraries, or consortia of those entities for educational purposes, on or after the service start date reported on the associated FCC Form 486.
- B. The discount amounts listed in this Billed Entity Applicant Reimbursement Form were already billed by the Service Provider and paid for by the Billed Entity Applicant on behalf of eligible schools, libraries, and consortia of those entities.
- C. The discount amounts listed in this Billed Entity Applicant Reimbursement Form are for eligible services and/or equipment approved by the Fund Administrator pursuant to a Funding Commitment Decision Letter (FCDL).
- D. I acknowledge that I may be audited pursuant to this application and will retain for at least 10 years (or whatever retention period is required by the rules in effect at the time of this certification), after the latter of the last day of the applicable funding year or the service delivery deadline for the funding request any and all records that I rely upon to complete this form.
- E. I certify that, in addition to the foregoing, this Billed Entity Applicant is in compliance with the rules and orders governing the schools and libraries universal service support program, and I

acknowledge that failure to be in compliance and remain in compliance with those rules and orders may result in the denial of discount funding and/or cancellation of funding commitments. I acknowledge that failure to comply with the rules and orders governing the schools and libraries universal service support program could result in civil or criminal prosecution by law enforcement authorities.

486 Form

I certify that, if required by program rules, the entity(ies) receiving discounted services as indicated on this FCC Form 486 are covered by technology plan(s) that have been approved by a state or other authorized body (i.e., a USAC-certified technology plan approver) prior to the commencement of service and that cover all 12 months of the funding year.

I certify that the services listed on this FCC Form 486 have been, are planned to be, or are being provided to all or some of the eligible entities identified in the FCC Form 471 application(s) cited above.

I certify that there are signed contracts covering all of the services listed on this FCC Form 486 except for those services provided under tariff or on a month-to-month basis.

I certify that I am authorized to submit this receipt of service confirmation on behalf of the above-named Billed Entity; that I have examined this request; and that, to the best of my knowledge, information, and belief, all statements of fact contained herein are true. I understand that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the services receive an appropriate share of benefits from those services.

I recognize that I may be audited pursuant to this application and will retain for at least ten years (or whatever retention period is required by the rules in effect at the time of this certification) after the latter of the last day of the applicable funding year or the service delivery deadline for the funding request any and all records, including FCC Forms 479 where required, and, if audited, will make such records available to the Administrator.

I certify that as of the date of the start of discounted services: a. the recipient(s) of service represented in the Funding Request Number(s) on this FCC Form 486 has (have) complied with the requirements of the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l).

I certify that, if required by program rules, the entity(ies) receiving discounted services as indicated on this FCC Form 486 are covered by technology plan(s) that have been approved by a state or other authorized body (i.e., a USAC-certified technology plan approver) prior to the commencement of service and that cover all 12 months of the funding year.

Approved CIPA Certifications

I certify that as of the date of the start of discounted services: a. the recipient(s) of service represented in the Funding Request Number(s) on this FCC Form 486 has (have) complied with the requirements of the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l). I certify that as of the date of the start of discounted services: Pursuant to the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), the recipient(s) of service represented in the Funding Request Number(s) on this Form 486: (FOR SCHOOLS and FOR LIBRARIES IN THE FIRST FUNDING YEAR FOR PURPOSES OF CIPA) is (are) undertaking such actions, including any necessary procurement procedures, to comply with the requirements of CIPA for the next funding year, but has (have) not completed all requirements of CIPA for this funding year. I certify that as of the date of the start of discounted services: The Children's Internet Protection Act does not apply because the recipient(s) of service represented in the Funding Request Number(s) on this FCC Form 486 is (are) receiving discount services only for telecommunications services. The above certifications are true and NvLS Professional Services, LLC, is allowed to certify on our District's behalf.

The above certifications are true and we authorize NvLS Professional Services, LLC to certify our E-rate forms on the District's behalf.

Signature

Name

Title

Dehesa Elementary School

Date

(Please print on **school/district letterhead** and fill in blanks)

Date

To Whom It May Concern
Re: E-rate Letter of Agency

Dehesa Elementary School District authorizes Nancy von Langen-Scott of NvLS Professional Services, LLC and her staff to submit all FCC E-rate forms and communications for the school/district for the time period of July 1, 2017 - June 30, 2018. NvLS Professional Services, LLC and her staff should have access to all telecommunications records for this current and past E-rate funding years.

Sincerely,

(SIGNATURE)

Title
Contact Info

DEHESA SCHOOL DISTRICT

To: Members of the Board
and Supt. Nancy Hauer

From: Anna Buxbaum
Business Manager

Subject: Monthly Budget Update

Meeting Date: July 20, 2017

- ☐ Action
- ☐ First Reading
- ☒ Information
- ☐ Presentation
- ☐ Discussion
- ☐ Public Hearing
- ☐ Roll Call Vote Required

Background:

At the October 20, 2011 Board Meeting, Members were asked about their preferences for monthly budget updates. Consensus was that a statement of fund balances and clear, concise updates on key issues would be preferred during months falling in-between major reports.

Report:

Attached are 1) Fund balances (Cash in County Treasury), 2) Construction expenditure reports for the Bond and Developer Fee Funds

Financial Impact:

N/A-Form Informational Purposes Only

Student Impact:

NA – For Informational Purposes Only

Recommendation:

NA – For Informational Purposes Only

Agenda Item #: VI.B.1

Dehesa School District

Fund Balances

(Cash in County Treasury as of July 11, 2017)

FUND	DESCRIPTION	BALANCE
01-00	GENERAL FUND	\$ 909,214.38
09-00	CHARTER SCHOOLS SPECIAL REVENUE FUND (FD 39)	\$ 129,424.26
12-06	CHILD DEVELOPMENT FUND	\$ 12,653.06
13-00	CAFETERIA SPECIAL REVENUE FUND	\$ 22,610.41
14-00	DEFERRED MAINTENANCE FUND	\$ 1,416.53
17-42	SPECIAL RESOURCE FUND (CHARTER OVERSIGHT)	\$ 990,494.69
20-00	SPECIAL RESERVE OPEB/RETIREE BENEFITS FUND	\$ 68,473.56
21-39	BUILDING FUND	\$ 239,752.25
25-19	CAPITAL FACILITIES/SB2068 FUND	\$ 12,224.35
40-00	SPECIAL RESERVES/CAPITAL PROJECTS	\$ 7,527.39
	GRAND TOTAL	\$ 2,393,790.88

Please note that cash balances in the General Fund fluctuate on a regular basis. This is a normal feature of the fluid budget/accounting process.

**Dehesa School District
Building Fund 21-39**

6/30/2017

Date			Revenue Amount
7/1/2016	Beginning Balance		\$547,086.95
10/19/2016	Interest		\$795.20
11/2/2016	Insurance Reimb		\$14,484.65
1/20/2017	Interest		\$740.13
4/24/2017	Interest		\$744.78
5/15/2017	Interest		\$108.91
TOTAL			\$563,960.62
Payment Date	Service Provider	Services Performed	Expenditure Amount
7/27/2016	Office Depot	Conference Room Furniture for new building	\$2,278.35
9/2/2016	West Coast Air	Final Payment to West Coast Air for Change Order	\$10,038.00
10/18/2016	WorldBridge Technologies	Classroom Projector Installation	\$12,400.00
10/18/2016	Dale Scott & Co.	Bond Disclosure Report 2014-15	\$4,900.00
10/28/2016	Union Bank Escrow Acct	Shade Structure Project-FACIPA	\$241,500.00
11/28/2016	Division of State Architect	DSA Close out on Shade Structure	\$389.82
5/5/2017	General Fund	Business Manager Office/Staff Lounge Project Expenses	\$15,033.02
5/15/2017	Dale Scott & Co.	Bond Disclosure Report 2015-16	\$4,920.00
6/7/2017	Division of State Architect	DSA Close out on Shade Structure - Overage Check	-\$389.82
6/28/2017	Union Bank Escrow Acct	EJPA Prop 39 Agreement	\$29,939.00
6/28/2017	Wilkinson Hadley King	Bond Audit 2015-16	\$3,200.00
TOTAL CURRENT YEAR EXPENSES			\$324,208.37
TOTAL FUNDS AVAILABLE AS OF 6/30/17			\$239,752.25

**Dehesa School District
Capital Facilities Funds 25-19**

6/30/2017

Current Year Project Activity			Revenue Amount
7/1/2015	Beginning Fund Balance		20.09
10/11/2016	Developer Fees		5,282.83
10/19/2016	Interest		287.11
1/20/2017	Interest		41.80
2/15/2017	Developer Fees		4,663.43
3/30/2017	Developer Fees		5,938.09
4/24/2017	Interest		20.67
5/15/2017	Interest		3.02
Total			16,257.04
Payment Date	Service Provider	Services Performed	Expenditure Amount
6/7/2017	Varco & Rosenbaum	Legal Expense - Environmental Impact	485.00
6/7/2017	Varco & Rosenbaum	Legal Expense - Environmental Impact	2,390.61
6/29/2017	G Wayne Oetken & Assoc	Consulting Services- Hourly Billing	650.00
6/29/2017	G Wayne Oetken & Assoc	Consulting Services- Hourly Billing	426.41
6/29/2017	Varco & Rosenbaum	Legal Expense - Environmental Impact	80.67
TOTAL CURRENT YEAR EXPENSES			4,032.69
TOTAL FUNDS AVAILABLE AS OF 6/30/17			12,224.35

DEHESA SCHOOL DISTRICT

To: Members of the Board
From: Nancy Hauer
Subject: Dehesa School Enrollment
as of July 20, 2017

Meeting Date: July 20, 2017

- ☐ Action
- ☐ First Reading
- ☒ Information
- ☐ Presentation
- ☐ Public Hearing
- ☐ Roll Call Vote Required
- ☐ Discussion

Projected Enrollment

By Grade Level

Kindergarten.....	19
1st Grade	17
2nd Grade	19
3rd Grade	16
4th Grade	16
5th Grade	21
6th Grade	24
7th	22
8th	11
	165

End-of-the-Year Enrollment

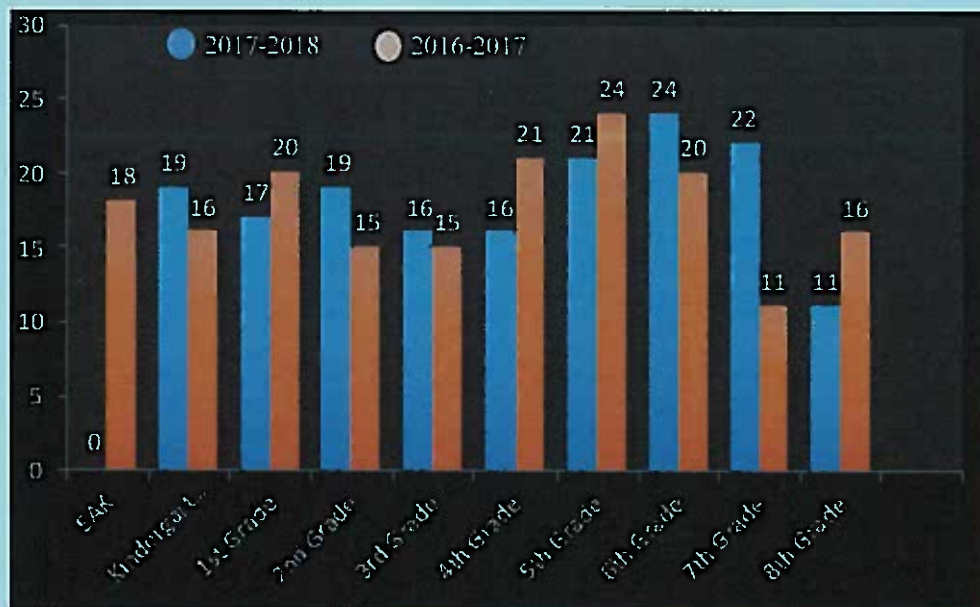
By Grade Level

EAK.....	18
Kindergarten	16
1st Grade	20
2nd Grade	15
3rd Grade.....	15
4th Grade	21
5th Grade	24
6th Grade	20
7th	11
8th	16
	176

Inter District Transfers

Students who live in our District but attend a different school
20

Students who live in another district but attend our school
53



DEHESA SCHOOL DISTRICT

To: Members of the Board

From: Nancy Hauer

Subject: Williams Quarterly
Complaint Report

Meeting Date: July 20, 2017

- ☐ Action
- ☐ First Reading
- ☒ Information
- ☐ Presentation
- ☐ Discussion
- ☐ Public Hearing
- ☐ Roll Call Vote Required

Background: Laws and board policy require a quarterly report to the Board of Trustees and the County Superintendent of Schools regarding complaints to the school covered under the Williams Settlement

Report: We received no complaints during the fourth quarter of the 2016-2017 school year in the areas which are addressed by the Williams Settlement.

Financial Impact: None

Student Impact: None

Agenda Item #: VI.B.5

SDCOE Uniform Complaint Quarterly Reports Database

Williams and Valenzuela Settlements

You are Logged on with District access.

User ID: 68049		Found 50 records.												
Year and Quarter	Instructional Materials			Facilities			Teacher Vacancy Misassignment			Totals				
Year Qtr	Received	Resolved	Unresolved	Received	Resolved	Unresolved	Received	Resolved	Unresolved	Received	Resolved	Unresolved	Locked	
2005 1st Qtr Jan-Mar	0	0	0	0	0	0	0	0	0	0	0	0	Yes	
2005 2nd Qtr Apr-Jun	0	0	0	0	0	0	0	0	0	0	0	0	Yes	
2005 3rd Qtr Jul-Sep	0	0	0	0	0	0	0	0	0	0	0	0	Yes	
2005 4th Qtr Oct-Dec	0	0	0	0	0	0	0	0	0	0	0	0	Yes	
2006 1st Qtr Jan-Mar	0	0	0	0	0	0	0	0	0	0	0	0	Yes	
2006 2nd Qtr Apr-Jun	0	0	0	0	0	0	0	0	0	0	0	0	Yes	
2006 3rd Qtr Jul-Sep	0	0	0	0	0	0	0	0	0	0	0	0	Yes	
2006 4th Qtr Oct-Dec	0	0	0	0	0	0	0	0	0	0	0	0	Yes	
2007 1st Qtr Jan-Mar	0	0	0	0	0	0	0	0	0	0	0	0	Yes	
2007 2nd Qtr Apr-Jun	0	0	0	0	0	0	0	0	0	0	0	0	Yes	
2007-08 1st Qtr Jul-Sep	0	0	0	0	0	0	0	0	0	0	0	0	Yes	
2007-08 2nd Qtr Oct-Dec	0	0	0	0	0	0	0	0	0	0	0	0	Yes	
2007-08 3rd Qtr Jan-Mar	0	0	0	0	0	0	0	0	0	0	0	0	Yes	
2007-08 4th Qtr Apr-Jun	0	0	0	0	0	0	0	0	0	0	0	0	Yes	
2008-09 1st Qtr Jul-Sep	0	0	0	0	0	0	0	0	0	0	0	0	Yes	
2008-09 2nd Qtr Oct-Dec	0	0	0	0	0	0	0	0	0	0	0	0	Yes	

[illegible]

Qtr Oct-Dec									
2013-14 3rd Qtr Jan-Mar	0	0	0	0	0	0	0	0	Yes
2013-14 4th Qtr Apr-Jun	0	0	0	0	0	0	0	0	Yes
2014-15 1st Qtr Jul-Sep	0	0	0	0	0	0	0	0	Yes
2014-15 2nd Qtr Oct-Dec	0	0	0	0	0	0	0	0	Yes
2014-15 3rd Qtr Jan-Mar	0	0	0	0	0	0	0	0	Yes
2014-15 4th Qtr Apr-Jun	0	0	0	0	0	0	0	0	Yes
2015-16 1st Qtr July - Sept	0	0	0	0	0	0	0	0	Yes
2015-16 2nd Qtr Oct-Dec	0	0	0	0	0	0	0	0	Yes
2015-16 3rd Qtr Jan-Mar	0	0	0	0	0	0	0	0	Yes
2015-16 4th Qtr Apr-Jun	0	0	0	0	0	0	0	0	Yes
2016-17 1st Qtr July-Sept	0	0	0	0	0	0	0	0	Yes
2016-17 2nd Qtr Oct-Dec	0	0	0	0	0	0	0	0	Yes
2016-17 3rd Qtr Jan-Mar	0	0	0	0	0	0	0	0	Yes
2016-17 4th Qtr Apr-Jun	0	0	0	0	0	0	0	0	0
Totals	0	0	0	0	0	0	0	0	

Add a New Quarter Record

Select a date for Change or Delete

Main Menu

[Instructions]

[LogOff]

DEHESA SCHOOL DISTRICT

To: Members of the Board
From: Nancy Hauer
Subject: Petition for Diego Hills
Central

Meeting Date: July 20, 2017

- ☒ Action
- ☐ First Reading
- ☐ Information
- ☐ Presentation
- ☐ Discussion
- ☐ Public Hearing
- ☒ Roll Call Vote Required

Background: At previous Board meetings Kevin Ogden, Vice President for Learn 4 Life, has come and discussed with the Board an opportunity to open Diego Hills Central Charter School at the College Ave site in August of 2018. The petition was emailed to our school and shared with the Board.

Report: As per Ed. Code the Board must hold a Public Hearing on the provisions of the petition within thirty (30) days from the date of receipt. Following a review of the petition, and a public hearing, the Governing Board may either grant or deny the charter based upon the statutory elements contained in the Ed. Code. The petition is attached and Mr. Ogden will return to answer any questions. The petition has also been reviewed by legal counsel, the Superintendent and the Business Manager.

Financial Impact: Dehesa School District will receive a 3% oversight fee.

Student Impact: Diego Hills Central will serve the needs of students who have not been successful in traditional schools. Their blended online program will assist credit deficient students to pursue their high school diplomas.

Recommendation: Administration recommends asking any clarifying questions before voting on this charter petition at the August Board meeting.

Agenda Item #: VII.A.1



DIEGO HILLS CENTRAL

PUBLIC CHARTER SCHOOL

Presented To:
Dehesa Elementary School District

Grades K-12

Submitted: June 2017

Term: July 1, 2017 - June 30, 2022

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- Exhibit A** Local Control and Accountability Plan
- Exhibit B** Suspension and Expulsion Procedures
- Exhibit C** Multi-Year Fiscal Budget and Narrative
- Exhibit D** Realtor Letter

AFFIRMATIONS AND DECLARATION

As the authorized lead petitioner, I hereby certify that the information submitted in this petition for a California public charter school to be named Diego Hills Central Public Charter School ("DHPCPS" or the "Charter School"), submitted to Dehesa Elementary School District ("DESD" or the "District") is true to the best of my knowledge and belief; I also certify that this petition does not constitute the conversion of a private school to the status of a public charter school; and further, I understand that if awarded a charter, DHPCPS will follow any and all federal, state, and local laws and regulations that apply to DHPCPS, including but not limited to:

- DHPCPS will meet all statewide standards and conduct the student assessments required, pursuant to Education Code Sections 60605 and 60851, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. California Education Code Section 47605(c)(1)]
- Diego Plus Education Corporation declares it shall be deemed the exclusive public school employer of the employees of DHPCPS for the purposes of the Educational Employment Relations Act. [Ref. California Education Code Section 47605(b)(6)]
- DHPCPS will be nonsectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. California Education Code Section 47605(d)(1)]
- DHPCPS will not charge tuition. [Ref. California Education Code Section 47605(d)(1)]
- DHPCPS shall admit all students who wish to attend DHPCPS, unless DHPCPS receives a greater number of applications than there are spaces for students, in which case each application will be given equal chance of admission through a public random drawing process. Except as required by Education Code Section 47605(d)(2) and Education Code Section 51747.3, admission to DHPCPS shall not be determined according to the place of residence of the student or his or her parents within the State. Preference in the public random drawing shall be given as required by Education Code Section 47605(d)(2)(B). In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of DHPCPS in accordance with Education Code Section 47605(d)(2)(C). [Ref. California Education Code Section 47605(d)(2)(A)-(C)]
- DHPCPS shall not discriminate on the basis of the characteristics listed in Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code Section 47605(d)(1)]
- DHPCPS will adhere to all applicable provisions of federal law relating to students with disabilities, including, but not limited to, the Individuals with Disabilities Education

Improvement Act of 2004, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990.

- DHCPSCS will meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Title 5, California Code of Regulations Section 11967.5.1(f)(5)(C)]
- DHCPSCS will ensure that teachers in DHCPSCS hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools is required to hold. As allowed by statute, flexibility will be given to noncore, non-college preparatory teachers. [Ref. California Education Code Section 47605(l)]
- DHCPSCS will at all times maintain all necessary and appropriate insurance coverage.
- DHCPSCS shall, for each fiscal year, offer at a minimum, the number of minutes of instruction per grade level as required by Education Code Section 47612.5(a)(1)(A)-(D).
- If a pupil is expelled or leaves DHCPSCS without graduating or completing the school year for any reason, DHCPSCS shall notify the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information. [Ref. California Education Code Section 47605(d)(3)]
- DHCPSCS shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. California Education Code Section 47612.5(a)(2)]
- DHCPSCS shall on a regular basis consult with its parents and teachers regarding DHCPSCS's education programs. [Ref. California Education Code Section 47605(c)]
- DHCPSCS shall comply with any applicable jurisdictional limitations to the locations of its facilities. [Ref. California Education Code Sections 47605 and 47605.1]
- DHCPSCS shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. California Education Code Sections 47612(b) and 47610]
- DHCPSCS shall comply with all applicable portions of the Elementary and Secondary Schools Act ("ESEA"), as reauthorized and amended by the Every Student Succeeds Act ("ESSA").
- DHCPSCS shall comply with the Family Educational Rights and Privacy Act.
- DHCPSCS shall meet or exceed the legally required minimum number of school days. [Ref. Title 5 California Code of Regulations Section 11960]

- DHCPCH shall comply with Education Code Section 51745 et seq. related to independent study.



Lead Petitioner's Signature

June 6, 2017
Date

INTRODUCTION

Introduction and Review

Charter schools allow local educators and parents to develop innovative programs and schools of choice targeted to local student needs. DHCPCS recognizes that one size does not fit in learning environments and teaching methodologies.

The petitioners have substantial experience creating educational programs specifically intended for those students who have chosen an alternative method of education for any variety of reasons. DHCPCS's Founding Group consist of administrators and consultants who have concentrated expertise in the following areas:

- Curriculum, Instruction and Assessment
- Finance, Facilities, and Business Management
- Organization, Governance, and Administration

It is the intent of the California Legislature, in enacting the Charter Schools Act of 1992, to provide opportunities for teachers, parents, pupils, and community members to establish and maintain schools that operate independently from the existing school district structure, as a method to accomplishing the following:

- (a) Improve pupil learning.
- (b) Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving.
- (c) Encourage the use of different and innovative teaching methods, and recognize the uniqueness of the student including recognizing academic and emotional development of the student.
- (d) Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school.
- (e) Provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system.
- (f) Hold the schools established under this part accountable for meeting measurable pupil outcomes, and provide the schools with a method to change from rule-based to performance-based accountability systems.
- (g) Provide vigorous competition within the public school system to stimulate continual improvements in all public schools.

The Charter Schools Act, Education Code Section 47600 et seq. requires each charter school to have a charter that outlines at least the fifteen (15) mandatory items of the Act. The following provisions of this charter coincide with the requirements of Section 47605 of the Act.

The Petitioners present this charter petition of Diego Hills Central Public Charter School to the Dehesa Elementary School District for consideration and approval in accordance with the requirements of Education Code Section 47605 for a five-year term from July 1, 2017 through June 30, 2022.

Partnerships with Workforce Training Programs

DHCPCS shall offer a program designed to meet the educational needs of federally funded learn-and-work or learn-and-earn programs, including but not limited to the federal Workforce Innovation and Opportunity Act pursuant to Education Code Section 47605.1(g).

The Workforce Innovation and Opportunity Act ("WIOA"), which was signed into law on July 22, 2014, replacing the Workforce Investment Act of 1998 ("WIA"), authorizes services for youth, adults and laid-off workers. WIOA is considered to be the most significant reform of federal job training programs in more than 15 years and a critical step toward helping workers and employers succeed in the 21st century economy.¹

DHCPCS shall offer a year-round program emphasizing attainment of basic skill competencies, enhancing opportunities for academic and occupational training, and providing exposure to the job market and employment. Activities may include instruction leading to completion of secondary school, tutoring, internships, job shadowing, work experience, adult mentoring and comprehensive guidance and counseling. The program shall emphasize services for out-of-school youth.

The activities provided by WIOA offer a variety of benefits to both program participants and the communities in which they reside as follows:

- Job Seekers
 - Universal access to job search and labor market information
 - Advice, counseling and support
 - Education and skills training
 - Individual choice of service
- Youth
 - Basic skills assessment
 - Resources and guidance help to attain educational goals
 - Leadership development opportunities
 - Exposure to work environment through training and adult mentoring

¹ See <http://blog.dol.gov/2014/07/22/promoting-job-driven-training-and-american-opportunity/>

- Employers
 - Influence over local area employment policy
 - Improved and trained employee pool
 - Development of on-the-job and customized training opportunities
 - Assistance for laid-off workers
- Community
 - Access to local area job market information
 - Improved workforce quality
 - Services designed for local area needs
 - Reduced need for welfare

DHPCPS believes that investing in the most skilled and talented workforce in the world should be one of our nation's top priorities. In recent years, more than 20 million people annually have turned to federal programs for basic education, job training and employment services. During the worst economic crisis of our lifetimes, the workforce system served as the nation's emergency room, administering the critical care to help people get back on their feet.

Through DHPCPS's partnership with WIOA, students will have improved tools to identify and access training options and other employment services best suited to their needs. Businesses will be more closely connected to the system, with better resources available to find and train the skilled workers they need to grow their companies. Each aspect of DHPCPS's program will be shaped by the following question: is it helping ready-to-work-Americans move into ready-to-be-filled jobs?

Evidence shows that our partnership with WIOA programs will be successful in producing skilled students ready for their future career or pursuit in higher education. As noted in the report, *What Works in Job Training: A Synthesis of the Evidence*, produced by the U.S. Departments of Labor, Commerce, Education and Health and Human Services², existing evidence on job training for youth demonstrate:

- Early exposure to a range of career and higher education information and opportunities is associated with better post-secondary education outcomes.
- Work experience for youth still in school, including paid summer jobs, has some important results in terms of educational outcomes, particularly if job skills and education are combined.
- Occupation- and industry-based training programs, including Career Academies, show some promising employment outcomes for youth. Work-based learning, such as paid internships, cooperative education, and some transitional jobs programs suggest that low-income, economically disadvantaged youth are successful in programs where they receive wages. Strategies that allow high school students to accelerate their transition to college or start preparing for a career early can also improve youth outcomes.

² See <http://www.dol.gov/asp/evaluation/jdt/>.

- Youth disconnected from work and school, including those who also have serious disadvantages such as early-child bearing, homelessness, or involvement with the criminal justice system, have the most difficult challenges succeeding in adulthood, but there is some evidence that youth may benefit from comprehensive and integrated models that combine education, occupational skills, and support services.

DHCPSC will expand upon these programs that are proven to work for our youth and give them the tools to climb ladders of opportunity and punch their ticket to the middle class and beyond.

In addition to WIOA, DHCPSC may partner with other federal and state non-profits such as Youth Build, California Conservation Corps, etc.

Alternative Schools Accountability Model (ASAM)

California's 1999 Public Schools Accountability Act ("PSAA") required that all schools be held accountable under systems developed by the CDE. Accordingly, the California Education Code Section 52052(h) requires:

"The State Superintendent, with the approval of the State Board, shall develop an alternative accountability system for schools...under the jurisdiction of a county board of education or a county superintendent of schools, community day schools ...and alternative schools serving high-risk pupils, including continuation high schools and opportunity schools."

In response to the mandate of the PSAA, the CDE, in conjunction with the PSAA Subcommittee on the Alternative Accountability System, developed the Alternative Schools Accountability Model ("ASAM").

As is described above, and as is allowed under California State Law, DHCPSC intends to apply and qualify as an ASAM school.

ELEMENT (A): EDUCATIONAL PROGRAMS AND PHILOSOPHY

***Governing Law:** The educational program of the charter school, designed, among other things, to identify those whom the charter school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners. – California Education Code Section 47605(b)(5)(A)(i)*

***Governing Law:** The annual goals for the charter school for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals. – California Education Code Section 47605(b)(5)(A)(ii)*

***Governing Law:** If the proposed charter school will serve high school pupils, the manner in which the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the "A" to "G" admissions criteria may be considered to meet college entrance requirements. – California Education Code Section 47605(b)(5)(A)(iii)*

*It takes a deep commitment to change and even deeper commitment to grow.
- Ralph Ellison*

A. PERSONALIZED LEARNING

DHCPCS will offer a non-classroom based Personalized Learning program for grades K-12.

Personalized Learning is a unique public educational model that is tailored to the needs and interests of each individual student. Personalized Learning is a 21st Century, "on the leading edge" approach to public education that honors and recognizes the unique gifts, skills, passions, and attributes of each student. Research confirms that every individual assimilates information according to his/her own unique style, need, and interest.

Personalized Learning is dedicated to developing individualized learning programs for each student. Its intent is to engage each student in the learning process in the most productive and meaningful way to optimize each student's learning potential and success. It allows Diego Hills Central Public Charter School to combine multiple assessment levels of student academic achievement through regular assessment testing, in addition to annual state-mandated testing programs, compiling student work samples, and personal conferencing.

The Personalized Learning Model recognizes the value of parental involvement and participation in their child's education and learning process, and value on-going teacher development training. There is a strong emphasis on one-on-one teacher and student interaction, attention to differences in learning styles, student-driven participation in developing the learning process, technology access, varied learning environments, and choices in curriculum programs.

DHPCPS's Personalized Learning model is based on the intent of the Legislature that Independent Study Personalized Learning is an individualized alternative education designed to teach the knowledge and skills of the core curriculum. (Education Code Section 51745.) DHPCPS understand that Personalized Learning is not an alternative curriculum and that our program must provide as comprehensive a program as the student would receive if enrolled in a traditional school. The California Department of Education ("CDE") in its Independent Study Operations Manual has noted the benefits to serving an at-risk population through Personalized Learning. Specifically, the guide notes that a student's poor decisions and lack of self-esteem can lead to pregnancy, early parenthood, substance abuse, or commission of criminal offenses. These students often drop out of school prior to graduation because they feel unsupported or disconnected in the regular school setting. These students end up entering the job market with few or no marketable skills. For many dropouts and potential dropouts, Personalized Learning can be an opportunity to change direction and continue their education.

B. OVERVIEW OF THE PERSONALIZED LEARNING EDUCATIONAL PROGRAMS

Diego Hills Central Public Charter School has the feel of a friendly business office. DHPCPS offers the following non-classroom Personalized Learning programs: An independent study program and home study program for grades 9-12, a home study program for grades K-8, and a virtual learning program for students in grades K-12.

Independent Study and Home Study Programs - Grades 9-12

The Independent Study/Home Study program for high school students provides a unique public educational model that is tailored to the needs and interests of each individual student. It is a combination of the best of home schooling and resource center based classes. Independent Study/Home Study is dedicated to developing personalized learning programs for each student. Its intent is to engage each student in the learning process in the most productive and meaningful way to optimize each student's learning potential and success. It allows DHPCPS to combine multiple assessment levels of student academic achievement through the regular recording of detailed learning records, compiling student work samples, and conducting annual state-mandated testing programs. DHPCPS shall offer this Independent Study/Home Study option for students with the ultimate objective of enabling pupils to become self-motivated, competent and lifelong learners.

The CDE in its independent study operations manual has noted the benefits to serving an at-risk population through independent study. Some students have difficulty functioning in a traditional educational setting. They feel overwhelmed by a sense of isolation from the community around them which hinders their academic and social progress. Consequently, they do not do well academically or behaviorally and they frequently act out their frustrations in ways that disrupt the educational process in the classroom and on campus. They become known as problem students.

Specifically, the guide notes that a student's poor decisions and lack of self-esteem can lead to pregnancy, early parenthood, substance abuse, or commission of criminal offenses. These students drop out of school prior to graduation because they feel unsupported or disconnected in the regular school setting. These students end up entering the job market with few or no marketable skills. For many dropouts and potential dropouts, Independent Study/Personalized Learning can be an opportunity to change direction and continue their education. The conventional classroom simply does not meet their needs. To overcome these obstacles, DHCPCS offers flexible, individualized instruction in conjunction with a curriculum specifically designed to better meet the needs of the individual student's learning level.

The Independent Study/Home Study program at DHCPCS targets students who are academically deficient, or who may have stopped attending school regardless of achievement levels. Students in our program tend to fall on either end of the spectrum, either extremely low achieving or extremely high achieving but for numerous reasons were unable to maintain enrollment within the traditional schools. DHCPCS's Independent Study and Home Study programs offers individualized instruction, curriculum and a flexible schedule which meets the needs of students who have to work in order to provide for their family or themselves, students who may be living on their own, or pregnant or new and young mothers who have child care problems.

The comprehensive education program at DHCPCS incorporates diverse teaching methods, a comprehensive interdisciplinary curriculum, on-going assessment of student progress, a strong parent involvement component to build resiliency and empowerment of students as well as a strong emphasis on the basics to build a solid foundation to develop independent learners who possess the critical thinking skills needed to apply learning to real world situations.

The Independent Study/Home Study Model recognizes the value of parental involvement and participation in their child's education and learning process, and value on-going teacher development training. There is a strong emphasis on one-on-one teacher and student interaction, attention to differences in learning styles, student-driven participation in developing the learning process, technology access, varied learning environments, and choices in curriculum programs.

DHCPCS offers a core curriculum that meets all California state standards (including, but not limited to, the Common Core State Standards, Next Generation Science Standards, etc.; hereinafter referred to as the "state standards"), as well as electives. Enrolling students will have their transcripts evaluated and will take assessment tests to determine their appropriate beginning level of instruction. The order in which the instruction is offered to the student will be tailored to the individual student in a manner that will best maximize learning. Students will be given the opportunity to take individualized elective courses including, but limited to, selective Vocational Education Programs and group courses are offered as the need and interest develops. All instructional programs of the School shall meet all applicable state standards. The curriculum is based on high standards and clear expectations that focus on fair and credible evaluations, recognition of accomplishment, academic rigor in a thinking curriculum and self-management of learning.

DHCPCS offers a unique approach to the Independent Study/Home Study Model through the Resource Center(s), which has the feel of a welcoming environment, creating a comfortable and

safe haven for learning. Students and parents have the opportunity to utilize the Resource Center(s) as a meeting place, if they so wish, as well as, the educational hub where the student can attend enrichment classes taught by school staff two or three days a week. Appointments can be made by the parents to meet with tutors that will provide assistance to the students upon request. Parents can also meet with their assigned teacher for assistance as well as clarification of the assignments provided to the student. During that appointment, the lesson can be explained and assigned. There will be time for questions and discussion for everyone; the parents, the student and the teacher.

Home Study Program - Grades K-8

The K-8 Home Study program is a parent-driven home study option offered by DHPCPS, which offers more of the parental support and teacher support than our 9-12 programs. DHPCPS offers the Home Study option for students in grades K-8 with the ultimate objective of enabling pupils to become self-motivated, competent and lifelong learners.

As with the 9-12 Independent/Home Study Program, students and their parents/guardians have the opportunity to meet with a teacher on a regular basis to provide interaction between student and teacher for evaluation if they so wish, at the Resource Center(s). They are encouraged to attend small group and special interest programs at the Resource Center, which are offered multiple times during the week, providing the students with options for a solid educational base. Students work with their parent/guardian supervising their work prior to their home study work being reviewed by their assigned teacher. The parent/teacher/student can meet as many times as needed for student success with no less than once in a learning period. Parents will receive assistance from their assigned teacher and continuous support from the Resource Center(s) as they endeavor in educating their child/children in a home study environment.

DHPCPS offers a K-8 core curriculum along with supporting programs and enrichment activities. All instructional programs of DHPCPS shall meet all applicable state standards. As with the 9-12 Home Study Model, the teaching and learning in the K-8 Home Study Model is based on clear expectations that focus on fair and credible evaluations, recognition of accomplishments and academic rigor in a thinking curriculum.

Parents of K-8 students also receive assistance from their assigned teacher and continuous support from DHPCPS as they endeavor in educating their child/children in a Home Study environment.

DHPCPS will provide its students with an academically rigorous and personalized learning option. This model will include software based instructional materials and/or traditional curriculum based materials, all utilized through the guidance of supervising teachers who design the student's instructional plan, evaluate student progress toward objectives, monitor student attendance and supervise and support delivery of curriculum at home.

The student, parent and Supervising Teacher will interact in person and via e-mail, fax, or phone as specified in each student's master agreement.

Virtual Learning Program - Grades K-12

The Virtual Learning program targets students who can benefit most from self-paced, individualized instruction that is delivered in the home via technology. Virtual Learning students experience a comprehensive and mastery-based curriculum, high expectations, access to technology (computer and Internet), strong instructional support, a significant amount of off-line work, guidance from experienced teachers, and a strong commitment from parents (or other caring adults).

The Virtual Learning program uses the various curriculums and a mastery-based virtual curriculum which is in compliance with all state standards. Responsible adults play the role of academic coaches who guide students through the instructional program on a daily basis, conduct the lessons and help ensure that students are learning. They, along with the student, access school lessons and lesson assessments, enter attendance, and monitor academic progress using their computer. Students engage in interactive, asynchronous instruction - certificated teachers assign lessons, manage the student portfolio, design outings, evaluate student work, answer technical and curriculum questions as they arise and monitor and record student progress/attendance. Classroom-based instruction additionally occurs on a periodic basis for person-to-person tutorials and intensive assistance for those students needing additional help and guidance.

Teachers holding a California teaching credential oversee the learning of each child under their supervision by reviewing each student's work for quality, accuracy, and understanding; accessing their online academic records (including daily lessons and assessments); and communicating with the parent (or other responsible adult) on a regular basis at teacher conferences. Teachers also grade student work, deliver report cards and are available daily via phone or e-mail when students or parents/guardians have questions. The content of lessons are reinforced through traditional textbook work organized and planned by teachers. Teachers, in most cases, work from their homes.

C. MISSION AND VISION STATEMENT

The mission of DHPCPS is to engage students in learning, who are no longer a part of the instructional plan offered by traditional classroom based schools or who prefer a personalized learning education.

DHPCPS equips students with two kinds of literacy necessary in the 21st Century – the ability to read, write, speak, and calculate with clarity and precision, and the ability to participate passionately and responsibly in the life of the community. DHPCPS will enable students to become literate, self-motivated, lifelong learners by providing a multi-cultural, student-centered environment in which all students will be held to high academic and behavioral standards. Through *Personalized Learning* programs, utilizing independent study and home study models, students in grades K-12 will acquire the knowledge and skills necessary to become competent learners and responsible citizens in the 21st Century.

Our vision is to encourage students to become actively engaged, passionate learners. Graduates are prepared to successfully compete in the workforce, to attend the colleges or vocational schools of their choice and to value service to others in society.

Alignment of Program to Mission

Help the student master basic skills:

Teachers use assessment results to individualize student work and plan and determine which areas to target for improved skills or tutoring services. Results are also used to track the student's progress and to gauge prospects for growth in order to assist the student in reaching the highest possible level of achievement.

Examples are, specialized math instruction, remedial reading instruction and *North West Evaluation Association ("NWEA")* and *Measures of Academic Progress ("MAP")* assessment.

Move toward mastery of technology:

1. All enrolling students utilize computers in participating in the NWEA.
2. Students are encouraged to complete assignments using a computer whenever possible.
3. Computers are available at the resource center for any student who does not have access at home.
4. Specific instruction from fundamental to advanced computer skills are provided in:
 - Computer Fundamentals
 - Operating Systems/Windows
 - PowerPoint/Office
 - Access/Office
 - Excel
 - Microsoft Word

Develop Interest in Life-Long Learning:

1. Remedial reading instruction is provided.
2. Content concepts taught are associated with real-world issues whenever possible to give meaning and high interest to the student.
3. Students are introduced to a broad spectrum of topics including, World History, World Literature, Art History, Art, Foreign Language, Science, Mathematics and Computer programs.

Become a responsible, contributing member of society.

1. One of the options for the DHCPSC Career Exploration class requires the student to participate as a volunteer in an approved community service organization.

2. Career Exploration Readiness course work with our WIOA partnerships encourages the student to “Job Shadow” in a career area of his/her interest. As part of Career Exploration readiness courses and clubs, students are able to participate as a volunteer in an approved community service organization.
3. High accountability in attendance and satisfactory completion of all assignments at DHCPCS helps to develop student confidence adding a sense of personal worth and self-importance. This, in turn, empowers students to perform credibly by improving the quality of their work.

D. PERSONALIZED LEARNING LAWS AND REGULATIONS

DHCPCS shall comply with all applicable laws related to independent study and Personalized Learning. As such, the provision of education through a Personalized Learning model shall be governed by the Personalized Learning study policy adopted by the Board of DHCPCS after a public hearing and implemented in accordance with individual master agreements and work and assignment agreements for each student.

DHCPCS adheres to all applicable sections of the Education Code for Independent Study (Section 51745 et seq.) and funding determination requirements of Education Code Section 47612.5 and 47634.2 and Title 5 California Code of Regulations Sections 11963 - 11963.7 (SB740).

DHCPCS also adheres to the California Code of Regulations requirements related to audit requirements for charter schools.

The DHCPCS program complies with Education Code Section 51746 in that DHCPCS shall provide appropriate existing services and resources to enable pupils to complete their independent study successfully, including learning centers and study areas.

E. EDUCATIONAL PHILOSOPHY

Our desire is to encourage students to develop a sense of responsibility through the problem-solving and decision-making process. We believe that by treating each student as an individual, we can create an atmosphere conducive to studying, working, and learning, and through this process, student’s concerns would be reflected. Our faculty and staff help our students work hard, keep focused, stay committed, and develop alternative strategies when they encounter obstacles.

We believe that self-motivation, critical thinking, united participation, and creativity are as important as academics and technology. We offer significant personal attention and support for students to achieve satisfying work and a joyful quality of life.

By personalizing the academic program, each student is placed at a level where he/she can best learn and be encouraged to take responsibility for learning. We believe in nurturing a student’s natural abilities to be reflective, ask questions, communicate intelligently, think critically, become skilled problem-solvers, and reach exemplary standards.

Parents, students, and teachers work together to build a community that values diversity in strengths, cultures, and family backgrounds. Students, realizing that they are active partners in their learning and reaching academic success, leave DHCPCS having learned rather than acquiring a body of facts.

At a minimum DHCPCS shall provide all core subject curriculum and instruction required by the State of California in order to obtain a high school diploma. However, as the budget of DHCPCS allows each year, DHCPCS has listed in this charter a sampling of additional courses and programs it is currently providing or plans on implementing in order to further enrich students and further our mission and vision. As a non-classroom based program that utilizes resource centers, each resource center can tailor its additional programs and electives to meet the needs of the students in the area of that particular resource center. As an example, our Career and Technical Education program partners with local businesses and benefits from their hiring needs. Resource Centers have specific electives and program courses that will help students seeking careers with the surrounding Industry. With properly aligned resource centers and well formed partnerships with businesses, DHCPCS can provide excellent opportunities for our students to become educated productive citizens.

Whom is the Charter School Attempting to Educate?

DHCPCS is designed to serve students in grades K-12 throughout San Diego County and adjacent counties that choose a Personalized Learning option.

DHCPCS students are as diverse as the community and include:

- Students who are not active participants in the traditional “comprehensive” school setting;
- Students who have failed or at-risk of failing and require revitalized and more meaningful instructional opportunities to regain their faith in the importance of education;
- Students whose life circumstances often prevent them from participating in traditional public school instructional activities in a meaningful way;
- Students from the traditional public school setting who require an alternative learning environment for either remediation or acceleration;
- Students whose access to rigorous and challenging curriculums and learning resources are limited by economics and family circumstances;
- Students whose families have special concerns regarding their social and emotional development;
- Students who have been expelled from another public education program for cause or have multiple periods of unexcused absences from school; and

- Homeless and Foster Youth students.

The comprehensive education program at DHPCPS incorporates diverse teaching methods, a comprehensive interdisciplinary curriculum, on-going assessment of student progress, a strong parent involvement is encouraged to build resiliency and empower students in grades K-12, and a strong emphasis on the basics to build a solid foundation to develop independent learners who possess the critical thinking skills needed to apply learning to real world situations.

DHPCPS is designed with the aim of bringing about maximum individual academic and personal development for each student. Administrators and teachers have created an environment that fosters the following:

- active, hands-on learning;
- conceptual learning that leads to understanding along with acquisition of basic skills;
- meaningful, relevant learning experiences;
- interactive teaching and cooperative learning; and
- a broad range of relevant content integrated across traditional subject matter divisions.

DHPCPS is targeting students who are academically deficient; those who may have stopped attending school regardless of achievement levels and students whose families prefer to educate their children at home for any variety of philosophical and programmatic reasons.

Students at our school tend to fall on either end of the spectrum, either extremely low achieving or extremely high achieving but for numerous reasons were unable to maintain enrollment within the traditional schools. DHPCPS offers individualized instruction, curriculum and a flexible schedule which meets the needs of students who have to work in order to provide for their family or themselves, students who may be living on their own, or pregnant or new and young mothers who have student care problems.

DHPCPS provides an alternative education program to students who have not had success in traditional, comprehensive schools and who became separated from the regular education program.

One of the goals of DHPCPS is to reinstate the student back into the traditional schools of the District whenever possible. Ongoing assessments shall be conducted to ensure that independent study is the appropriate educational option for the student, and for those students for whom that answer is "no," DHPCPS works with the student and the school district of residence to ensure that these students are aware of all the educational options available. Our assignments include approximately 20 to 25 hours of homework per week, including reading, writing, application of course objectives, vocabulary development, project completion, math assignments and testing preparation. Students are required to take advantage of DHPCPS's proactive tutoring program. For the students who are struggling and who may not be taking advantage of the tutoring program, an evaluation may be made by DHPCPS as to whether or not DHPCPS is appropriate and shall work with the student to understand the importance of the tutoring requirement.

Supplemental instruction utilizing selected curriculum is provided for those students performing well below their achievement level. For those low performing students, the school utilizes selected curriculum including the following: a closely graded math curriculum, which includes courses in Basic Math Skills, Pre-algebra, Algebra I, Geometry and Algebra II. This curriculum uses materials from the publisher, Houghton Mifflin Harcourt, HMH, which is developed around a format of low level, high interest. This makes it accessible to more than 80% of our students. Because of our assessment process we are able to diagnose each student's ability level and begin instruction with the appropriate lesson.

In addition, we offer other electives for low performing students such as: refresher math, consumer math, math essentials, and vocabulary building.

DHCPSC shall provide an alternative education program to students who have not had success in traditional, comprehensive schools and who became separated from the regular education program, and we will do the same for students. DHCPSC intends to demonstrate its ability to reconnect these students to the education process and to enable them to continue their education.

Counseling

The CDE independent study operations manual also stresses the importance of counseling. Counseling and guidance are especially important for "at risk" students because they may end up feeling forced to drop out of independent study because of continual personal problems. As a result, our program shall make every effort to recognize early warning signs and offer guidance or make referrals to in-house resources or to community resources.

DHCPSC is dedicated to a 350 to 1 student to counselor ratio. The counselors focus on the three domains for maximizing student potential: Academic Counseling, Social Emotional Counseling, and College and Career Guidance Counseling.

One of the greatest benefits of independent study to our "at risk" population is the increased self-esteem, as a by-product of the one-to-one teacher-student relationship and a relationship with the school counselor.

What does it mean to be an Educated Person in the 21st Century?

DHCPSC identifies an Educated Person in the 21st Century as one who is committed to life-long learning and has the basic tools that this requires.

If students are going to understand themselves and the larger community and advance in the 21st Century marketplace, we are committed to assist them to:

- Develop clear and effective reading, writing, and oral communication skills;
- Master the fundamentals such as reading, writing, mathematics, science, and social studies;
- Acquire a strong foundation in mathematical reasoning skills;

- Develop strong technological skills;
- Develop character and the ability to respect the differences that arise in a multi-cultural community;
- Learn about the cultural, economic, geographical, political, and technological forces which have impacted their community, country, and the world;
- Acquire knowledge and skills in the sciences and the ability to conduct inquiries using the scientific method and problem-solving skills;
- Find, select, evaluate, organize, and use information from various sources;
- Participate in the creation of and developing an informed appreciation of the arts;
- Acquire knowledge of pertinent health issues and the development of physical fitness;
- Develop self-motivation and confidence to successfully accomplish multiple responsibilities and challenges that are faced daily;
- Recognize the importance of personal responsibility and respect for others;
- Accept challenges and utilize opportunities; and
- Learn more about themselves and demonstrate critical decision-making skills necessary to be a responsible citizen.

DHPCPS believes that students must be ready to work with others from diverse backgrounds, adapt to changes and lead others through transformational processes. An educated person needs to explore and appreciate her/his creative potential, and be a strong supporter of the community, using the power of the individual to improve everyone's quality of life.

How Learning Best Occurs

Students, parents, and educators form a partnership that is the foundation at DHPCPS. We believe that learning best occurs when students are enthralled and engrossed by the studies they find themselves involved in and are supported by parents and teachers' high expectations and involvement. At DHPCPS, the major focus is on teaching for meaning – gearing reading instruction to comprehension, writing instruction to composing extended text, and mathematics instruction to conceptual understanding and problem-solving.

By integrating the following strategies into our educational program, we believe we can allow all students to grow to their maximum potential, and foster in them a lifetime love of learning:

- a. **High Expectations to Produce High Achieving Students.** Studies have shown that students' achievement has increased when parents and teachers have high expectations. At DHPCPS, we focus on students' goals and treat student-initiated plans for growth as completely as achievable by the student with proper planning, skill development, and support. We offer a challenging curriculum based on the state standards.
- b. **Personalized Learning within a Supportive Environment.** Students are given the opportunity to drive their educational process, as well as, encouraged to broaden their areas of interest. Studies show that optimal learning takes place in one-on-one supportive learning environments. Students can move ahead if doing well, or concentrate longer on challenging areas in order to master concepts. In essence, each student is allowed to learn at his/her own pace but pushed to their utmost potential.
- c. **Integration of Computer Technology into the Learning and Project Environment.** DHPCPS considers technology a "power tool for learning." Our vision is students and educators using technology for many learning tasks. A well-designed technological infrastructure helps create a model 21st-Century learning environment, encouraging students to learn efficiently in order to prepare to be a part of a technological-based workforce.
- d. **Technology is used in a variety of disciplines.** The creative process is reinforced through the students' use in development of interactive electronic media to complete and submit project assignments. Multimedia helps facilitate learning that is tailored to individual learning styles, taking advantage of the differing "multiple intelligences" of all students.
- e. **Fair and Credible Evaluations.** DHPCPS uses pre-assessment testing to evaluate all incoming students and regularly reassess. Tests, exams and classroom assignments shall align to measure the student's achievement of Statewide Standards.
- f. **Recognition of Accomplishments.** Students need to be motivated by regularly recognizing their accomplishments. Listed below are some ways in which recognition is given:
- Positive telephone calls are made to a parent or guardian
 - Positive notes are sent to a parent or guardian
 - Certificates and coupons are given to students
 - Frequent praise and positive comments made by teachers and other school employees
- g. **Academic Rigor in a Thinking Curriculum.** Thinking and problem solving are the "new basics" of the 21st Century. In every subject, at every grade level, instruction and learning include commitment to a knowledge core, high thinking demand and active use of knowledge.
- h. **Self-Management of Learning.** The Personalized Learning program allows students to maintain their own time schedule. All students can manage their own learning by

evaluating feedback they get from teachers and others. Students can bring their own background knowledge to bear on learning difficulties and judge their progress toward a learning goal.

- i. **Learning as Apprenticeship.** By providing students with real-life experiences, mentoring and coaching, students can acquire complex interdisciplinary knowledge, practical abilities, and appropriate forms of social behavior. A vocational program will teach students practical skills and a strong sense of responsibility, while providing value to the people and property of the community. DHPCPS works closely with various community and business organizations to provide practical opportunities to the student.
- j. **Parental/Guardian Involvement.** Taking into consideration the high risk population of DHPCPS, DHPCPS is committed to making all efforts to engage guardians and families in the learning and decision-making process of their student's education. Guardians and families receive newsletters, open house notifications and are encouraged to meet the teachers.

Pupils Become Self-motivated, Competent, and Lifelong Learners

It is the goal of DHPCPS that its students will develop skills that will enable them to pursue their own path of learning throughout their adult lives in becoming self-motivated, competent, and lifelong learners, including the following **California State Standards** and enrichments:

Study Skills

- Proficient study skills and habits including note-taking, library research skills, and studying strategies
- Ability to reflect and evaluate one's own and other's learning
- Ability to plan, initiate, and complete a project, including goal-setting and self-assessment

Cognitive Processing Abilities

- Ability to use complex and critical thinking skills
- Ability to identify, access, integrate and use available resources and information
- Ability to articulate their thought processes

Technology

- Utilize skills from a variety of technological sources for the purpose of research, analysis, communication, organization, and self-expression
- Utilize computers and commonly used software applications
- Utilize Vocational Education Programs

Foreign Language Skills

- Develop a foundation in a language other than English
- Develop a knowledge and understanding of other cultures
- Ability to function with people from other cultures or to participate in multilingual communities

Visual and Performing Art Skills and Appreciation

- Develop skills to express ideas and emotions through participation in various forms of the visual and performing arts which may include chorus, dance, the two and three dimensional arts and applied arts

Health Science/Physical Fitness

- Knowledge of pertinent issues of health, safety, and development of behaviors that are a foundation of lifelong healthy living
- Engage in physical activity to develop strength, agility, and coordination
- Maintain a healthy diet that will contribute to wellness and disease prevention

Social/Interpersonal Skills

- Ability to make responsible decisions, build self-esteem, and be a productive member of an increasingly diverse and technological society
- Ability to communicate clearly through oral, written, visual and other forms of expression
- Ability to engage in responsible, compassionate peer relationships
- Ability to collaborate and work effectively with others in cooperative groups

Increased Student Achievement is Accomplished, Using the Following Strategies

Increased achievement by our students will be accomplished by many of the following strategies:

- a. Diagnostic assessment at enrollment;
- b. Appropriate placement in subject areas that will offer the greatest possibility for success;
- c. Allowing the student additional time to complete an assignment and to work at his/her own pace;
- d. Truly individualized instruction;
- e. Arranging for regularly scheduled appointments with a tutor;
- f. Increased teacher availability through more time with the teacher by additional appointments, and contact by phone and e-mail;
- g. Individualized computer assisted instruction;
- h. Assignment to our own math lab;
- i. Assigning the student to take remedial classes if he/she is functioning below 6.9 grade level;
- j. Individualized counseling with the parents; and
- k. When reinstating students the administrators stress that remediation will be the key to consistent progress toward graduation.

Basic Learning Environment

DHCPSC offers independent study, one-to-one instructional methods from the basic design of the learning environment.

The rapport established between the Supervising Teacher and the student in independent study encourages effective communication uncluttered by the traditional classroom environment of multiple students. Many students find that the comprehensive school model of multiple period, multi-student environments to be not conducive to their instructional needs. Instruction, delivered by one teacher as opposed to six or more teachers, creates a more effective, intensive, and supportive setting. The student benefits from the individual attention and personalized teaching methods.

DHCPSC's regular program of study that all students experience is one where students are offered a year-round independent study program in which they take one to two classes at a time. Students meet with a credentialed teacher for weekly (minimum) one-on-one appointments that are at least one hour per meeting. The instruction is tailored to the student's individual learning needs.

Instruction primarily takes place in one large, communal teaching area. Teacher desks are arranged around the perimeter of the learning center of what is referred to as the "learning" area. Student desks are located in the middle of the classroom area.

At DHCPSC, every teacher is assigned a caseload of students for whom they act as "supervising teacher." Supervising teachers are responsible for guiding their students through the educational program by mentoring, encouraging, motivating, creating Academic Plans, assigning courses, entering grades, communicating with parents, and tracking student progress.

Every teacher is qualified in at least one core content area. At DHCPSC, the core content areas are English Language Arts, Mathematics, Science and Social Science. All students have access to a qualified teacher in all content areas at all times. When a student needs instruction in a core content area not taught by his or her supervising teacher, that student is temporarily assigned to work with another teacher who is qualified in that content area. DHCPSC also provides Small Group Instruction (SGI) in various subjects as needed including Literacy/Read 180, math courses, foreign language, fine arts, and CTE/Career Preparation. SGI classes are taught by qualified teachers and allow for the advantages of focused and paced instruction along with safety and peer collaboration of a small group environment.

DHCPSC believes that when teachers act both as academic counselors and as mentors they can help students fulfill the Student Learner Outcomes (SLOs).

The school year is divided into two semesters, which include summer instruction. Each semester is further divided into learning periods (LPs). Each LP is between 15 to 20 days long. During each LP, students are expected to turn in a specified number of credits of work and take tests on those credits. The average student completes between 4 to 8 credits per learning period, depending on their abilities, their academic plan and motivation.

Students typically take one core subject plus one elective at a time and are expected to complete 1 to 2 credits per week. Students complete a summative assessment over the assigned area of work and must demonstrate a minimum level of mastery with a grade of 60% or better to earn a credit. Failed credits are re-assigned to students until a passing grade is achieved. Tutoring support is encouraged and offered when a non-passing credit is earned. Typically, students complete their work both at home and at the center.

All students are introduced to their educational program at DHCPCS with a required orientation designed to acquaint them with the school's processes and expectations. Each new student receives a handbook and completes an introductory elective course, called Academic Exploration. This course introduces students to school rules, time management, study skills, basic English and math concepts, and career planning. Academic Exploration is a five-credit course that takes the average student approximately three weeks to complete. Upon enrollment, students complete a reading, math, and language arts assessment online via Northwest Evaluation Association (NWEA), which provides the teacher with a baseline measure of student performance. This information allows the teacher to place the student in appropriate courses and adjust instruction to address student needs.

Once Academic Exploration is completed, the supervising teacher uses a combination of previous school transcripts and the NWEA assessment to put the student in an appropriate and necessary core course and often pairs that with an elective course. By focusing on one core course at a time, many students experience greater success in each course.

Teachers are constantly reviewing each student's levels of academic achievement through the regular recording of detailed learning records (student file), compiling student work samples, and conducting annual state-mandated tests/testing programs.

F. CURRICULUM

DHCPCS is committed to ensuring each student has the foundational skills necessary for learning, enabling them to understand and comprehend phonics, grammar, spelling, science, and math. Reading, writing, computation, critical thinking, problem solving, reasoning, and communication are among the academic skills and qualities that are important for an educated person to function and contribute to society. For example, students who complete our program will have achieved strong skills in reading, math, English grammar, speech, and self-discipline. They will also have received a solid common knowledge of American and world history, geography, literature, the sciences, and the fine arts.

Students complete challenging assignments that are aligned with the state standards. Assignments and equivalent shall include: a minimum of 20 to 25 hours of homework per week, including reading, writing, application of course objectives, vocabulary development, project completion, math assignments, and testing preparation. Students shall be required to take advantage of DHCPCS's proactive tutoring program. The tutoring program is offered at no cost to all students K-12 and with no appointments necessary. Qualified tutors are available at DHCPCS and at the Resource Center(s) for the purpose of assisting students with their studies. For the students who are struggling and who may not be taking advantage of the tutoring program, an evaluation may

be made by DHCPSC as to whether or not the student is appropriately placed. DHCPSC personnel will work with the student and the parent to understand the importance of the tutoring requirement.

All curricular instructional materials used by DHCPSC teachers, parents and students are Charter School Board-adopted and meet all applicable State Standards. Instructional materials and curriculum may be added or changed based on the needs of students and as determined by DHCPSC.

Instructional materials may also change due to changes in education code.

Independent Study/Home Study 9-12

DHCPSC currently implements a curriculum that specifically meets the needs of students. At a minimum, DHCPSC shall offer the following core classes for its 9-12 students: English, World History, U.S. History, Civics, Economics, Math, Health, Physical Science, and Life Science. DHCPSC shall also offer instruction in the Visual/Performing Arts, Foreign Language, Physical Education and Technology. Many of these courses also meet A-G requirements.

SchoolPathways offers unparalleled support for California State adopted curriculum. This program provides instant access to on-line lesson plans for Independent Study/Home Study teachers. The full spectrum of coursework is available that meets state standards. The lessons for Basic Math Skills and Algebra are written with a high interest for students with a low reading level.

Home Study K-8

The current curriculum used for K-8 is a textbook curriculum developed by well-known publishers specifically for California. The following is a sample list of the K-8 Instructional Materials:

Reading/Language Arts

Houghton-Mifflin; Kindergarten through Grade 6

McDougal-Lattell; Grades 7th through 8th

Mathematics

Houghton-Mifflin; Kindergarten through Grade 6

Prentice Hall; Grades 7th through 8th

Science

McMillan, McGraw-Hill; Kindergarten through Grade 6

Holt; Grades 7th through 8th

Social Studies

Harcourt; Kindergarten through Grade 3

Houghton-Mifflin; Grades 4th through 8th

Physical Education

An array of activities will be introduced to meet and exceed the required minutes.

Virtual Learning Program, K-12

The Virtual Learning Curricular Instructional Materials used by DHCPSC teachers, parents and students meet all applicable State Standards. The Virtual Learning program uses the various curriculum and a mastery-based virtual curriculum, which is in compliance with all California State Standards. Responsible adults play the role of academic coaches who guide students through the instructional program on a daily basis, conduct the lessons and help ensure that students are learning. They, along with the student, access school lessons and lesson assessments, enter attendance, and monitor academic progress using their computer. Students engage in interactive, instruction - certificated teachers assign lessons, manage the student portfolio, evaluate student work, answer technical and curriculum questions as they arise and monitor and record student progress/attendance.

Mastery of Technology

The goal of DHCPSC is to educate all students so that they can participate fully in the new information age. We are committed to provide a learning environment that promotes logical thinking, curiosity, worldwide awareness, and self-directed, independent learning.

Teachers are trained to integrate technology into the curriculum and students will also be trained to use the technology. While emphasizing the integration of educational technology into the curriculum to encourage the advancement of knowledge through technology and computers, course material accommodates different learning styles and skill levels within the four core subject areas.

G. IMPLEMENTATION

Based upon decades of learning research and numerous reform documents such as Aiming High, Project-Based Learning Guide/Handbook School Improvement Research Series, Classroom Instruction that Works and Backwards Planning and Teaching for Enduring Understanding, DHCPSC believes that learning best occurs when schools create optimal teaching and learning environments that are organized around the following principles:

- **Standards-Based Instruction (Aiming High Toolkit-CDE)**

In a standards-based educational system, core academic learning such as reading, writing, listening, and speaking can no longer be consigned to the English teacher and all mathematical reasoning to the Mathematics teacher. At DHCPSC, core academic competencies are taught across the curriculum so that students have multiple opportunities to master academic content standards and apply those standards in a wide variety of contexts including their career/technical and fine arts courses. Even though this is a Personalized Learning study program, each teacher addresses core academic competencies in lesson plans.

In standards-based instruction, the teacher selects and analyzes the standard(s) to be met. This is followed by designing or selecting of an assessment through which students can demonstrate standard(s) mastery. If not given, the desired performance level is identified by the teacher. Next, what the students must know or be able to perform well on the assessment, is identified by the teacher. The teacher plans and delivers the lessons, providing all students with adequate opportunities to learn and practice the necessary skills. Finally, the students are assessed, results examined and plans are made for further instruction or additional individual support, if needed.

- **Project-Based Instruction (Project-Based Learning Guide, San Mateo County Office of Education, and Buck Institute for Education (BIE Handbook)**

Projects link the curriculum content with students' real world experiences, making learning more relevant and valuable to their lives outside of school. Research on project- and problem-based learning indicates the importance of connections between the curriculum and the "world beyond texts." Students engaged in projects that are relevant to their lives tend to learn more quickly and are more motivated to learn.

- **Integrated Curriculum (School Improvement Research Series, (SIRS) sponsored by U.S. Dept. of Education)**

Shoemaker in his study, *Integrated Education; A Curriculum for the 21st Century* (1989), defined integrated curriculum as "Education that is organized in such a way that it cuts across subject-matter lines, bringing together various aspects of the curriculum into meaningful association to focus upon broad areas of study," (pg. 5). The textbooks utilized at DHCPCS are State approved and aligned to the state standards. The Holt Language and Literature (2007) series include assignments that integrate disciplines. For example, an assignment from a reading selection, involves art, social studies, and science concepts.

- **Differentiated Instruction**

Differentiated instruction is not a recipe for teaching or an instructional strategy. It is a way of teaching and learning. For example:

- Content is presented that is related to broad-based issues, themes, or problems;
- Multiple disciplines are integrated into the area of study, along with higher-level thinking and basic skills;
- Comprehensive, related and mutually reinforcing experiences are presented within an area of study; and
- Student outcomes are evaluated by using appropriate and specific criteria through self-appraisal, criterion-referenced and or standardized instruments.

At DHPCS, we understand that there is no easy answer in helping students become high achievers. There is no silver bullet, no one-shot training, no canned curriculum, and no proven formula. Nevertheless, we also recognize that there is a vast amount of research that reveals one dominant theme for a successful school: one-to-one contact between student and teacher with an intense focus on “high academic expectations” for students. We combine this focus with:

- The extensive use of State Standards to design curriculum and instruction, assess student work, and evaluate teachers;
- Increased instructional time (tutoring) in reading and math in order to help students succeed;
- Tutoring is done at the Resource Center at a separate time from normal instruction and is provided by school staff personnel;
- The implementation of comprehensive systems to monitor individual student progress and provide extra support to students as soon as needed;
- Parents are encouraged to help their student(s) meet standards;
- Instruction based on the unique needs and learning styles of each student;
- Active, hands-on experiential learning experiences that encourage the student’s construction of knowledge;
- Simulations of real world problems to develop application skills;
- Supplementary support programs to ensure mastery of foundation skills for students exhibiting learning difficulties;
- Interdisciplinary teaching integrated with basic skills instruction;
- Interactive teaching that promotes student involvement;
- Activities that are sensitive to and respectful of cultural and linguistic diversity; and
- Experiences that foster exploration and inquiry and promote the development of higher order abilities such as thinking, reasoning, problem-solving, and decision-making.

All instructional methods are student-centered and research-based with students being diagnosed in relation to their previous learning. Students most successfully progress by building on their own knowledge base. Proven practices are integrated into a meaningful, replicable education experience that allows students to succeed in the learning process.

Various Instructional strategies (including Marzano and McTighe) considered are:

- One-to-one instruction
- Modeling and guided practice
- SDAIE strategies-visuals
- Use of Bloom's Taxonomy
- Identifying similarities and differences
- Summarizing and note-taking
- Reinforcing work and providing recognition
- Setting objectives and providing feedback
- Repeating concepts
- Rephrasing and reviewing content
- Aims, Goals, and Objectives: helping students understand their style of learning and plans ways to improve study habits
- Analyzing perspectives; synthesis and evaluation
- Anticipation guide
- Application teaching
- Use of graphic organizers
- Projects
- Presentations
- Portfolios
- Artistic Expression
- Incorporate technology in the lessons

School Year, Number of School Days and Instructional Minutes

School days will be a minimum of 175 days; however, DHPCPS may extend the number of school days. The number of instructional minutes will be commensurate with the number of instructional minutes required by the State.

DHPCPS currently require a student to attend a minimum of one hour of instruction weekly. Each unit of assigned work consists of 20-25 hours of homework for an average student.

Attendance Expectations and Requirements

It is the goal of DHPCPS to strive, on average, to achieve at least 85 percent student attendance. High school students at Diego Hills Central Public Charter School are expected to attend regular progress meetings.

Students are also expected to:

- Interact positively in the education process.
- Interact appropriately with staff and peers.
- Complete the body of work that has been determined for them by their teacher each week.
- Present this body of work at regularly scheduled meetings.
- Keep a weekly/monthly work log that will be turned in during the regular schedule meeting.

Grading Scale

The teacher evaluates the study assignment, and after successfully completing the unit the teachers assigns a unit test or some other appropriate assessment. The test shall be completed for a

percentage grade. DHCPCS shall utilize the following grading scale:

A = 100% to 90%

B = 89% to 80%

C = 79% to 70%

D = 69 to 60%

F = 59% and below

When a student passes a unit test with a 60 percent grade or better, the student receives one unit of credit.

Student Retention Support

Knowing the hardships many alternative education students face, DHCPCS hires and trains Student Retention Support Providers. These individuals quickly identify absentee and truancy issues and work with the families in providing intervention in overcoming perceived or actual barriers to attendance. The Student Retention Support Providers are responsible for communicating with students and families when absenteeism is a problem. Their interventions include home visits, parent conferences, AIM meetings (Attendance Intervention Meetings), and more intensive Student Support Meetings.

H. TRANSFERABILITY OF COURSES/COLLEGE ENTRANCE REQUIREMENTS

DHCPCS seeks to work with each of the school districts in which students may be re-enrolling to agree upon the transfer of credit back to the district. DHCPCS wants each school district to feel confident that credit earned at DHCPCS is equivalent in its representation of subject mastery prior to transfer. DHCPCS is eager to work with each school district to best meld its practices to meet those of the district' for the benefit of the student.

Planning for graduation begins early and includes the faculty, the parent or guardian (for students under the age of 18), and the student. The parent and student will want to consider future educational or employment plans, and will want to consider the various choices available to them and make a decision about how the student will meet graduation requirements based on individual goals and needs. As such, all students and parents are provided with information about the transferability of academic credit to other public high schools and the eligibility of courses to meet college entrance requirements at the time of enrollment. This is done in a counseling session and through distribution of printed material. DHCPCS staff meets with parents and students in the enrollment process to determine the courses necessary. Based upon entering diagnostic assessments, the parents and student will identify whether or not the student has demonstrated skills and aptitude necessary for a course load that would meet college requirements for the course of study the student chooses to pursue. Appropriate education interventions will be provided.

I. TRANSITION OUT OF THE CHARTER SCHOOL

We recognize the critical nature of the student transitioning into a traditional educational program. For those students under the age of 18, we, along with the school districts in which the student originated, are eager to transition them back into the traditional school district when they are ready. DHCPCS works closely with the school district of residence to ensure the successful transition of any student returning to the traditional school district.

J. GRADUATION

The credentialed school administrators in conjunction with credentialed teachers make the necessary determination as to whether a student has earned a diploma based upon the DHCPCS's adopted graduation requirements.

K. ANNUAL GOALS AND ACTIONS TO ACHIEVE THE EIGHT STATE PRIORITIES

Pursuant to Education Code Section 47605(b)(5)(A)(ii), following are DHCPCS's annual goals to be achieved in the state priorities school wide and for all pupil subgroups, as described in Education Code Section 52060(d), and specific annual actions to achieve those goals. DHCPCS's goals, actions and outcomes are also described in its LCAP, which is attached here as **Exhibit A**.

School Climate

- DHCPCS's goal for school climate is to study pupil suspension and expulsion rates creating better understanding of what measures work and to annually receive feedback from parents and students on their thoughts and opinions about the school.

Conditions of Learning

- DHCPCS will utilize 100 percent standards aligned curriculum upon opening and each year thereafter.
- DHCPCS will maintain safe and adequate facilities appropriate for the educational needs of students.
- DHCPCS will conduct an annual survey that asks for student opinions on the safety and cleanliness of each learning facility.
- DHCPCS will have a complete offering of A-G courses upon opening and each year thereafter.

Pupil Outcomes

- DHCPCS will hire personnel as needed to support additional tutoring in math and English, etc.
- DHCPCS will hire, contract or develop a comprehensive career technical education program.

Engagement

- DHCPCS will seek to increase parent engagement through parent outreach.
- DHCPCS will study suspensions and expulsions and update its existing suspension and expulsion policy based on those findings.

- DHPCPS will conduct an annual survey of students and parents containing questions about feelings on school safety, school connectedness, possible improvements or changes to the program. DHPCPS leadership will annually study this survey and implement changes based on the result and include new annual goals in its Local Control and Accountability Plan based on student responses.

Local Control Accountability Plan ("LCAP")

DHPCPS will annually produce a Local Control Accountability Plan ("LCAP") and LCAP update using the LCAP template adopted by the State Board of Education pursuant to Education Code Section 47606.5. DHPCPS reserves the right to establish additional and/or amend school-specific goals and corresponding assessments throughout the duration of the charter through the annual LCAP update. DHPCPS shall submit the LCAP update to the District and County Superintendent of Schools annually on or before July 1, as required by Education Code Section 47604.33.

The LCAP and any revisions necessary to implement the LCAP shall not be considered a material revision to the charter, and shall be maintained by DHPCPS at the school.

L. DHPCPS'S PROGRAM FOR ACADEMICALLY LOW ACHIEVING STUDENTS

DHPCPS is a well-designed personalized learning environment for all students including at-risk students. Based on solid research, we use Personalized Learning and focus on student assets (including their backgrounds and prior experiences), varied teaching strategies, and meaningful learning one-on-one setting. Also of critical importance to each student's success is the school's emphasis on high expectations for all students.

DHPCPS is aware that some students enrolling in the school will require remedial coursework in core academic areas in order to move them into grade-level work. We use several methods to accomplish this task, including the use of Performance Series Testing & Assessment. Every student who enrolls in DHPCPS is administered a diagnostic assessment in Math, and Reading. One test identifies those with low reading skills. Once identified as a low-performing student, they are eligible to participate in a remedial reading program. The second assessment identifies the student's ability levels in Math and Language. This assessment is repeated every semester to monitor the student's growth. All students are assessed at the end of each course to measure growth. If growth is not apparent or is marginal, then further remediation is prescribed before the student continues on in that subject area. Students are reassessed each semester to determine a student's growth and skills and providing appropriate lesson modification.

Students also can participate in scheduled tutorial and enrichment activities during the school day. For the students who are struggling and who may not be taking advantage of the tutoring program, an evaluation may be made by DHPCPS as to whether or not the student is appropriately placed. DHPCPS personnel work with the student to understand the importance of the tutoring requirement and the advantage of participation the School's proactive tutoring program.

Supplemental instruction utilizing selected curriculum is provided for those students performing well below their achievement level. For those low performing students the school utilizes selected

curriculum including many of the following; a closely graded math curriculum, which includes courses in Basic Math Skills, Pre-Algebra, Algebra I, Geometry, Algebra II, Language Arts, History, Geography and Sciences. In addition, DHPCPS offers other electives for low performing students such as: refresher math, consumer math, math essentials, beginning art, vocabulary building, and spelling. This curriculum uses supplemental materials from a variety of sources, developed around a format of low level, high interest. This makes it accessible to more than 80% of our students. Our assessment system is an ongoing program using weekly subject testing and one-on-one interviewing. This allows DHPCPS to diagnose each student's ability level and begin instruction with the appropriate lesson.

When students are demonstrating continuing difficulties, the school may utilize Student Study Teams (SST) to determine if specific interventions are necessary. At times, formal services may be determined, as per the directive of an IEP or a Section 504.

Our twelve SST meeting steps might include:

1. Team members introduce themselves and their roles.
2. Purpose and process of the meeting are stated.
3. Timekeeper is appointed.
4. Strengths are identified.
5. Concerns are discussed clarified, and listed.
6. Pertinent information and modifications are listed.
7. Concerns are synthesized; one or two are chosen for focus.
8. Strategies to deal with are chosen; concerns are brainstormed.
9. Team chooses best strategies to carry into actions.
10. Individuals make commitments to actions.
11. Person responsible, and timelines for actions are records.
12. Follow-up date is set.

After implementation of a SST plan and follow up, if the problem continues, revisions to the plan may be discussed, or if necessary, a referral for special education assessment might be deemed necessary by the SST.

The following intervention strategies are utilized by DHPCPS:

1. A contract is made with the student and parent.
2. A letter of concern is sent to the student and parent.
3. A scheduled appointment to visit the teacher/counselor and administrator where concerns can be discussed and addressed.
4. Students are placed on academic probation. DHPCPS revokes work permits until schoolwork is deemed satisfactory.
5. Educational options are reviewed with the student, including the option to return to the traditional classroom instructional program.
6. If the student is returning to the traditional school district, DHPCPS will work with the school district to ensure that a successful transition can be made. These efforts would

include joint meetings with counselors at both programs and the student, telephone contacts with the district and written contacts with the district.

A written record of the above intervention steps and evaluations shall be maintained in the student's permanent record.

M. DHCPCS'S PROGRAM FOR ACADEMICALLY HIGH ACHIEVING STUDENTS

The educators create a high achieving learning environment for all students, where the most advanced curricular and instructional techniques combine to support learning. In our high-achieving learning environment, we engage students in complex problem-solving and exploring ideas and issues, and learning activities that draw on students' cultures, experiences, and knowledge. At-risk students, in particular, benefit from this type of environment that engages them in authentic tasks and offer them significant opportunities to develop knowledge.

High achieving students are identified using the Ed-Performance on-line assessment (or other assessment tests that become available) and are assigned courses that are a pre-requisite for college. Accommodations are made to students wishing to take the PSAT, SAT and AP tests along with academic support to perform well on these tests. Students may also participate concurrently in classes at the local community college.

N. PLAN FOR SERVING STUDENTS WITH DISABILITIES

Overview

DHCPCS shall comply with all applicable state and federal laws in serving students with disabilities, including, but not limited to, Section 504 of the Rehabilitation Act ("Section 504"), the Americans with Disabilities Act ("ADA") and the Individuals with Disabilities Education Improvement Act ("IDEA").

DHCPCS shall be its own local educational agency ("LEA") and shall apply directly for membership in the El Dorado County Charter Special Education Local Plan Area ("SELPA") in conformity with Education Code Section 47641(a). Upon acceptance in the SELPA, DHCPCS will provide the District evidence of membership. DHCPCS's application and acceptance as an independent LEA member of a SELPA shall not be considered a material revision to this charter. As an LEA member of the SELPA, DHCPCS will receive state and federal revenues directly, in accordance with the SELPA's allocation plan.

DHCPCS shall comply with all state and federal laws related to the provision of special education instruction and related services and all SELPA policies and procedures; and shall utilize appropriate SELPA forms.

DHCPCS may request related services (e.g. Speech, Occupational Therapy, Adapted P.E., Nursing, and Transportation) from the SELPA, subject to SELPA approval and availability. DHCPCS may also provide related services by hiring credentialed or licensed providers through

private agencies or independent contractors or vendors certified with the State of California as Non-Public Agencies (NPA).

DHCPSC shall be solely responsible for its compliance with Section 504 and the ADA. The facilities to be utilized by DHCPSC shall be accessible for all students with disabilities.

Section 504 of the Rehabilitation Act

DHCPSC recognizes its legal responsibility to ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation, be denied the benefits of, or otherwise be subjected to discrimination under any program of DHCPSC. Any student, who has an objectively identified disability which substantially limits a major life activity such as learning, is eligible for accommodation by DHCPSC.

A school administrator shall assemble a 504 team that include qualified persons knowledgeable about the student, the meaning of the evaluation data, placement options and the legal requirements for least restrictive environment. The 504 team will review the student's existing records, including academic, social and behavioral records and is responsible for making a determination as to whether an evaluation for 504 services is appropriate. If the student has already been evaluated under the IDEA, those evaluations may be used to help determine eligibility under Section 504. The student evaluation shall be carried out by the 504 team who will evaluate the nature of the student's disability and the impact upon the student's education. This evaluation will include consideration of any behaviors that interfere with regular participation in the educational program and/or activities. The 504 team may also consider the following information in its evaluation:

- Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel.
- Tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligent quotient.
- Tests are selected and administered to ensure that when a test is administered to a student with impaired sensory, manual or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever factor the test purports to measure rather than reflecting the student's impaired sensory, manual or speaking skills.

The final determination of whether the student will or will not be identified as a person with a disability is made by the 504 team in writing and noticed in writing to the parent or guardian of the student in their primary language along with the procedural safeguards available to them. If during the evaluation, the 504 team obtains information indicating possible eligibility of the student for special education per the IDEA, a referral for special education assessment will be made by the 504 team.

If the student is found by the 504 team to have a disability under Section 504, the 504 team is responsible for determining what, if any, accommodations are needed to ensure that the student

receives the free and appropriate public education ("FAPE"). In developing the 504 Plan, the 504 team considers all relevant information utilized during the evaluation of the student, drawing upon a variety of sources, including, but not limited to, assessments conducted by the School's professional staff. The parent or guardian shall be invited to participate in 504 team meetings where program modifications for the student will be determined and shall be given an opportunity to examine in advance all relevant records.

The 504 Plan describes the Section 504 disability and any program modification that may be necessary.

All 504 team participants, parents, and guardians, teachers and any other participants in the student's education, including substitutes and tutors, must have a copy of each student's 504 Plan. The school administrator ensures that teachers include 504 Plans with lesson plans for short-term substitutes and that he/she review the 504 Plan with a long-term substitute. A copy of the 504 Plan is maintained in the student's file. Each student's 504 Plan will be reviewed at least once per year to determine the appropriateness of the Plan, needed modifications to the plan, and continued eligibility.

Individuals with Disabilities Education Act ("IDEA")

The following description regarding how special education and related services will be provided and funded is being proposed by DHPCPS for the sole purpose of providing a reasonably comprehensive description of the special education program in the Charter Petition, and is not binding on the District. The specific manner in which special education and related services will be provided and funded shall be set forth in a Memorandum of Understanding ("MOU"), delineating the respective responsibilities of DHPCPS and the SELPA. A copy of the MOU will be presented to the District upon execution.

DHPCPS shall function as a local educational agency for purposes of providing special education instruction and related services under the IDEA pursuant to Education Code Section 47641(a) and shall receive state and federal revenues directly. DHPCPS plans to be a member of the El Dorado County Charter Special Education Local Plan Area ("SELPA").

DHPCPS shall provide special education instruction and related services in accordance with the IDEA, Education Code requirements, and applicable policies and practices of the SELPA.

DHPCPS will provide services for special education students enrolled in DHPCPS. DHPCPS will follow SELPA policies and procedures, and shall utilize SELPA forms in seeking out and identifying and serving students who may qualify for special education programs and services and for responding to record requests and parent complaints, and maintaining the confidentiality of pupil records.

Special education instruction and related services shall be provided internally by appropriately credentialed staff. All required itinerant special education services not provided by appropriately credentialed will be provided by California certified Non-Public Agencies (NPA).

Staffing

All special education services at DHPCPS will be delivered by individuals or agencies qualified to provide special education services as required by the California Education Code and the IDEA. Charter School staff shall participate in SELPA in-service training relating to special education.

DHPCPS will be responsible for the hiring, training, and employment of site staff necessary to provide special education services to its students, including, without limitation, special education teachers, paraprofessionals, and resource specialists. DHPCPS shall ensure that all special education staff hired or contracted by DHPCPS is qualified pursuant to SELPA policies, as well as meet all legal requirements. DHPCPS shall be responsible for the hiring, training, and employment of itinerant staff necessary to provide special education services to Charter School students, including, without limitation, speech therapists, occupational therapists, behavioral therapists, and psychologists.

Notification and Coordination

DHPCPS shall follow SELPA policies as they apply to all SELPA schools for responding to implementation of special education services. DHPCPS will adopt and implement policies relating to all special education issues and referrals.

Identification and Referral

DHPCPS shall have the responsibility to identify, refer, and work cooperatively in locating Charter School students who have or may have exceptional needs that qualify them to receive special education services. DHPCPS will implement SELPA policies and procedures to ensure timely identification and referral of students who have, or may have, such exceptional needs. A pupil shall be referred for special education only after the resources of the regular education program have been considered, and where appropriate, utilized.

DHPCPS will follow SELPA child-find procedures to identify all students who may require assessment to consider special education eligibility and special education and related services in the case that general education interventions do not provide a free appropriate public education to the student in question.

Assessments

The term “assessments” shall have the same meaning as the term “evaluation” in the IDEA, as provided in Section 1414, Title 20 of the United States Code. DHPCPS will determine what assessments, if any, are necessary and arrange for such assessments for referred or eligible students in accordance with applicable law. DHPCPS shall obtain parent/guardian consent to assess Charter School students.

IEP Meetings

DHCPCS shall arrange and notice the necessary Individualized Education Program ("IEP") meetings. IEP team membership shall be in compliance with state and federal law. DHCPCS shall be responsible for having the following individuals in attendance at the IEP meetings: the school administrator and/or DHCPCS designated representative with appropriate administrative authority as required by the IDEA; the student's special education teacher; the student's general education teacher if the student is or may be in a regular education classroom; the student, if appropriate; and other Charter School representatives who are knowledgeable about the regular education program at DHCPCS and/or about the student. DHCPCS shall arrange for the attendance or participation of all other necessary staff that may include, but are not limited to, an appropriate administrator to comply with the requirements of the IDEA, a speech therapist, psychologist, resource specialist, and behavior specialist; and shall document the IEP meeting and provide notice of parental rights.

IEP Development

DHCPCS understands that the decisions regarding eligibility, goals/objectives, program, services, placement, and exit from special education shall be the decision of the IEP team, pursuant to the IEP process. Programs, services and placements shall be provided to all eligible Charter School students in accordance with the policies, procedures and requirements of the SELPA and State and Federal law.

IEP Implementation

DHCPCS shall be responsible for all school site implementation of the IEP. As part of this responsibility, DHCPCS shall provide parents with timely reports on the student's progress as provided in the student's IEP at least as frequently as report cards are provided for DHCPCS's non-special education students. DHCPCS shall also provide all home-school coordination and information exchange. DHCPCS shall also be responsible for providing all curriculum, classroom materials, classroom modifications, and assistive technology.

Interim and Initial Placements of New Charter School Students

DHCPCS shall comply with Education Code Section 56325 with regard to students transferring into DHCPCS within the academic school year. In accordance with Education Code Section 56325(a)(1), for students who enroll in DHCPCS from another school district within the State, but outside of the SELPA with a current IEP within the same academic year, DHCPCS shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved IEP, in consultation with the parent, for a period not to exceed thirty (30) days, by which time Charter School shall adopt the previously approved IEP or shall develop, adopt, and implement a new IEP that is consistent with federal and state law.

In accordance with Education Code Section 56325(a)(2), in the case of an individual with exceptional needs who has an IEP and transfers into DHCPCS from a district operated program under the same special education local plan area of DHCPCS within the same academic year, DHCPCS shall continue, without delay, to provide services comparable to those described in the existing approved IEP, unless the parent and DHCPCS agree to develop, adopt, and implement a new IEP that is consistent with federal and state law.

For students transferring to DHCPCS with an IEP from outside of California during the same academic year, DHCPCS shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved IEP in consultation with the parents, until DHCPCS conducts an assessment pursuant to paragraph (1) of subsection (a) of Section 1414 of Title 20 of the United States Code, if determined to be necessary by DHCPCS, and develops a new IEP, if appropriate that is consistent with federal and state law.

Non-Public Placements/Non-Public Agencies

DHCPCS shall be solely responsible for selecting, contracting with, and overseeing all non-public schools and non-public agencies used to serve special education students.

Non-discrimination

It is understood and agreed that all children will have access to DHCPCS and no student shall be denied admission nor counseled out of DHCPCS due to the nature, extent, or severity of his/her disability or due to the student's request for, or actual need for, special education services.

Parent/Guardian Concerns and Complaints

DHCPCS shall adopt policies for responding to parental concerns or complaints related to special education services. DHCPCS shall receive any concerns raised by parents/guardians regarding related services and rights.

DHCPCS's designated representative shall investigate as necessary, respond to, and address the parent/guardian concern or complaint.

Due Process Hearings

DHCPCS may initiate a due process hearing or request for mediation with respect to a student enrolled in Charter School if it determines such action is legally necessary or advisable. In the event that the parents/guardians file for a due process hearing, or request mediation, DHCPCS shall defend the case.

SELPA Representation

DHCPCS shall represent itself at all SELPA meetings.

Funding

DHCPCS shall be subject to the allocation plan of the SELPA and receive Special Education funds directly from the El Dorado County Charter SELPA.

Plan for English Learners

DHPCPS meets all applicable legal requirements for English Learners (“EL”) as it pertains to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, re-classification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirement. DHPCPS implemented policies to assure proper placement, evaluation, and communication regarding ELs and the rights of students and parents.

Identification of English Learners Students and English Language Development (ELD) Program

DHPCPS administers the home language survey upon a student’s initial enrollment into DHPCPS. All students who indicate that their home language is other than English will be assessed with the CELDT/ELPAC within 30 days of initial enrollment and at least annually thereafter between February 1 and May 31 until re-designated fluent English proficient. DHPCPS will notify all parents of its responsibility for CELDT/ELPAC testing and of test results within 30 days of testing. The CELDT/ELPAC is used to fulfill applicable requirements under the Elementary and Secondary Education Act, as reauthorized by the Every Student Succeeds Act, for annual English proficiency testing. All EL students take California required assessments with legally appropriate accommodations along with other eligible students.

DHPCPS provides services for EL students that include language development and access to core curriculum which conforms to the California Department of Education’s State Program for English Language Development.

The major goals for EL students at DHPCPS are to develop proficiency in English and in the core curriculum as rapidly and effectively as possible with curriculum designed for such students.

At DHPCPS, English Learners take English Language Development classes that correspond to the ELD levels. ELD state standards are addressed through our ELD curriculum as follows: the foundation for meeting the state English Language Arts standards is the ability to participate in grade level instruction in English. The California ELD Standards describe the pathway for EL students to achieve this goal. As students acquire high levels of English fluency, ELD and ELA standards merge. English language development and grade level achievement become one at the advance ELD levels. Students will continue to receive ELD until reclassification and continue to have access to standards-based core curriculum.

The goal for EL students receiving special education services is to make substantial progress toward achievement of their individualized education program’s academic goals.

At the time of enrollment, all parents complete a Home Language Survey (HLS) which is used to determine the primary language of the student and is on file for each student at the school site in their cumulative folder and in the student’s ELD folder. The HLS is available in English, Spanish, Hmong, and Arabic. All students, including English-Only students, must have a completed HLS on file and includes the parents’ signature and date. The school will seek further translations of forms as required.

If the responses on the HLS indicate a language other than English, or school records indicate the student is an DHPCPS student, the student is assessed in English vocabulary, grammar, reading, comprehension, and writing, when there is an absence of supporting documentation from the student's previous school of attendance. The results of these assessments enable site personnel to determine the English language proficiency level of the student. If the DHPCPS staff has a reasonable suspicion that the HLS survey is completed incorrectly or there may actually be a home language other than English present (e.g. the parent speaks to the child in a language other than English) the school must continue with identification process.

Students with less than reasonable fluency in English may be provided with instruction in one of five different types of instructional strategies.

EL students receive instructional services from qualified staff appropriate to their ELD needs. Placement for students in DHPCPS is:

	New to Country	Beginning	Early Intermediate	Intermediate	Early Advanced	Advanced
Course Options	ELD Fundamental s A/B	ELD I A/B	ELD II A/B	ELD III A/B	ELD III A/B	ELD IV A/B
Course Options	System 44 I 1A/B	System 44 I 1A/B	Read 180 I A/B	English 9 - 12 A/B Intensive	ELD IV A/B	Conventional English
Course Options	System 44 I 2A	System 44 I 2A			English 9 - 12 A/B Intensive	English 9 - 12 A/B Intensive
Course Options	System 44 II 1A/B	System 44 II 1A/B				English 9-10
Services	Tutoring	Tutoring	Tutoring	Tutoring	Tutoring	Tutoring
Instructional Materials	ESL Reading Smart System 44	ESL Reading Smart System 44	Edge ESL Reading Smart Read 180	Edge ESL Reading Smart Read 180	Edge ESL Reading Smart Read 180	Edge ESL Reading Smart Read 180 HMH Collections

Education Program for English Learners

The Governing Board intends to provide EL students 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 DHCP's academic standards. DHCP's program are based on sound instructional theory and are adequately supported so that EL students can achieve results at the same academic level as their English-proficient peers in the regular course of study.

The Vice President of Student Services or designee maintains procedures which provide for the identification, assessment and placement of EL students and for their reclassification/re-designation based on criteria adopted by the Board and specified in administrative regulations.

To evaluate program effectiveness, the Vice President of Student Services or designee regularly examines program results, including reports of the EL students' academic achievement, their progress towards proficiency in English and the progress of students who have been reclassified/re-designated as fluent English proficient. The Vice President of Student Services or designee annually reports these findings to the Board and also provides the Board with regular reports from any school-wide English Learner Advisory Committees (ELAC Meetings).

Reclassification/Redesignation Criteria

The Charter school continues to provide additional and appropriate educational services to EL students for the purposes of overcoming language barriers until the EL students have:

1. Demonstrated English language proficiency comparable to that of the District's average native English language speakers.
2. Recovered any academic deficits which may have been incurred in other areas of core curriculum as a result of language barriers.

English Learner students are reclassified/re-designated as fluent English proficient when they are able to comprehend, speak, read and write well enough to receive instruction in the mainstream 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 mainstream course of study.

The following measures are used to determine whether an EL student is reclassified/re-designated as fluent English proficient:

1. Assessment of English language proficiency utilizing the CELDT as the primary criterion, and objective assessment the student's English reading and writing skills.

Criteria: Overall Score of Level 4 or 5 (Early Advanced or Advanced), Scores of 3 (Intermediate) or higher in Listening/Speaking, Reading and Writing domains.

2. Evaluation of certificated staff with direct responsibility for teaching or student course placement decisions. Objective data on the student's academic performance in English.

Criteria: Secondary Grade-Level Report with a grade of C or better in English or English Language Development

3. Parent/Guardian notification during a reclassification/redesignation.

Criteria: Parent notification

4. Comparison of performance in the basic skills, including performance on the Reading (MAP portion) of the Northwest Evaluation Association (NWEA).

The Vice President of Student Services or designee provides subsequent monitoring and support for reclassified/re-designated students, including but not limited to, monitoring the performance of reclassified/re-designated students in English language mainstream courses.

The Vice President of Student Services or designee developed a process to monitor the effectiveness of the district's program for EL students. The district's program is modified as needed to help ensure language and academic success for each EL student.

Monitoring and Evaluating the Core Program

The quality of our school's ELD program and student achievement is regularly monitored and assessed by review and analyzing data with the purpose of identifying areas for improvement.

ELD Intervention

When EL students are not making adequate progress toward mastery of ELD standards the teacher makes modifications to the course instruction to meet the student's learning needs. The student is also provided with extended learning opportunities and interventions such as:

- Tutoring
- Supplemental instruction
- Special counseling
- ELD Small Group Instruction (SGI)

Qualified Teachers

Each teacher providing specialized academic instruction for EL students at DHCPSC must meet one of the following specifications:

1. The teacher holds a teaching authorization issued by the Commission on Teacher Credentialing authorizing services for EL students.
2. Whenever the student's primary language is a vehicle of instruction, the teacher must have a bilingual, cross-cultural, language, and academic development (BCLAD), or comparable authorization.

ELEMENT (B): MEASURABLE STUDENT OUTCOMES

***Governing Law:** The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purpose of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of Section 47607. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school. – California Education Code Section 47605(b)(5)(B).*

MEASURABLE PUPIL OUTCOMES: ALIGNMENT WITH THE EIGHT STATE PRIORITIES

Attached hereto as **Exhibit A** are the measurable pupil outcomes identified for use by DHPCPS, in accordance with Education Code section 47605(b)(5)(B), and which are aligned with the state priorities as described in Education Code section 52060(d). These outcomes address increases in pupil academic achievement both school wide and for all groups of pupils served by DHPCPS, as that term is defined in Education Code section 47607(a)(3)(B).

OTHER PUPIL OUTCOMES

Furthermore, DHPCPS shall pursue the following pupil outcomes:

- **State Standards:** DHPCPS is dedicated to documenting student achievement of the State Standards each year in its core subjects in the order in which students are presented with the courses.
- **State Standardized Testing:** Measurable growth each academic year, as evidenced by scores on the CAASPP exam.
- **Attendance:** It is the goal of DHPCPS to strive, on average, to achieve at least 85 percent student attendance.
- **State/Federal Accountability Measures:** Meet or exceed applicable state and federal accountability measures on an annual basis.

ELEMENT (C): METHODS OF ASSESSMENT AND OTHER USES OF DATA

***Governing Law:** The method by which pupil progress in meeting those pupil outcomes is be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities*

shall be consistent with the way information is reported on a school accountability report card. – California Education Code Section 47605(b)(5)(C)

DHPCPS shall meet all state standards and shall conduct all pupil assessments required pursuant to Education Code Sections 60605 and 60851 and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. DHPCPS shall use multiple measures to accurately determine student achievement, including attendance records, the degree of participation of the student, the student's attitude about school, academic performance, state standards and assessments, student and parental feedback. The following is provided as a means to show pupil outcomes and corresponding methods that DHPCPS will use to monitor pupil progress in meeting those outcomes.

OUTCOME

METHOD(S) OF MEASUREMENT

State Standards

CAASPP, Internal and External Assessments, Teacher Records, Work Samples, Portfolios

85% Attendance

Student Attendance records as measured by the time value and contemporaneous learning records of student work.

State/Federal Accountability
or ASAM indicators

California School Dashboard or ASAM responsive data.

A School Accountability Report Card (SARC) is developed annually by DHPCPS staff and is made available to all stakeholders and the public on the website.

ELEMENT (D): GOVERNANCE STRUCTURE

Governing Law: The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement. – California Education Code Section 47605(b)(5)(D)

DHPCPS shall be non-sectarian in its programs, admission policies, employment practices, and all other operations. DHPCPS shall not charge tuition and shall not discriminate on the basis of the characteristics listed in the Education Code Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics).

DHPCPS shall be operated by Diego Plus Education Corporation's Board of Directors, a 501(c)(3) non-profit public benefit corporation. Pursuant to Education Code Section 47604(c), the District in performing its oversight of DHPCPS as required by law, shall not be liable for the debts and obligations of DHPCPS or for claims arising from the performance of acts, errors, or omissions by DHPCPS, if the authority has complied with all oversight responsibilities required by law.

DHPCPS shall operate autonomously from the District with the exception of supervisory oversight and special education services as required by law. DHPCPS may, at its own choosing, utilize the services of a Charter Management Organization or Administrative and Educational service provider in its execution and operation of this charter.

A. BOARD OF DIRECTORS

DHPCPS shall be governed by Diego Plus Education Corporation Board of Directors, whose major roles and responsibilities include, but shall not be limited to: establishing and approving all major educational and operational policies, approving all major contracts, approving DHPCPS's annual budget, overseeing DHPCPS's fiscal affairs, meeting corporate requirements and selecting and evaluating the administrative staff.

The Board may execute any powers delegated by law to it and shall discharge any duty imposed by law upon it and may delegate to an employee or designee of DHPCPS any of those duties. The Board, however, retains ultimate responsibility over the performance of those powers or duties so delegated.

B. ADMINISTRATION AND FACULTY TEAM

The Board will be supported by a qualified administrative team which will implement the provisions of this charter, the policies adopted by the Board, and day to day operations.

The charter administrative team will report to the Board and will include a Principal and Assistant Principal, as well additional administrative positions as needed including but not limited to, Learning Center Coordinators, Student Relations Managers (compliance management), Lead

Teachers, and Instructional Specialists/Coaches. Resumes and Job Descriptions of administration are available upon request.

C. PARENT PARTICIPATION

DHCPCS shall facilitate the development of a parent committee made up of parents and guardians of the students of our school which act in an advisory capacity. The parent committee will be governed by bylaws adopted by the parents involved in the parent committee and shall set its own goals and mission statement.

DHCPCS shall promote a parent participation program. Parents will be encouraged to express their concerns, to visit our school and meet with the staff. To this end, DHCPCS shall distribute Parent Surveys to all parents requesting them to give their opinions on the progress of their student and encouraging them to express suggestions of how DHCPCS might improve its services. The responses shall be returned to DHCPCS and reviewed with faculty and administration in order to address any concerns.

To encourage additional parent involvement, DHCPCS shall at a minimum do the following:

1. Develop an ongoing list of extensive participation opportunities for parents with multiple options for dual working families.
2. Offer extra-curricular activities for both student and parent participation.

DHCPCS shall hold Open House(s) as an integral part of its continual effort to improve communication and increase the participation of parents and guardians in the instructional programs available.

ELEMENT (E): QUALIFICATIONS OF SCHOOL EMPLOYEES

*Governing Law: The qualifications to be met by individuals to be employed by the charter school.
– California Education Code Section 47605(b)(5)(E)*

All Employees

All staff must possess experience and skill appropriate for their position.

Employees are expected to conduct themselves at all times in a manner consistent with the highest standards of personal character and professionalism, with students, parents, prospective parents, coworkers and the community.

Attitudes are the most important facet of each employee's presentation of DHCPCS to the public. Employees must be courteous, tactful, and pleasant while in the course and scope of their employment. We strive to maintain a pleasant, efficient and fair work environment that fosters cooperation and understanding.

Administration

DHPCPS operates with an experienced Administrative Team. As noted in the previous section, resumes and job descriptions of administration are available upon request.

Teachers

DHPCPS adheres to Education Code Section 47605(l) requiring that all teachers hold appropriate California teaching certificates, permits, or other document equivalent to that which a teacher in other schools would be required to hold. Flexibility is granted only in accordance with Education Code Section 47605(l). All teachers employed by DHPCPS shall have California Teaching Credentials and that are published on the Commission on Teacher Credentialing website.

ELEMENT (F): HEALTH AND SAFETY

***Governing Law:** The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the charter school furnish it with a criminal record summary as described in Section 44237. – California Education Code Section 47605(b)(5)(F)*

In order to provide safety for all students and staff, DHPCPS adopted and implemented full health and safety procedures and risk management policies in consultation with its insurance carriers and risk management experts. These policies shall be incorporated as appropriate into DHPCPS's student and staff handbooks and reviewed on an ongoing basis by a committee of the Board. These health and safety policies and procedures are made available to the District upon request.

The following is a summary of the health and safety policies of DHPCPS:

Procedures for Background Checks

DHPCPS shall comply with the provisions of Education Code Section 44237 and 45125.1 regarding the fingerprinting and background clearance of employees, volunteers and service providers prior to employment, volunteering, or contract services or any unsupervised contact with pupils of DHPCPS. New employees not possessing a valid California Teaching Credential must submit fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. The Human Resources Department monitors compliance with this policy. Volunteers who will volunteer outside of the direct supervision of a credentialed employee are fingerprinted and receive background clearance prior to volunteering without the direct supervision of a credentialed employee.

Role of Staff as Mandated Child Abuse Reporters

All DHCPCS employees are designated as mandated child abuse reporters and will follow all applicable reporting laws. DHCPCS shall provide mandated reporter training to all employees annually in accordance with Education Code Section 44691.

Tuberculosis Risk Assessment and Examination

DHCPCS employees, and volunteers who have frequent or prolonged contact with students, shall be assessed and examined (if necessary) for tuberculosis prior to commencing employment and working with students as required by Education Code Section 49406.

Immunizations

DHCPCS shall adhere to all laws related to legally required immunizations for entering students pursuant to Health and Safety Code Section 120325-120375, and Title 17, California Code of Regulations Section 6000-6075. All rising 7th grade students must be immunized with a pertussis (whooping cough) vaccine booster.

Medication in School

DHCPCS shall adhere to Education Code Section 49423 regarding administration of medication in school.

- **School Nurse:** DHCPCS shall have a school nurse or will contract for school nursing services as needed to assist in service areas and/or professional development. The school nurse or a school employee designated in the nursing plan will administer health services or medications.
- **Severe Allergic Reaction:** DHCPCS will be equipped with trained staff to administer treatment for any student experiencing a severe allergic reaction in compliance with Education Code Section 49414.
- **Nursing Plans:** Identified students with serious health issues or medical needs, such as epilepsy or serious food allergies, for example, will have a nursing plan. Either the nurse or trained staff members will be responsible for following the nursing plans in administering health needs. DHCPCS will ensure proper training occurs with any non-nursing staff designated in the nursing plans.

Vision, Hearing, and Scoliosis

Students shall be screened for vision, hearing and scoliosis. DHCPCS shall adhere to Education Code Section 49450 *et seq.* as applicable to the grade levels served by DHCPCS.

Diabetes

DHPCPS shall provide an information sheet regarding type 2 diabetes to the parent or guardian of incoming 7th grade students, pursuant to Education Code Section 49452.7.

Suicide Prevention Policy

DHPCPS shall adopt a policy on student suicide prevention in accordance with Education Code Section 215.

Emergency Preparedness

DHPCPS adheres to an Emergency Preparedness Handbook drafted specifically to the needs of the school site in conjunction with law enforcement and the Fire Marshall. This handbook includes, but not be limited to the following responses: fire, flood, earthquake, terrorist threats, and hostage situations.

Blood Borne Pathogens

DHPCPS meets state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the workplace. The Board established a written "Exposure Control Plan" designed to protect employees from possible infection due to contact with blood borne viruses, including human immunodeficiency virus (HIV) and hepatitis B virus (HBV).

Whenever exposed to blood or other body fluids through injury or accident, students and staff should follow the latest medical protocol for disinfecting procedures.

Drug Free/Smoke Free/Alcohol Free Environment

DHPCPS shall maintain a drug, alcohol and smoke free environment.

Health and Safety Policies and Procedures

All of the above Policies and Implementing Procedures shall be incorporated as appropriate into DHPCPS's student and staff handbooks. These shall be reviewed on an ongoing basis by a committee. DHPCPS will adhere to Occupational Safety and Health Administration rules and regulations in facility choice as well as a safety plan/disaster preparedness plan for students and staff.

Facility Safety

DHPCPS shall comply with Education Code Section 47610 by either utilizing facilities that are compliant with the Field Act or facilities that are compliant with the California Building Standards Code. DHPCPS agrees to test sprinkler systems, fire extinguishers, and fire alarms annually at its facilities to ensure that they are maintained in an operable condition at all times. DHPCPS shall conduct fire drills as required under Education Code Section 32001.

Comprehensive Anti-Discrimination and Harassment Policies and Procedures

DHCPSC is committed to providing a school that is free from discrimination and sexual harassment, as well as any harassment based upon the actual or perceived characteristics of race, religion, creed, color, gender, gender identity, gender expression, nationality, national origin, ancestry, ethnic group identification, genetic information, age, medical condition, marital status, sexual orientation, sex and pregnancy, physical or mental disability, childbirth or related medical conditions, military and veteran status, denial of family and medical care leave, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, or any other basis protected by federal, state, local law, ordinance or regulation. DHCPSC shall develop a comprehensive policy to prevent and immediately remediate any concerns about discrimination or harassment at DHCPSC (including employee to employee, employee to student, and student to employee misconduct). Misconduct of this nature is very serious and will be addressed in accordance with DHCPSC's discrimination and harassment policies.

ELEMENT (G): RACIAL AND ETHNIC BALANCE

Governing Law: The means by which the school will achieve racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted. – California Education Code Section 47605(b)(5)(G)

DHCPSC shall implement a student recruitment strategy that may include, but is not necessarily limited to, the following elements or strategies to attempt to achieve a racial and ethnic balance among students that is reflective of the general population residing within the territorial jurisdiction of the District and the communities in which its resource centers are located:

1. An enrollment process that is scheduled and adopted to include a timeline that allows for a broad-based recruiting and application process.
2. The development of promotional and informational material that appeals to all of the various racial and ethnic groups represented in the District and the communities in which its resource centers are located, including Spanish language materials.
3. The distribution of promotional and informational materials to a broad variety of community groups and agencies that serve the various racial, ethnic and interest groups represented in the district and the communities in which its resource centers are located.
4. Ongoing outreach meetings.

ELEMENT (H): STUDENT ADMISSION REQUIREMENTS

Governing Law: Admissions requirements, if applicable. – California Education Code Section 47605(b)(5)(H)

ENROLLMENT POLICY

No test or assessment shall be administered to students prior to acceptance and enrollment into DHPCPS. DHPCPS shall comply with all laws establishing minimum and maximum age for public school attendance in charter schools. DHPCPS shall be nonsectarian in its programs, admission policies, and all other operations, and will not charge tuition or discriminate against any student based upon any of the characteristics listed in Education Code Section 220.

Pursuant to Education Code Section 51747.3, all students who reside within San Diego County and adjacent counties, may attend DHPCPS subject only to capacity at each grade level.

APPLICATION PROCESS

The application process is comprised of the following:

- Completion of a Student Enrollment Form

ENROLLMENT PROCESS

After admission, students will be required to submit an enrollment packet, which shall include the following:

- Proof of Immunization
- Proof of withdrawal from previous school
- Home Language Survey
- Signed Cumulative Record Request
- Completion of Emergency Medical Card

PUBLIC RANDOM DRAWING

Applications are accepted during an open enrollment period from July 1 to June 30 for enrollment in the following school year. Following the open enrollment period each year, applications shall be counted to determine whether any grade level has received more applications than availability. In this event, DHPCPS will hold a public random drawing to determine admission for the impacted grade level, with the exception of existing students, who are guaranteed enrollment in the following school year.

Admission preference in the case of a public random drawing shall be allowed as follows:

1. Siblings of currently enrolled students.
2. Children of DHPCPS employees.
3. District residents.

At the conclusion of the public random drawing, all students who were not granted admission due to capacity shall be given the option to put their name on a wait list according to their draw in the

lottery. This wait list will allow students the option of enrollment in the case of an opening during the school year. In no circumstance will a wait list carry over to the following school year.

ELEMENT (I): ANNUAL FINANCIAL AUDITS

Governing Law: The manner in which an annual, independent financial audit shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority. – California Education Code Section 47605(b)(5)(I)

DHPCPS shall facilitate an annual independent audit of DHPCPS's financial affairs as required by Education Code Sections 47605(b)(5)(I) and 47605(m). The selected auditor shall be on the list of approved auditors for educational audits compiled and maintained by the State Controller's Office.

The independent fiscal audit shall verify the accuracy of DHPCPS's financial statements, attendance and enrollment accounting practices and review DHPCPS's internal controls. The audit shall be conducted in accordance with generally accepted accounting principles applicable to DHPCPS along with applicable provisions within the California Code of Regulations governing audits of charter schools as published in the State Controller's K-12 Audit Guide. To the extent required under applicable federal law, the audit scope will be expanded to include items and processes specified in any applicable Office of Management and Budget Circulars.

The annual audit shall be completed within four months of the close of the fiscal year. A copy of the auditor's findings shall be forwarded to the District, San Diego County Office of Education, the State Controller and to the CDE by December 15th each year. DHPCPS's Vice President of Business Services along with an audit committee will review any audit exceptions or deficiencies and report to DHPCPS Board of Directors with recommendations on how to resolve them. DHPCPS Board of Directors will submit a report to the District describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the District along with an anticipated timeline for the same. Any disputes regarding the resolution of audit exceptions and deficiencies will be referred to the dispute resolution process contained in this charter.

DHPCPS will select an independent auditor and the auditor will have, at a minimum, a CPA and educational institution audit experience and will be approved by the State Controller on its published list as an educational audit provider.

Audit appeals or requests for summary review shall be submitted to the Education Audit Appeals Panel ("EAAP") in accordance with applicable law. The independent financial audit of DHPCPS is a public record to be provided to the public upon request.

ELEMENT (J): SUSPENSION AND EXPULSION PROCEDURES

Governing Law: The procedures by which pupils can be suspended or expelled. – California Education Code Section 47605(b)(5)(J)

Attached, as **Exhibit B**, please find DHCPSC's suspension and expulsion policy.

ELEMENT (K): RETIREMENT SYSTEM

Governing Law: The manner by which staff members of the Charter Schools will be covered by the State Teachers' Retirement System, the Public Employee's Retirement System, or Federal Social Security. – California Education Code Section 47605(b)(5)(K)

Employees at DHCPSC shall participate in the federal social security system. Additionally, DHCPSC shall offer a 403(b) Retirement Savings Plan. DHCPSC shall inform all applicants for positions within DHCPSC of the Retirement Program options for employees of DHCPSC. Designated administration are responsible for ensuring that mandatory deductions and contributions are made for all employees.

If, in the future, DHCPSC elects to offer its employees the opportunity to participate in the State Teachers' Retirement System ("STRS"), the Public Employees' Retirement System ("PERS"), or both systems, DHCPSC shall comply with all applicable law including, but not limited to, Education Code Section 47611. At DHCPSC's written request and in accordance with Education Code Section 47611.3, the District shall create and submit reports required by STRS and/or PERS on behalf of DHCPSC, and DHCPSC shall reimburse the District and any other applicable entities for the actual costs of the reporting services.

ELEMENT (L): PUBLIC SCHOOL ATTENDANCE ALTERNATIVES

Governing Law: The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools. – California Education Code Section 47605(b)(5)(L)

No student may be required to attend DHCPSC. Students who opt not to attend DHCPSC may attend other schools within their school district of residence or pursue an inter-district transfer in accordance with existing enrollment and transfer policies of their district or county of residence. Parents and guardians of each student enrolled in DHCPSC will be informed on admissions forms that the students have no right to admission in a particular school of a local education agency as a consequence of enrollment in DHCPSC, except to the extent that such a right is extended by the local education agency.

ELEMENT (M): RETURN RIGHTS OF SCHOOL DISTRICT EMPLOYEES

Governing Law: The rights of an employee of the school district upon leaving the employment of the school district to work in a charter school and of any rights of return to the school district after employment at a charter school. – California Education Code Section 47605(b)(5)(M)

No public school district employee is required to work at DHCPCS. Employees of the District who choose to leave the employment of the District to work at DHCPCS will have no automatic rights of return to the District after employment by DHCPCS unless specifically granted by the District through a leave of absence or other agreement. Charter School employees shall have any right upon leaving the District to work in DHCPCS that the District may specify, any rights of return to employment in a school district after employment in the school that the District may specify, and any other rights upon leaving employment to work in the school that the District determines to be reasonable and not in conflict with any law.

All employees of DHCPCS are considered the exclusive employees of DHCPCS and not of the District, unless otherwise mutually agreed in writing. Sick or vacation time or years of service credit at the District or any other school district will not be transferred to DHCPCS. Employment by DHCPCS provides no rights of employment at any other entity, including any rights in the case of closure of DHCPCS.

ELEMENT (N): DISPUTE RESOLUTION PROCEDURES

Governing Law: The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter. – California Education Code Section 47605(b)(5)(N)

DISPUTES BETWEEN THE DISTRICT AND DHCPCS

DHCPCS recognizes that it cannot bind the District to a dispute resolution procedure to which the District does not agree. The following policy is intended as a starting point for a discussion of dispute resolution procedures. DHCPCS is willing to consider changes to the process outlined below as suggested by the District.

In the event of a dispute between DHCPCS and the District, the staff and Board members of the DHCPCS and District agree to first frame the issue in written format (“dispute statement”) and refer the issue to the District Superintendent and the Chief Executive Officer of DHCPCS, or their respective designees. In the event that the District Board of Trustees believes that the dispute relates to an issue that could lead to revocation of the charter in accordance with Education Code Section 47607, DHCPCS requests that this shall be noted in the written dispute statement, although it recognizes it cannot legally bind the District to do so. However, participation in the dispute resolution procedures outlined in this section shall not be interpreted to impede or act as a pre-requisite to the District’s ability to proceed with revocation in accordance with Education Code Section 47607 and its implementing regulations.

The Chief Executive Officer or designee of the DHCPCS, and the District Superintendent shall informally meet and confer within one (1) week of the written dispute statement to attempt to resolve the dispute. In the event that this informal meeting fails to resolve the dispute, both parties shall identify two governing Board members from their respective Boards who shall jointly meet

with the Superintendent and Chief Executive Officer or designee of DHCPCS and attempt to resolve the dispute within three (3) weeks. If this joint meeting fails to resolve the dispute, the Superintendent and Chief Executive Officer or designee shall meet to jointly identify a neutral third party mediator. The format of the mediation session shall be developed jointly by the Superintendent and Chief Executive Officer or designee and shall be held within thirty (30) days of the joint meeting. The costs of the mediator shall be split equally between the parties. If mediation does not resolve the dispute either party may pursue any other remedy available under the law. All timelines and procedures in this section may be revised upon mutual written agreement of the District and DHCPCS.

INTERNAL DISPUTES

Disputes arising from within DHCPCS, including all disputes among and between students, staff, parents, volunteers, advisors, partner organizations, and Board members shall be resolved pursuant to policies and processes developed by DHCPCS. The District agrees not to intervene or become involved in the dispute unless the dispute has given the District Board of Education reasonable cause to believe that a violation of this charter or related laws or agreements has occurred, or unless DHCPCS Board has requested the District to intervene in the dispute. The District shall refer any complaints or reports regarding complaints or disputes concerning DHCPCS to DHCPCS Board or the Chief Executive Officer for resolution in keeping with DHCPCS's policies.

ELEMENT (O): PUBLIC SCHOOL EMPLOYER

Governing Law: The petition does not contain a declaration whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Act. Education Code 47605(b)(6)

DHCPCS is deemed the exclusive public school employer of the employees of DHCPCS for the purposes of the Educational Employment Relations Act ("EERA"). DHCPCS complies with the EERA.

ELEMENT (P): CLOSURE PROCEDURE

Governing Law: The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the School, including plans for disposing of any net assets and for the maintenance and transfer of pupil records. – California Education Code Section 47605(b)(5)(O)

Closure of DHCPCS will be documented by official action of the Board of Directors. The action will identify the reason for closure and shall designate an entity and person(s) responsible for to closure-related activities. DHCPCS shall not close mid-year unless otherwise agreed upon by the District and DHCPCS.

DHCPCS will promptly notify the parents/guardians and students of DHCPCS, the District, the County Office of Education, DHCPCS's SELPA, the retirement systems in which the school's

employees participate (e.g. federal social security), and the California Department of Education of the closure and of the effective date of the closure; the name(s) of and contact information for the person(s) to whom reasonable inquiries may be made regarding the closure; the pupils' school districts of resident; and the manner in which parent (guardians) may obtain copies of pupil records, including specific information on completed courses and credits that meet graduation requirements.

DHCPSCS will ensure notification to the parents and students of DHCPSCS of the closure and to provide information to assist parents and students in locating suitable alternative programs. This notice will be provided promptly following DHCPSCS Board's decision to close DHCPSCS.

DHCPSCS shall provide a list of pupils in each grade level and the classes they have completed, together with information on the pupils' district of resident, to the responsible entity designated by the Board.

DHCPSCS shall transfer all pupil records, state assessment results, and any special education records to the custody of the responsible entity designated by the Board, except for records and/or assessment results that the charter may require to be transferred to a different entity. DHCPSCS shall transfer and maintain personnel records in accordance with applicable law.

As applicable, DHCPSCS will provide parents, students and the District with copies of all appropriate student records and will otherwise assist students in transferring to their next school. All transfers of student records will be made in compliance with the Family Educational Rights and Privacy Act ("FERPA") 20 U.S.C. § 1232g. DHCPSCS shall work with the District to determine a suitable arrangement for transfer and location of storage of student records.

As soon as reasonably practical, DHCPSCS will prepare final financial records. Annual reports required by Education Section 47604.33 shall be completed and filed. DHCPSCS will also have an independent audit completed as soon as reasonably practical, which period is generally no more than six months after closure. DHCPSCS will pay for the final audit. The audit will be prepared by a qualified Certified Public Accountant selected by DHCPSCS and will be provided to the District promptly upon its completion. The final audit will include an accounting of all financial assets, including cash and accounts receivable and an inventory of property, equipment, and other items of material value, an accounting of the liabilities, including accounts payable and any reduction in apportionments as a result of audit findings or other investigations, loans, and unpaid staff compensation, and an assessment of the disposition of any restricted funds received by or due to DHCPSCS.

On closure of DHCPSCS, all assets of DHCPSCS, including, but not limited to, all leaseholds, personal property, intellectual property and all ADA apportionments and other revenues generated by students attending DHCPSCS, remain the sole property of Diego Plus Education Corporation and, upon dissolution of the nonprofit public benefit corporation, shall be distributed in accordance with the Articles of Incorporation. The distribution shall include return of any grant funds and restricted categorical funds to their source in accordance with the terms of the grant or state and federal law, as appropriate, which may include submission of final expenditure reports for entitlement grants and the filing of any required Final Expenditure Reports and Final Performance

Reports, as well as the return of any donated materials and property in accordance with any conditions established when the donation of such materials or property was accepted.

On closure, DHPCPS shall remain solely responsible for all liabilities arising from the operation of DHPCPS.

As DHPCPS is operated as a nonprofit public benefit California corporation, should the corporation dissolve with the closure of DHPCPS, the Board will follow the procedures set forth in the California Corporations Code for the dissolution of a nonprofit public benefit corporation and file all necessary filings with the appropriate State and Federal Agencies.

As specified in DHPCPS Budget in **Exhibit C**, DHPCPS will utilize the reserve fund to undertake any expenses associated with the closure procedures identified above.

MISCELLANEOUS CHARTER PROVISIONS

A. BUDGETS

Governing Law: The petitioner or petitioners shall also be required to provide financial statements that include a proposed first year operational budget, including startup costs, and cash flow and financial projections for the first three years of operation. – California Education Code Section 47605(g)

Attached as **Exhibit C**, please find the following fiscal documents:

1. A multi-year operational budget
2. Cash flow and financial projections for the first three years of operation
3. Plans for establishment of a reserve

B. FINANCIAL REPORTING

DHPCPS shall annually prepares and submits the following reports to the District and the San Diego County Superintendent of Schools as required by Education Code Section 47604.33:

1. On or before July 1, a preliminary budget. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code Section 47605(g) will satisfy this requirement.
2. On or before July 1, local control and accountability plan (LCAP) and an annual update to the LCAP required pursuant to Education Code Section 47606.5.

3. On or before December 15, an interim financial report. This report shall reflect changes through October 31. Additionally, on December 15, a copy of DHCPCS's annual, independent financial audit report for the preceding fiscal year are delivered to the District, the State Controller, California Department of Education and San Diego County Superintendent of Schools.
4. On or before March 15, a second interim financial report. This report shall reflect changes through January 31.
5. On or before September 15, a final unaudited report for the prior year.

C. INSURANCE

DHCPCS shall acquire and finance general liability, worker's compensation, and other necessary minimum insurance of the types and in the amounts required for an enterprise of similar purpose and circumstance. Coverage amounts will be based on recommendations provided by DHCPCS's insurer. The District shall be named as an additional insured on the general liability insurance policy of DHCPCS.

D. ADMINISTRATIVE SERVICES

Governing Law: The manner in which administrative services of the school are to be provided. – California Education Code Section 47605(g)

DHCPCS shall procure its own administrative services including, but not limited to, budget management, accounts payable, accounts receivable, payroll, human resources, and instructional program development through an appropriately qualified third-party contractor.

DHCPCS may discuss the possibility of purchasing some of these or other services from the District. If the District is interested, the specific terms and cost for these services will be the subject of a memorandum of understanding between DHCPCS and the District and subject to District availability and willingness to provide such services.

E. FACILITIES

Governing Law: The facilities to be utilized by the school. The description of facilities to be used by the charter school shall specify where the school intends to locate. – California Education Code Section 47605(g)

Education Code sections 47605, subdivisions (d)(1) and (d)(2)(A) require a charter school to enroll all students who wish to attend and specifically prevents the school from discriminating against applicants on the basis of residency. Education Code Section 51747.3, subdivision (b)(1) modifies this requirement for those charter schools providing independent study, in that it limits such charter schools to claiming average daily attendance for those students who are residents of the county in which the charter school is authorized or are residents of any county immediately adjacent to the

county in which the charter school is authorized. Taken together, these sections require that a nonclassroom-based/independent study charter school accept all residents of the “home county” (i.e., the county in which the charter school’s authorizer is located) or adjacent counties who wish to attend the school.

Additionally, any charter school offering independent study must provide appropriate existing services and resources to enable pupils to complete the independent study successfully, including learning centers and study areas. (§ 51746, as specifically applied to charter schools by § 47612.5, subd. (b).) These facilities allow a nonclassroom-based independent study charter school to provide a space for meeting teachers, testing, tutoring, teacher-student meetings, special education, and college mandatory laboratory work, among other functions. Access to such supporting services is necessary to help fulfill the legislative goal that “the independent study option is expected to be equal or superior in quality to classroom instruction.” (California Department of Education Independent Study Manual [2000 Edition, revised as of 2015], Chp. 1, pg. 1.)

As DHPCPS is a non-classroom based/independent study charter school, the District and DHPCPS understand and agree that DHPCPS must serve any interested students throughout San Diego County and adjacent counties pursuant to Education Code Section 51747.3, and 47605, subdivisions (d)(1) and (d)(2)(A). Additionally, DHPCPS must provide appropriate services and resources to enable DHPCPS’s students to complete their independent study successfully. As such, DHPCPS utilizes resource centers to facilitate its independent study program and offer supporting services to students including, but not limited to, testing, tutoring, wet labs, special education services, and teacher-student meetings.

DHPCPS shall locate and operate within District boundaries at 4612 Dehesa Road, El Cajon, CA 92019. In addition, DHPCPS shall locate one resource center within San Diego County per Education Code Section 47605.1(d), and one resource center within Riverside County per Education Code Section 47605.1(c), as follows:

San Diego County

4585 College Avenue
San Diego, CA 92115

Riverside County

4135 Chicago Avenue
Riverside, CA 92507

DHPCPS affirms that its San Diego County resource center complies with all requirements of Education Code Section 47605.1(d), in that DHPCPS has attempted to locate a single site or facility to house the entire program, but such a facility or site is unavailable in the area in which DHPCPS chooses to locate, and has complied with all notification requirements. Specifically, DHPCPS affirms that it engaged NAI San Diego to conduct a search within the District’s geographic boundaries for any retail, shopping center/strip mall, industrial or office park properties between 4,000 and 8,000 square feet in total size. DHPCPS further affirms that NAI San Diego’s search resulted in zero (0) properties for lease within the District’s boundaries that met these search parameters. (A letter from NAI San Diego and Coldwell Banker Commercial Services documenting its search and search results is attached hereto as **Exhibit D**.)

Moreover, DHPCPS affirms that its Riverside County resource center is: (1) used exclusively for the educational support of students who are enrolled in DHPCPS’s nonclassroom-based

independent study program, and (2) DHPCPS provides its primary educational services in, and a majority of the pupils it serves are residents of, San Diego County.

The location of DHPCPS's resource center(s) may change from year-to-year based on students' geographic location, program requirements, and financial considerations as determined by the Board of Directors. Examples of possible resource center locations include, but are not limited to: Boys and Girls Club facilities, temporary locations (i.e., one-month rental at local library for summer intersession), Workforce Innovation and Opportunity Act facilities, and various County facilities for migrant farm students. The District and DHPCPS agree that DHPCPS's addition or deletion of resource centers shall require a material revision to this charter.

F. TRANSPORTATION

With the exception of special education students whose transportation is mandated by their Individualized Education Program, or as otherwise required by law, DHPCPS shall not provide transportation of students to and from DHPCPS.

G. POTENTIAL CIVIL LIABILITY EFFECTS

Governing Law: Potential civil liability effects, if any, upon the school and upon the school district. – California Education Code Section 47605(g)

An authority that grants a charter to a charter school to be operated by or as a nonprofit public benefit corporation is not liable for the debts or obligations of DHPCPS, or for claims arising from the performance of acts, errors, or omissions by DHPCPS if the authority has complied with all oversight responsibilities required by law. DHPCPS agrees to indemnify the District against civil liability claims arising from DHPCPS's actions or inactions under the charter.

The corporate bylaws of Diego Plus Education Corporation provide for indemnification of the Board of Directors, officers, agents, and employees, and as described above DHPCPS shall purchase general liability insurance, Directors and Officers insurance, and fidelity bonding to secure against financial risks. As stated above, the District shall be named an additional insured on the general liability insurance of DHPCPS.

TEACHER ENDORSEMENTS

The signatures presented below are tendered in conjunction with the attached petition (the "Petition") submitted by Diego Hills Central Public Charter School, for a new charter, the Diego Hills Central Public Charter School.

Diego Hills Central Public Charter School estimates that 40 teachers will be employed at the school during its first year of operation. Pursuant to California Education Code Section 47605, the Petition has been signed by at least 23 teachers. This number represents at least one-half of the number of teachers that the Charter School estimates will be employed at the school during its first year of operation.

By placing his or her signature on this petition, each of the signatories hereto represent that he or she is meaningfully interested in teaching at Diego Hills Central Public Charter School.

<u>Stacia Keller</u> Name	<u>Stacia Keller</u> Signature	<u>4/24/17</u> Date
<u>Andrea Dowdall</u> Name	<u>Andrea Dowdall</u> Signature	<u>4/24/17</u> Date
<u>Bence Hill</u> Name	<u>B Hill</u> Signature	<u>4-24-17</u> Date
<u>Stephen Lynch</u> Name	<u>SL</u> Signature	<u>4-24-17</u> Date
<u>Lynda Eden</u> Name	<u>Lynda Eden</u> Signature	<u>24 April 2017</u> Date
<u>Jamilly Lopez</u> Name	<u>J Lopez</u> Signature	<u>4-24-17</u> Date
<u>Nicole Rivera</u> Name	<u>N Rivera</u> Signature	<u>4/24/17</u> Date
<u>Andrew Loney</u> Name	<u>Andrew Loney</u> Signature	<u>4/24/17</u> Date
<u>Nick Helms</u> Name	<u>N Helms</u> Signature	<u>4/24/17</u> Date
<u>Katie Durbin</u> Name	<u>Katie Durbin</u> Signature	<u>4/24/17</u> Date
<u>Ivy Blumberg</u> Name	<u>IB</u> Signature	<u>4-24-17</u> Date
<u>Betsy Brinker</u> Name	<u>B Brinker</u> Signature	<u>4/24/17</u> Date

TEACHER ENDORSEMENTS

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Athena Koester
Name

Athena Koester
Signature

4/24/17
Date

Sylvia E. Morales
Name

Sylvia E. Morales
Signature

4-24-17
Date

Terrance Bradley
Name

TB
Signature

4-24-17
Date

Gonzalo Ruelas
Name

[Signature]
Signature

4.24.17
Date

[Signature]
Name

4/2
Signature

4/24/17
Date

Rogee Vanez
Name

[Signature]
Signature

4/24/17
Date

Renee Davidson
Name

[Signature]
Signature

4.24.17
Date

Kristina Ryseborph
Name

Kristina Ryseborph
Signature

4-24-17
Date

Gina Hafen
Name

[Signature]
Signature

4-24-17
Date

Justine Sanchez
Name

[Signature]
Signature

4/24/17
Date

Kenna Yezanski-Uriis
Name

[Signature]
Signature

4/24/17
Date

David Brummitt
Name

David Brummitt
Signature

4/24/17
Date

TEACHER ENDORSEMENTS

The signatures presented below are tendered in conjunction with the attached petition (the "Petition") submitted by Diego Hills Central Public Charter School, for a new charter, the Diego Hills Central Public Charter School.

Diego Hills Central Public Charter School estimates that 40 teachers will be employed at the school during its first year of operation. Pursuant to California Education Code Section 47605, the Petition has been signed by at least 23 teachers. This number represents at least one-half of the number of teachers that the Charter School estimates will be employed at the school during its first year of operation.

By placing his or her signature on this petition, each of the signatories hereto represent that he or she is meaningfully interested in teaching at Diego Hills Central Public Charter School.

<u>Colleen Goldsmith</u>	<u></u>	<u>4.24.17</u>
Name	Signature	Date
<u>BRADLEY BRINK</u>	<u></u>	<u>4/24/17</u>
Name	Signature	Date
<u>Jessica Love</u>	<u>Jessica Love</u>	<u>4/24/17</u>
Name	Signature	Date
<u>Elizabeth Busby</u>	<u></u>	<u>24 April 17</u>
Name	Signature	Date

_____ Name	_____ Signature	_____ Date
_____ Name	_____ Signature	_____ Date
_____ Name	_____ Signature	_____ Date
_____ Name	_____ Signature	_____ Date
_____ Name	_____ Signature	_____ Date
_____ Name	_____ Signature	_____ Date
_____ Name	_____ Signature	_____ Date
_____ Name	_____ Signature	_____ Date

Name

Signature

Date

CONCLUSION

By approving this charter, the District will be fulfilling the intent of Charter Schools Act of 1992 to improve pupil learning; increase learning opportunities for all pupils; create new professional opportunities for teachers; and provide parents and pupils with expanded choices in education and following the directive of law to encourage the creation of Charter Schools. Diego Hills Central Public Charter School is eager to work independently, yet cooperatively with the District to set the highest standard for what a charter school should and can be. To this end, Diego Hills Central Public Charter School pledges to work cooperatively with the District to answer any concerns over this document and to present the District with the strongest possible proposal for approval. The Diego Hills Central Public Charter School shall be considered approved as of the date of charter approval. The term of the charter is for five (5) years, from July 1, 2017 through June 30, 2022.

***Charter for Diego Hills Central Public Charter School:
A Non-Profit Public Benefit Corporation***

Whereas the Dehesa Elementary School District received a valid charter petition on _____, 2017, submitted pursuant to Education Code Section 47605, and

Whereas the Dehesa Elementary School District, after holding a public hearing on _____, 2017 and considering the level of parent and staff support, has determined that the applicants have assembled and presented a valid and meritorious charter petition, and be it

Resolved that Dehesa Elementary School District hereby approves and grants this charter petition by a vote of _____ to _____ on _____, 2017, for a five (5) year term commencing on July 1, 2017 and expiring on June 30, 2022.

Be it further resolved that this charter petition constitutes a binding contract upon the Dehesa Elementary School District and Diego Hills Central Public Charter School.

Witnessed:

Dehesa Elementary School District

By: _____
Board President

Its: _____
Superintendent

DEHESA SCHOOL DISTRICT

To: Members of the Board

From: Nancy Hauer

Subject: Hatch and Cesario
Agreement for
Professional Services

Meeting Date: July 20, 2017

- ☒ Action
- ☐ First Reading
- ☐ Information
- ☐ Presentation
- ☐ Discussion
- ☐ Public Hearing
- ☒ Roll Call Vote Required

Background:

The District currently has an Agreement for Professional Services with several legal firms depending on the specific issue in questions. Hatch and Cesario is a well- respected legal firm for all aspects of Educational Law, and is well known for their expertise in special education.

Report:

This agreement is on file on an as needed basis only, should the need for legal advice arise.

Financial Impact:

The financial impact for legal fees is always on an as needed basis. Services range from \$230.00 per hour for partners to \$130.00 per hour for paralegals. Attorney will bill in one tenth increments. There is no charge for travel to and from school.

Student Impact:

While there is no direct impact on our students, having the District receive outstanding counsel that ensures we meet all legal, moral, and ethical standards ultimately helps to provide a quality learning environment for our students.

Recommendation:

It is recommended that the Governing Board approve the Agreement for Professional Services with Hatch and Cesario.

Agenda Item #: VII.C.1

HATCH & CESARIO

ATTORNEYS-AT-LAW

AGREEMENT FOR LEGAL SERVICES

This Agreement is by and between Dehesa School District ("Client") and Hatch & Cesario, Attorneys-at-Law ("Attorney").

Attorney's Services

Attorney agrees to provide Client with consulting, representational and legal services pertaining to special education and general student matters, including representation in administrative and judicial proceedings, as requested by Client, or as required by law. This Agreement and Attorney's services do not include appeals of special education or other matters. A separate Agreement will be required for additional legal services.

Attorney shall provide legal services as reasonably required to represent Client in such matters, take reasonable steps to keep Client informed of significant developments, and respond to Client's inquiries regarding those matters. Client understands that Attorney cannot guarantee any particular results, including the costs and expenses of representation.

Hourly Rates

Client agrees to pay Attorney for services rendered based upon the following rate schedule:

Partners	\$230.00
Associates	\$210.00
Of Counsel	\$230.00
Education Consultant	\$180.00
Law Clerk	\$145.00
Paralegal	\$130.00

10531 4S Commons Drive, Suite 583
San Diego, CA 92127
(858) 943-4200 Office & Fax
www.hatchccsariolaw.com

Attorney shall bill Client for legal services in one-tenth (.10) increments.

Costs, Expenses and Other Requirements Applicable to Client

Client agrees to reimburse Attorney for necessary costs and expenses incurred by Attorney on behalf of Client, including the following:

In-office Photocopying	\$0.25 per page
Facsimile	\$1.00 per page
Scanning	None
Postage	Actual usage
Mileage	IRS mileage rate

Costs, such as messenger, meals, and lodging shall be charged on an actual and necessary basis. If Client determines that expert consultation and/or expert witness testimony is necessary, Client shall pay all fees and costs directly to the expert unless Client and Attorney otherwise agree.

Payment for Services

Attorney shall send Client a statement for fees and costs incurred every calendar month. Such statements shall set forth the amount, rate, and description of services provided. Payment by Client against monthly billings is due upon receipt of statements, and is considered delinquent if payment is not received within thirty (30) days of the date of the invoice.

The California Business & Professions Code requires Attorney to inform you whether we maintain errors and omissions insurance coverage applicable to the services to be rendered to you. We hereby confirm that Attorney does maintain such insurance coverage.

Arbitration of All Disputes Including Claims of Malpractice

A. If a dispute or controversy arises between the Client and Attorney regarding the construction, application or performance of any services under this Agreement, and any claim arising out of or relating to this Agreement or its breach, shall be submitted to binding arbitration upon the written request of one party after the service of that request on the other party. The parties shall agree upon a neutral and professional arbitrator, or 3-person professional arbitration panel to

hear and determine the dispute. The arbitrator or arbitration panel shall have the authority to award to the prevailing party attorneys' fees, costs and interest incurred. The arbitration shall be conducted pursuant to the provider's rules. If the parties cannot agree, then the Superior Court of San Diego County shall choose an impartial arbitrator whose decision shall be final and conclusive on all parties. Attorney and Client shall each have the right of discovery in connection with any arbitration proceeding in accordance with Code of Civil Procedure Section 1283.05. The parties shall bear their own legal fees and costs for all claims. The sole and exclusive venue for the arbitration and or any legal dispute shall be San Diego, California.

B. Notwithstanding subparagraph A above, in any dispute subject to the jurisdiction of the State of California over attorney's fees, charges, costs or expenses, Client has the right to elect arbitration pursuant to the fee arbitration procedures of the State Bar of California, as set forth in California Business and Professions Code Section 6200, *et seq.* Those procedures permit a trial after arbitration, unless the parties agree in writing, after the dispute has arisen, to be bound by the arbitration award. If, after receiving a notice of client's right to arbitrate, Client does not elect to proceed under the State Bar fee arbitration procedures, and file a request for fee arbitration within 30 days, any dispute over fees, charges, costs or expenses, will be resolved by binding arbitration as provided in the previous subparagraph A.

Because each party is giving up a right, Client is encouraged to have an independent lawyer of Client's choice review these arbitration provisions before agreeing to them.

By initialing below, Client and Attorney confirm that they have read and understand subparagraphs A and B above, and voluntarily agree to binding arbitration. In doing so, Client and Attorney voluntarily give up important constitutional rights to trial by judge or jury, as well as rights to appeal. Client is advised that Client has the right to have an independent lawyer of Client's choice review these arbitration provisions, and this entire agreement, prior to initialing this provision or signing this Agreement.

_____ (Client Initial Here) DRC (Attorney Initial Here)

Discharge of Services

Client may discharge Attorney at any time by written notice. Unless otherwise agreed, and except as required by law, Attorney will provide no further legal services hereunder after receipt of such notice. Attorney may withdraw its services with Client's consent or as allowed or required by law, upon ten (10) days written notice. Upon discharge or withdrawal, Attorney shall transition all outstanding legal work and services to others as Client shall direct.

Term of Agreement

The term of this Agreement is effective July 1, 2017 through June 30, 2018, and may be modified in writing by mutual agreement of Client and Attorney. This agreement shall be terminable by either Attorney or Client upon thirty (30) days written note.

Dehesa School District

Hatch & Cesario, Attorneys-at-Law

Nancy Hauer, Superintendent

Deborah R.G. Cesario
Deborah R.G. Cesario, Partner

Date

June 19, 2017
Date

Form W-9
(Rev. December 2014)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
Law Offices of Deborah R.G. Cesario

2 Business name/disregarded entity name, if different from above
Doing business as Hatch & Cesario, Attorneys-at-Law

3 Check appropriate box for federal tax classification; check only one of the following seven boxes:
☐ Individual/sole proprietor or single-member LLC
☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶
☒ S Corporation
☐ Partnership
☐ Trust/estate
☐ Other (see instructions) ▶
 Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner.

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):
 Exempt payee code (if any) _____
 Exemption from FATCA reporting code (if any) _____
 (Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.)
10531 4S Commons Drive, Suite 583

6 City, state, and ZIP code
San Diego, CA 92127

7 List account number(s) here (optional)

8 Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Social security number

			-			-				
--	--	--	---	--	--	---	--	--	--	--

or

Employer identification number

4	7	-	2	9	0	8	1	8	5
---	---	---	---	---	---	---	---	---	---

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

Sign Here Signature of U.S. person ▶ *Deborah R.G. Cesario* Date ▶ *July 1, 2015*

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at www.irs.gov/w9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)

- Form 1099-C (cancelled debt)

- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding?* on page 2.

By signing the filled-out form, you:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued).
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
- Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.

DEHESA SCHOOL DISTRICT

To: Members of the Board

From: Nancy Hauer

Subject: East County SELPA Special
Education 2017 Local
Plan

Meeting Date: July 20, 2017

- ☒ Action
- ☐ First Reading
- ☐ Information
- ☐ Presentation
- ☐ Discussion
- ☐ Public Hearing
- ☒ Roll Call Vote Required

Background: Special Education is a program mandated by the Individuals with Disabilities Educational Act (IDEA). This legislation was originally passed in 1997 and underwent revision in 2004. California laws comply with federal statutes.

California has divided regions of the state into Special Education Local Plan Areas (SELPA). SELPAs are large unified districts or consist of a specific group of local educational agencies (LEAs) charged with the responsibility of providing a free appropriate public education (FAPE) to qualified students with special needs within its area. Both federal and state special education funds are directed to the SELPA, and the member LEAs collaborate to meet the needs of its students and to devise a method for equitable distribution of funds.

The SELPA and LEAs must be in compliance with all state and federal special education laws. Failure of an LEA to remedy required noncompliant items could result in withholding of funds from the entire SELPA and/or a deduction from the superintendent's salary.

The first level of compliance is establishing and maintaining a Local Plan. This Local Plan contains statements from IDEA that briefly summarize major elements of IDEA. It also includes the governance structure of the East County SELPA, the charter school policy, and a copy of the Interagency Agreement with Early Start. Local school boards, the County Superintendent of Schools, and the State School Board must approve all items of the Local Plan. All additional policies and procedures that define the way that the East County SELPA operates shall be maintained on file at the SELPA Office with copies in each LEA. Each LEA shall supplement the Local Plan, SELPA policies and SELPA procedures with its own policies and procedures, such as parent and teacher handbooks.

Fiscal Impact/Funding: Failure to approve the 2017 Local Plan could result in the State withholding special education revenues to the SELPA, which would impact all eleven (11) districts within the East County Special Education Region.

Student Impact: Students with special needs benefit from the partnership we have with the East County SELPA.

Recommendation: Administration recommends approval of the East County SELPA Local Plan as submitted.

Agenda Item #: VII.C.2



EAST COUNTY

SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

924 East Main Street • El Cajon, CA 92021 • Phone: (619) 590-3920 • Fax: (619) 579-7699

June 16, 2017

To: East County School District Superintendents

**From: Heather DiFede, Senior Director
East County SELPA**

Re: Local Plan Revision for 2017

East County SELPA is in the process of revising its 2017-18 Local Plan for Special Education in order to make minor updates consistent with changes in special education funding and its impact on our Local Plan.

One of the requirements to complete this process is to provide assurances from each of our LEAs that this plan has been adopted by their respective boards. We are requesting to please submit the attached Assurance Statements to your Board of Education for approval at any of your upcoming board meetings but prior to December 15, 2017.

REQUIRED APPROVAL/SIGNATURE:

1. SED - LP 5, Local Education Agency Assurance Statements for your Board's Approval (Pages 1-4). I would be happy to attend the scheduled Board Meeting for this item; please let me know the date and specifics, and I will add it to my calendar.
2. Certification of Board Minutes Form - Please copy onto your district's letterhead for your signature upon your Board's approval of the Assurance Statements.

Please return only the signed Certification of Board Minutes Form (Page 5) with your original signature to this SELPA by Thursday, December 15, 2017. The text will be emailed to each one of your administrative assistants so that it can be cut and pasted into each district's letterhead. I will compile all required documents and forward them to CDE.

If you have any questions, please call me at (619) 590-3920.

HD:RH

cc: East County Special Education Directors

Enclosures

• Alpine Union • Barona Indian Charter • Cajon Valley Union • Dehesa • Grossmont Union High • Jamul-Dulzura Union
• La Mesa-Spring Valley • Lakeside Union • Lemon Grove • Mountain Empire Unified • Santee



EAST COUNTY

SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

924 East Main Street • El Cajon, CA 92021 • Phone: (619) 590-3920 • Fax: (619) 579-7699

California Department of Education
Form SED-LP-5 (Revised 3/2016)

Special Education Division

Special Education Local Plan Area Local Educational Agency Assurances

1. Free appropriate public education (20 United States Code [U.S.C.] § 1412 [a][1])

It shall be the policy of this local educational agency (LEA) that a free appropriate public education is available to all children with disabilities residing in the LEA between the ages of 3 and 21, inclusive, including children with disabilities who have been suspended or expelled from school.

2. Full educational opportunity (20 U.S.C. § 1412 [a][2])

It shall be the policy of this LEA that all children with disabilities have access to educational programs, non-academic programs, and services available to non-disabled children.

3. Child find (20 U.S.C. § 1412 [a][3])

It shall be the policy of this LEA that all children with disabilities residing in the State, including children with disabilities who are homeless or are wards of the State and children with disabilities attending private schools, regardless of the severity of their disabilities, and who are in need of special education and related services, are identified, located, and evaluated. A practical method has been developed and implemented to determine which children with disabilities are currently receiving needed special education and related services.

4. Individualized education program (IEP) and individualized family service plan (IFSP) (20 U.S.C. § 1412 [a][4])

It shall be the policy of this LEA that an IEP, or an IFSP that meets the requirements of 20 U.S.C. § 1436 (d), is developed, implemented, reviewed, and revised for each child with a disability who requires special education and related services in accordance with 20 U.S.C. § 1414 (d). It shall be the policy of this LEA that a review of an IEP will be conducted on at least an annual basis to review a student's progress and make appropriate revisions.

5. Least restrictive environment (20 U.S.C. § 1412 [a][5])

It shall be the policy of this LEA that to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled. Special classes, separate schooling, or other removal of children with disabilities from the general educational environment, occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

6. Procedural safeguards (20 U.S.C. § 1412 [a][6])

It shall be the policy of this LEA that children with disabilities and their parents shall be afforded all procedural safeguards according to state and federal laws and regulations.

7. Evaluation (20 U.S.C. § 1412 [a][7])

It shall be the policy of this LEA that a reassessment of a child with a disability shall be conducted at least once every three years or more frequently, if appropriate.

8. Confidentiality (20 U.S.C. § 1412 [a][8])

It shall be the policy of this LEA that the confidentiality of personally identifiable data, information, and records maintained by the LEA relating to children with disabilities and their parents and families shall be protected pursuant to the Family Educational Rights and Privacy Act.

9. Part C to part B transition (20 U.S.C. § 1412 [a][9])

It shall be the policy of this LEA that children participating in early intervention programs (Individuals with Disabilities Education Act [IDEA], Part C), and who will participate in preschool programs, experience a smooth and effective transition to those preschool programs in a manner consistent with 20 U.S.C. § 1437 (a)(9). The transition process shall begin prior to the child's third birthday.

10. Private schools (20 U.S.C. § 1412 [a][10])

It shall be the policy of this LEA to assure that children with disabilities voluntarily enrolled by their parents in private schools shall receive appropriate special education and related services pursuant to LEA coordinated procedures. The proportionate amount of federal funds will be allocated for the purpose of providing special education services to children with disabilities voluntarily enrolled in private school by their parents.

11. Local compliance assurances (20 U.S.C. § 1412 [a][11])

It shall be the policy of this LEA that the Local Plan shall be adopted by the appropriate local board(s) (district/county) and is the basis for the operation and administration of special education programs, and that the agency(ies) herein represented will meet all applicable requirements of state and federal laws and regulations, including compliance with the IDEA; the Federal Rehabilitation Act of 1973, Section 504 of Public Law; and the provisions of the California *Education Code*, Part 30.

12. Interagency (20 U.S.C. § 1412 [a][12])

It shall be the policy of this LEA that interagency agreements or other mechanisms for interagency coordination are in effect to ensure services required for free appropriate public education are provided, including the continuation of services during an interagency dispute resolution process.

13. Governance (20 U.S.C. § 1412 [a][13])

It shall be the policy of this LEA to support and comply with the provisions of the governance bodies and any necessary administrative support to implement the Local Plan. A final determination that an LEA is not eligible for assistance under this part will not be made without first affording that LEA with reasonable notice and an opportunity for a hearing through the State Educational Agency.

14. Personnel qualifications (20 U.S.C. § 1412 [a][14])

It shall be the policy of this LEA to ensure that personnel providing special education related services meet the highly qualified requirements as defined under federal law, and that those personnel have the content knowledge and skills to serve children with disabilities. This policy shall not be construed to create a right of action on behalf of an individual student for the failure of a particular LEA staff person to be highly qualified or to prevent a parent from filing a State complaint with the California Department of Education (CDE) about staff qualifications.

15. Performance goals and indicators (20 U.S.C. § 1412 [a][15])

It shall be the policy of this LEA to comply with the requirements of the performance goals and indicators developed by the CDE and provide data as required by the CDE.

16. Participation in assessments (20 U.S.C. § 1412 [a][16])

It shall be the policy of this LEA that all students with disabilities shall participate in state and district-wide assessment programs. The IEP team determines how a student will access assessments with or without accommodations, or access alternate assessments, consistent with state standards governing such determinations.

17. Supplementation of state, local, and federal funds (20 U.S.C. § 1412 [a][17])

It shall be the policy of this LEA to provide assurances that funds received from Part B of the IDEA will be expended in accordance with the applicable provisions of the IDEA, and will be used to supplement and not to supplant state, local, and other federal funds.

18. Maintenance of effort (20 U.S.C. § 1412 [a][18])

It shall be the policy of this LEA that federal funds will not be used to reduce the level of local funds and/or combined level of local and state funds expended for the education of children with disabilities except as provided in federal laws and regulations.

19. Public participation (20 U.S.C. § 1412 [a][19])

It shall be the policy of this LEA that public hearings, adequate notice of the hearings, and an opportunity for comments are available to the general public, including individuals with disabilities and parents of children with disabilities, and are held prior to the adoption of any policies and/or regulations needed to comply with Part B of the IDEA.

20. Rule of construction (20 U.S.C. § 1412 [a][20])

(Federal requirement for state educational agency only)

21. State advisory panel (20 U.S.C. § 1412 [a][21])

(Federal requirement for state educational agency only)

22. Suspension and expulsion (20 U.S.C. § 1412 [a][22])

The LEA assures that data on suspension and expulsion rates will be provided in a manner prescribed by the CDE. When indicated by data analysis, the LEA further assures that policies, procedures, and practices related to the development and implementation of the IEPs will be revised.

23. Access to instructional materials (20 U.S.C. § 1412 [a][23])

It shall be the policy of this LEA to provide instructional materials to blind students or other students with print disabilities in a timely manner according to the state-adopted National Instructional Materials Accessibility Standard.

24. Overidentification and disproportionality (20 U.S.C. § 1412 [a][24])

It shall be the policy of this LEA to prevent the inappropriate overidentification or disproportionate representation by race and ethnicity of children as children with disabilities.

25. Prohibition on mandatory medicine (20 U.S.C. § 1412 [a][25])

It shall be the policy of this LEA to prohibit school personnel from requiring a student to obtain a prescription for a substance covered by the Controlled Substances Act as a condition of attending school or receiving a special education assessment and/or services.

26. Distribution of funds (20 U.S.C. § 1411 [e] and [f](1–3))

(Federal requirement for state educational agency only)

27. Data (20 U.S.C. § 1418 [a–d])

It shall be the policy of this LEA to provide data or information to the CDE that may be required by regulations.

28. Charter schools (California *Education Code* 56207.5 [a–c])

It shall be the policy of this LEA that a request by a charter school to participate as an LEA in a special education local plan area (SELPA) may not be treated differently from a similar request made by a school district.

DEHESA SCHOOL DISTRICT

BOARD OF TRUSTEES

Karl Becker, 2018
Vincent Blanco, 2018
Cindy K. White, 2018
Christina Becker, 2018
Mark Zacovic 2020

"Excellence in Education Since 1876"

4612 Dehesa Road
El Cajon, CA 92019

Telephone (619) 444-2161 / Fax (619) 444-2105

SUPERINTENDENT

Nancy Hauer

PRINCIPAL

Tamara Ripke

BUSINESS MANAGER

Anna Buxbaum

CERTIFICATION OF BOARD MINUTES

California Department of Education
Division Form SED-LP-5 (Revised 3/2016)

Special Education

In accordance with federal and state laws and regulations, the Dehesa School District certifies that this plan has been adopted by the appropriate local board(s) (district/county) and is the basis for the operation and administration of special education programs, and that the agency herein represented will meet all applicable requirements of state and federal laws, regulations, and state policies and procedures, including compliance with the Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq., and implementing regulations under 34 *Code of Federal Regulations*, Parts 300 and 303, 29 U.S.C. 794, 705 (20), 794- 794b, the Federal Rehabilitation Act of 1973, as amended, and the provisions of the California *Education Code*, Part 30 and Chapter 3, Division 1 of Title V of the *California Code of Regulations*.

Be it further resolved, the LEA superintendent shall administer the local implementation of procedures, in accordance with state and federal laws, rules, and regulations, which will ensure full compliance.

Furthermore, the LEA superintendent ensures that policies and procedures covered by this assurance statement are on file at the LEA and the SELPA offices, and are available to any interested party.

Adopted this _____ day of _____, 20_____.

Yeas: _____ Nays: _____

Signed: _____, Superintendent

DEHESA SCHOOL DISTRICT

To: Members of the Board

From: Nancy Hauer

Subject: Agreement to participate in
Circle of Equity Title VII
grant with SDCOE

Meeting Date: July 20, 2017

- ☒ Action
- ☐ First Reading
- ☐ Information
- ☐ Presentation
- ☐ Discussion
- ☐ Public Hearing
- ☒ Roll Call Vote Required

Background: The small school districts have been given an opportunity to partner with SDCOE to work collaboratively on a Title VII grant to support Indian students in literacy for grades 3-8.

Report: The team from Dehesa will consist of a District Equity and Literacy Leader, site literacy coaches, and administration. Participation will include attending the AGTF Equity Symposium, 2 literacy academies, restorative practice meetings and local cohort meetings.

Financial Impact: There is no financial impact. SDCOE will reimburse the District up to \$10,500.00 for sub costs and stipends for the team leaders.

Student Impact: Additional literacy support will benefit our Indian students in grades 3-8 and increase overall student achievement.

Recommendation: Administration recommends approval of the Agreement between San Diego County Office of Education and Dehesa School for the Circle of Equity partnership.

Agenda Item #: VII.C.3

AGREEMENT

This Agreement is entered into this 15th day of May, 2017 by and between Dehesa School District herein called "**DISTRICT**" and the San Diego County Superintendent of Schools, herein called the "**COUNTY**," who agrees to provide the following services to the **DISTRICT**:

SCOPE OF SERVICES

The DISTRICT agrees to assign one leader to each of the following District Equity Leader roles:

- A. District Equity and Literacy Leader – Elementary (DELL-E)
- B. District Equity and Literacy Leader – Secondary (DELL-S)
- C. District Equity Leader – Whole Child (DEL-WC)

District Equity and Literacy Leader Primary and Secondary (DELL-E and DELL-S) Responsibilities:

- Co-develop District Equity Project Implementation Plan
- Support site-level, grade-span coaches/teachers with implementation and summary data pre/mid/post scores
- Attend project activities
 - Required: Literacy Academies (2 days, two-hour online session,
 - Q & A sessions, office hours (optional); Local Community Cohort Meetings (2); AGTF/Equity Symposium (3)

District Equity Leader – Whole Child (DEL-WC) Responsibilities:

- Meet with District Equity and Literacy Leads to support District Project Implementation Plan
- Attend project activities
 - Required: AGTF/Equity Symposium (3), Local Community Cohort Meetings (2); Counselor Institute; Youth Mental Health First Aid (1),
 - Restorative Practices (2)

The DISTRICT agrees to assign up to twenty Site Literacy Coaches (3-5, 6-8, and 9-12):

Site Literacy Coach Responsibilities:

- Attend Literacy Academies and two-hour online session
- Facilitate grade-span professional learning
- Collect data from teachers at site

TOBACCO-FREE FACILITY

The COUNTY is a tobacco-free facility. Tobacco use (smoked or smokeless) is prohibited at all times on all areas of County Office property.

PERIOD OF AGREEMENT - INCEPTION AND TERMINATION DATES

May 15, 2017 through September 30, 2017.

COMPENSATION/COSTS AND PAYMENT SCHEDULE

The COUNTY agrees to pay the DISTRICT the amount due for services provided to DISTRICT under the terms of this Contract. The total NOT TO EXCEED amount for this agreement is Ten Thousand, Five hundred dollars (\$10,500.00). The not to exceed amount is broken down as follows:

- A. A stipend of \$1,000 per grant leadership role, not to exceed \$3,000

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed, such parties acting by their representatives being thereunto duly authorized.

**SAN DIEGO COUNTY SUPERINTENDENT
OF SCHOOLS**

DEHESA SCHOOL DISTRICT

By (Authorized Signature)

By (Authorized Signature)

Lora Duzyk

Name (Type or Print)

Name (Type or Print)

Assistant Superintendent, Business Services

Title

Title

Date

Date

DEHESA SCHOOL DISTRICT

To: Members of the Board
and Supt. Nancy Hauer

From: Anna Buxbaum

Subject: 2017-18 Consolidated
Application Reporting
System (CARS) Spring
Release

Meeting Date: July 20, 2017

- ☒ Action
- ☐ First Reading
- ☐ Information
- ☐ Presentation
- ☐ Discussion
- ☐ Public Hearing
- ☒ Roll Call Vote Required

Background:

CARS is an on line system used by districts across the state to electronically apply for, manage, report and provide assurances that the district will comply with the legal requirements related to specific formulas driven by state and/or federal categorical programs. The online system enables districts to apply for categorical funding and track expenditures and program activities for the following federal programs for the 2017-18 fiscal year:

Title I, Part A: Helping Disadvantaged Children
Title II, Part A: Improving Teacher Quality
Title III: Immigrant Education

Report:

The consolidated application for Dehesa School District was submitted online prior to June 30, 2017.

Financial Impact:

NA – For Informational Purposes Only

Student Impact:

NA – For Informational Purposes Only

Recommendation:

Administration recommends approval of the 2017-18 Consolidated Application Reporting System (CARS) Spring Release Submission to the California Department of Education.

Agenda Item #: VII.C.4

California Department of Education

Consolidated Application

Dehesa Elementary (37 68049 0000000)

Status: Certified
Saved by: Anna Buxbaum
Date: 6/30/2017 5:12 PM

2017-18 Certification of Assurances

Submission of Certification of Assurances is required every fiscal year. A complete list of legal and program assurances for the fiscal year can be found at <http://www.cde.ca.gov/fg/aa/co/ca17asstoc.asp>.

CDE Program Contact:

Joy Paull, jpaull@cde.ca.gov, 916-319-0297

Consolidated Application Certification Statement

I hereby certify that all of the applicable state and federal rules and regulations will be observed by this applicant; that to the best of my knowledge the information contained in this application is correct and complete; and I agree to have the use of these funds reviewed and/or audited according to the standards and criteria set forth in the California Department of Education's Categorical Program Monitoring (CPM) Manual. Legal assurances for all programs are accepted as the basic legal condition for the operation of selected projects and programs and copies of assurances are retained on site. I certify that we accept all assurances except for those for which a waiver has been obtained or requested. A copy of all waivers or requests is on file. I certify that actual ink signatures for this form is on file.

Authorized Representative's Full Name	Anna Buxbaum
Authorized Representative's Signature	
Authorized Representative's Title	Business Manager
Authorized Representative Signature Date	06/30/2017

Warning

The data in this report may be protected by the Family Educational Rights and Privacy Act (FERPA) and other applicable data privacy laws. Unauthorized access or sharing of this data may constitute a violation of both state and federal law.

Report Date: 6/30/2017

R02

Page 1 of 6

California Department of Education**Consolidated Application**

Dehesa Elementary (37 68049 0000000)

Status: Certified
Saved by: Anna Buxbaum
Date: 6/30/2017 5:14 PM**2017-18 Protected Prayer Certification**

ESSA Section 8524 specifies federal requirements regarding constitutionally protected prayer in public elementary and secondary schools. This form meets the annual requirement and provides written certification.

CDE Program Contact:Franco Rozic, Title I Monitoring and Support Office, frozic@cde.ca.gov, 916-319-0269Mindi Yates, Title I Policy and Program Guidance Office, myates@cde.ca.gov, 916-319-0789**Protected Prayer Certification Statement**

The LEA hereby assures and certifies to the California State Board of Education that the LEA has no policy that prevents, or otherwise denies participation in, constitutionally protected prayer in public schools as set forth in the "Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools."

The LEA hereby assures that this page has been printed and contains an ink signature. The ink signature copy shall be made available to the California Department of Education upon request or as part of an audit, a compliance review, or a complaint investigation.

The authorized representative agrees to the above statement	Yes
Authorized Representative's Full Name	Nancy Hauer
Authorized Representative Title	Site Administrator- Superintendent
Authorized Representative Signature Date	06/30/2017
Comment If the LEA is not able to certify at this time an explanation must be provided in the Comment field. (Maximum 500 characters)	

*****Warning*****

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Report Date:6/30/2017

R02

Page 2 of 6

California Department of Education

Dehesa Elementary (37 68049 0000000)

Consolidated ApplicationStatus: Certified
Saved by: Anna Buxbaum
Date: 6/30/2017 5:14 PM**2017-18 Application for Funding****CDE Program Contact:**Education Data Office, ConApp@cde.ca.gov, 916-319-0297**Local Governing Board Approval**

The LEA is required to review and receive approval of their Application for Funding selections with their local governing board.

Date of approval by local governing board	06/15/2017
---	------------

District English Learner Advisory Committee (DELAC) Review

Per Title 5 of the California Code of Regulations Section 11308, if your district has more than 50 English learners the district must establish a District English Learner Advisory Committee (DELAC) and involve them in the application for funding for programs that serve English learners.

DELAC representative's full name	
DELAC review date	
Meeting minutes web address Please enter the Web address of DELAC review meeting minutes (format http://SomeWebsiteName.xxx). If a Web address is not available, the LEA must keep the minutes on file which indicates that the application is approved by the committee.	
DELAC comment If an advisory committee refused to review the application, or if DELAC review is not applicable, enter a comment. (Maximum 500 characters)	The District does not have more than 50 English Language Learners

Application for Categorical Programs

To receive specific categorical funds for a school year the LEA must apply for the fund by selecting Yes. Only the categorical funds the LEA is eligible to receive are displayed.

Title I Part A (Basic Grant) ESSA Sec. 1111 et seq. SACS 3010	Yes
Title II Part A (Supporting Effective Instruction) ESEA Sec. 2104 SACS 4035	Yes
Title III Part A Immigrant ESEA Sec. 3102 SACS 4201	Yes
Title III Part A English Learner ESEA Sec. 3102 SACS 4203	No
Title V, Part B Subpart 1 Small, Rural School Achievement Grant	Yes

*****Warning*****

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Report Date:6/30/2017

R02

Page 3 of 6

California Department of Education

Dehesa Elementary (37 68049 0000000)

Consolidated Application

Status: Certified
Saved by: Anna Buxbaum
Date: 6/30/2017 5:14 PM

2017-18 Application for Funding**CDE Program Contact:**Education Data Office, ConApp@cde.ca.gov, 916-319-0297

ESSA Sec. 5211 SACS 5810

ATTENTION: If participating, the LEA also needs to apply for the SRSA grant directly through the USED at <https://www.grants.gov/>.

CAUTION: The release of Title V funds for direct-funded charter schools (DFCs) is contingent upon resolving a technical issue of DFC reporting between the CDE and the ED.

Title V, Part B Subpart 1 REAP Flexibility Participation

Yes

*****Warning*****

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Report Date:6/30/2017

R02

Page 4 of 6

California Department of Education

Dehesa Elementary (37 68049 0000000)

Consolidated ApplicationStatus: Certified
Saved by: Anna Buxbaum
Date: 6/30/2017 5:16 PM**2017-18 Title III, Part A Immigrant Student Program Subgrant Budget**

The purpose of this report is to provide a proposed budget for 2017-18 Immigrant Student Program Subgrant funds only per the Title III, Part A, Immigrant Student Program requirements (ESSA, Title III, Part A, Sections 3114, 3115, & 3116).

CDE Program Contact:

Patty Stevens, Language Policy and Leadership Office, pstevens@cde.ca.gov, 916-323-5838
Geoffrey Ndirangu, Language Policy and Leadership Office, gndirang@cde.ca.gov, 916-323-5831

Estimated Entitlement Calculation

Note: Only LEAs that have 21 or more eligible immigrant students, and that have experienced a significant increase of two percent or greater growth in eligible immigrant student enrollment in the current year compared with the average of the two preceding fiscal years are eligible for Title III, Part A Immigrant Student Program Subgrant funds. Use your Immigration student count that was provided to the California Longitudinal Pupil Achievement Data System on census day of October 5, 2016.

Estimated Immigrant per student allocation	\$80.77
Estimated Immigrant student count	5
Estimated Immigrant entitlement amount	\$404

Budget

Authorized activities	\$397
Direct administration costs (Amount cannot exceed 2% of the estimated entitlement)	\$7
Indirect costs (Amount should be calculated using the LEA's approved indirect cost rate)	\$0
Total allocation budget	\$404

*****Warning*****

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Report Date:6/30/2017

R02

Page 5 of 6

California Department of Education**Consolidated Application**

Dehesa Elementary (37 68049 0000000)

Status: Certified
Saved by: Anna Buxbaum
Date: 6/30/2017 5:16 PM**2017-18 Substitute System for Time Accounting**

This certification may be used by auditors and by CDE oversight personnel when conducting audits and sub-recipient monitoring of the substitute time-and-effort system. Approval is automatically granted when the LEA submits and certifies this data collection.

CDE Program Contact:Julie Brucklacher, Financial Accountability and Info Srv Office, jbruckla@cde.ca.gov, 916-327-0858

The LEA certifies that only eligible employees will participate in the substitute system and that the system used to document employee work schedules includes sufficient controls to ensure that the schedules are accurate. Additional information on the predetermined schedule substitute system of time accounting can be found at <http://www.cde.ca.gov/fg/ac/co/timeaccounting2013.asp>. Detailed information on documenting salaries and wages, including both substitute systems of time accounting, are described in Procedure 905 of the California School Accounting Manual posted on the Web at <http://www.cde.ca.gov/fg/ac/sa/>.

2017-18 Request for authorization	Yes
LEA certifies that the following is a full disclosure of any known deficiencies with the substitute system or known challenges with implementing the system (Maximum 500 characters)	No deficiencies are known

*****Warning*****

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Report Date:6/30/2017

R02

Page 6 of 6

2017-18 Title I, Part A Planned School Allocations

Based on information provided in the School Student Counts data collection, the table below provides eligibility and ranking information. For school allocation planning, the LEA has indicated to which schools it intended to allocate Title I, Part A funds by entering a check in the Fund Flag column.

CDE Program Contact:

Lana Zhou, Title I Policy and Program Guidance Office, lzhou@cde.ca.gov, 916-319-0956
Mindi Yates, Title I Policy and Program Guidance Office, myates@cde.ca.gov, 916-319-0789

LEA meets small district criteria, submission of this data collection is optional.

An LEA is defined as a small district criteria if, based on the school list and the data entered in School Student Counts Projected, the LEA meets one or more of the following:
Is a single school district
Has enrollment total for all schools less than 1,000
If an exception to funding is needed, enter an Exception Reason. Use lower case only.

Allowable Exception Reasons

- a - Meets 35% Low Income Requirement
- d - Desegregation Waiver on File
- e - Grandfather Provision
- f - Feeder Pattern
- g - Local Funded Charter Opted Out
- h - Local Funded Charter Opt In
- k - Funded with EIA/SCE

Low income measure	FRPM
Group Schools by Grade Span	No
District-wide Low Income %	55.13%
Grade Span 1 Low Income %	55.13%
Grade Span 2 Low Income %	0.00%

Warning

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2017-18 Title I, Part A Planned School Allocations

Based on information provided in the School Student Counts data collection, the table below provides eligibility and ranking information. For school allocation planning, the LEA has indicated to which schools it intended to allocate Title I, Part A funds by entering a check in the Fund Flag column.

Grade Span 3 Low Income %

0.00%

School Name	School Code	Grade Span Group	Projected Enrollment	Projected Low Income Students	Low Income %	Eligible for Funding	Funding Required	Ranking	Fund Flag	Exception Reason
Dehesa Elementary	6038095	1	156	86	55.13	Y	N	1	N	

Warning
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DEHESA SCHOOL DISTRICT

To: Members of the Board
and Supt. Nancy Hauer

From: Anna Buxbaum

Subject: Management Salary
Schedule

Meeting Date: July 20, 2017

- ☒ Action
- ☐ First Reading
- ☐ Information
- ☐ Presentation
- ☐ Discussion
- ☐ Public Hearing
- ☒ Roll Call Vote Required

Background: Recent case law has made it necessary for school districts to provide a publicly available pay schedule for all CalPERS members, including management. In a recent case, an executive from a special district's retirement base was called into question due to the fact that his salary was not on the salary schedule. The case stated that a reference to the member's agreement was not sufficient.

Report: The California Code of Regulations, (CCR), Title 2, Section 570.5 ("Section 570.5") requires that each CALPERS pay schedule include a position title for every employee position, payrate for each position and time base for each payrate. This regulation also contains criteria for ensuring the pay schedule is publicly available and does not permit a reference to another document in lieu of disclosing the payrate. Further, the regulation clarifies that "compensation earnable" will be limited to the amount listed on a pay schedule that meets all of the established criteria, and identifies how payrate may be determined where employers fail to meet the requirements. In addition, the regulation requires that the pay schedule has been duly approved and adopted by the employer's governing body Board in accordance with requirements of applicable public meeting laws. The purpose of this regulation is to ensure consistency between CalPERS employers and enhance the disclosure and transparency of public employee compensation by requiring that positions' payrates be listed in a pay schedule or document meeting the criteria set forth in the regulations. This regulation became effective August 10, 2011. Reference: CalPERS Circular Letter No. 200-050-12

Financial Impact:

Where employers fail to comply, pay amounts will be determined to not constitute payrate and accordingly CalPERS will be unable to use such pay amounts when calculating member's retirement benefits.

Student Impact:

No Student Impact

Recommendation:

Administration recommends approval of a Management Schedule to comply with the Public Employees' Retirement Law (PERL) Government Code Sections 20636 and 20636.1.

Agenda Item #: VII.C.5



California Public Employees' Retirement System
P.O. Box 942709
Sacramento, CA 94229-2709
(888) CalPERS (or 888-225-7377)
TTY: (877) 249-7442
www.calpers.ca.gov

Reference No.:
Circular Letter No.: 200-050-12
Distribution: IV, V, VI, X, XII, XVI
Special:

Circular Letter

October 25, 2012

TO: **ALL CALPERS EMPLOYERS**

SUBJECT: **STATUTORY AND REGULATORY REQUIREMENTS FOR PUBLICLY AVAILABLE PAY SCHEDULES**

The purpose of this Circular Letter is to remind CalPERS employers that only those pay amounts that meet the definition of compensation earnable can be used when calculating retirement benefits.

Compensation earnable is defined in statute and further clarified by California Code of Regulations (CCR) Section 570.5. Specifically, this Circular Letter seeks to address the requirements related to publicly available pay schedules.

Compensation Earnable & The Requirement For Publicly Available Pay Schedules

The Public Employees' Retirement Law (PERL) Government Code Sections 20636 and 20636.1 define compensation earnable for State, School, and Public Agency members. In order to meet the definition of compensation earnable, an amount of pay must either constitute payrate or special compensation as defined in the statutes. Section 20636(d) further requires that payrate and special compensation schedules, ordinances, or similar documents be public records available for public scrutiny.

Section 20636(b)(1) (applicable to Public Agency members) and 20636.1(b)(1) (applicable to School members) require pay amounts to be paid pursuant to publicly available pay schedules. For example, section 20636 (b)(1) states:

"Payrate means the normal monthly rate or pay or base pay of the member paid in cash to similarly situated members of the same group or class of employment for services rendered on a full-time basis during normal working hours, pursuant to publicly available pay schedules. "Payrate," for a member who is not in a group or class, means the monthly rate of pay or base pay of the members, paid in cash and pursuant to publicly available pay schedules, for services rendered on a full-time basis during normal working hours, subject to the limitations of paragraph (2) of subdivision (e)." (Emphasis added.)

CCR 570.5 was adopted April 13, 2011, with an effective date of August 10, 2011. CCR 570.5 sought to clarify the requirement of publicly available pay schedules.

After CCR 570.5 was adopted, CalPERS sent [Circular Letter #200-056-11](#) dated August 19, 2011, notifying all employers of the requirements of CCR 570.5.

Importance of Correct Reporting

Due to the importance of correct payroll reporting in administering the PERL and member benefits, CalPERS is sending this additional Circular Letter to remind all employers of the criteria for reporting compensation earnable.

CCR 570.5 outlines the required elements necessary to meet the definition for a publicly available pay schedule as follows:

- (a) For purposes of determining the amount of "compensation earnable" pursuant to Government Code Sections 20630, 20636, and 20636.1, payrate shall be limited to the amount listed on a pay schedule that meets all of the following requirements:
 - (1) Has been duly approved and adopted by the employer's governing body in accordance with requirements of applicable public meeting laws;
 - (2) Identifies the position title for every employee position;
 - (3) Shows the payrate for each identified position, which may be stated as a single amount or as multiple amounts within a range;
 - (4) Indicates the time base, including, but not limited to, whether the time base is hourly, daily, bi-weekly, monthly, bi-monthly, or annually;
 - (5) Is posted at the office of the employer or immediately accessible and available for public review from the employer during normal business hours or posted on the employer's internet website;
 - (6) Indicates an effective date and date of any revisions;
 - (7) Is retained by the employer and available for public inspection for not less than five years; and
 - (8) Does not reference another document in lieu of disclosing the payrate.

All eight (8) requirements must be met in one salary schedule for each member's pay, in order for CalPERS to approve the pay amount as payrate and reportable compensation earnable.

No Applicable Pay Schedule

If an agency cannot provide a document meeting the requirements for a publicly available pay schedule, then CalPERS must determine that the pay amount fails to meet the definition of payrate. CCR 570.5 (b)(1)-(4) outlines the process by which

CalPERS may determine a member's payrate when there is no publicly available pay schedule provided.

CCR 570.5 (b) states:

- (b) Whenever an employer fails to meet the requirements of subdivision (a) above, the Board, in its sole discretion, may determine an amount that will be considered to be payrate, taking into consideration all information it deems relevant including, but not limited to, the following:
 - (1) Documents approved by the employer's governing body in accordance with requirements of public meeting laws and maintained by the employer;
 - (2) Last payrate listed on a pay schedule that conforms to the requirements of subdivision (a) with the same employer for the position at issue;
 - (3) Last payrate for the member that is listed on a pay schedule that conforms with the requirements of subdivision (a) with the same employer for a different position;
 - (4) Last payrate for the member in a position that was held by the member that is listed on a pay schedule that conforms to the requirements of subdivision (a) of a former CalPERS employer.

It is important that all employers comply with the compensation earnable provisions and corresponding regulations of the PERL. Where employers fail to comply, pay amounts will be determined to not constitute payrate and accordingly CalPERS will be unable to use such pay amounts when calculating members' retirement benefits.

It is therefore critical that employers review their pay schedules to verify that all members' pay amounts are included within a publicly available pay schedule. For assistance or questions related to the development of a publicly available pay schedule, please direct your inquiries to the CalPERS Compensation and Employer Review Unit.

If you have any questions, please contact the CalPERS Customer Contact Center at **888 CalPERS** (or 888-225-7377).

KAREN DeFRANK, Chief
Customer Account Services Division

DEHESA SCHOOL DISTRICT
Management Salary Schedule
Effective 7/1/2017

Certificated Management	Grade	Rate	Step 1
Superintendent	001	Monthly	9,350.00
		Annual	112,200.00
Principal	002	Monthly	7,072.00
		Annual	84,864.00

Classified Management	Grade	Rate	Step 1
Business Manager	001	Monthly	7,500.00
		Annual	90,000.00

DEHESA SCHOOL DISTRICT

To: Members of the Board
and Supt. Nancy Hauer

From: Anna Buxbaum
Business Manager

Subject: Community Montessori
Addendum to MOU for
Special Education
Services and Oversight.

Meeting Date: July 20, 2017

- ☒ Action
- ☐ First Reading
- ☐ Information
- ☐ Presentation
- ☐ Discussion
- ☐ Public Hearing
- ☒ Roll Call Vote Required

Background:

Community Montessori expressed interest in moving from East County SELPA to the El Dorado SELPA effective 2017-18. A reduction of ADA due to this move would cause a financial burden to the SELPA in loss of collective revenue, and would also result in a loss of oversight revenue to Dehesa School District.

Report:

Doug Miller of Element Education and Anna Buxbaum have reviewed the current oversight and revenue disbursement model for Special Education and have reached an agreement that will retain Community Montessori's participation in the East County SELPA.

Financial Impact:

Financial oversight for Special Education services will be six percent (6%) beginning 2017-18, a reduction from ten percent (10%) in 2016-17 and prior years.

Student Impact:

The Charter School funding provides potential support for student instructional programs, and/or provides additional economic reserves for the District as determined by the Governing Board.

Recommendation:

Administration recommends approval from the Governing Board of the MOU between the Dehesa School District and Community Montessori for Special Education services and oversight.

Agenda Item #: VII.C.6

ADDENDUM #1
FINANCIAL AND OPERATIONS MEMORANDUM OF
UNDERSTANDING BETWEEN THE DEHESA SCHOOL DISTRICT
AND THE COMMUNITY MONTESSORI CHARTER
SCHOOL

Addendum #1

A.1 In the event that Community Montessori Charter School is not allowed to move from the East County SELPA to the El Dorado SELPA for FY 17/18.

A.2 Special Education Funding Administrative Oversight fee for FY 17/18.
Dehesa School District's administrative oversight fee for the fiscal year FY 17/18 will be six (6) percent of gross special education revenue generated by Community Montessori Charter School.

A.3 Special Education Payment Schedule.

<u>Payment Date</u>	<u>Percent</u>
March 31, 2018	50.0%
June 30, 2018	25.0%
September 30, 2018	25.0%

A.4 Hold Harmless

Community Montessori Charter School agrees to indemnify and hold the District harmless from all liability in the event that the Community Montessori Charter School does not appropriately spend funds or provide required special education services.

This represents the full addendum of the MOU dated July 23, 2015. This agreement may only be modified by written agreement of the parties.

Nancy Hauer, Superintendent
Dehesa School District

Date

Terri Novacek, Executive Director
Community Montessori Charter School

Date

DEHESA SCHOOL DISTRICT

To: Members of the Board
and Supt. Nancy Hauer

From: Anna Buxbaum
Business Manager

Subject: Dehesa Charter
Addendum to MOU for
Special Education
Services and Oversight.

Meeting Date: July 20, 2017

- ☒ Action
- ☐ First Reading
- ☐ Information
- ☐ Presentation
- ☐ Discussion
- ☐ Public Hearing
- ☒ Roll Call Vote Required

Background:

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Report:

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Financial Impact:

Financial oversight for Special Education services will be six percent (6%) beginning 2017-18, a reduction from ten percent (10%) in 2016-17 and prior years.

Student Impact:

The Charter School funding provides potential support for student instructional programs, and/or provides additional economic reserves for the District as determined by the Governing Board.

Recommendation:

Administration recommends approval from the Governing Board of the MOU between the Dehesa School District and Dehesa Charter for Special Education services and oversight.

Agenda Item #: VII.C.7

ADDENDUM #1
FINANCIAL AND OPERATIONS MEMORANDUM OF
UNDERSTANDING BETWEEN THE DEHESA SCHOOL DISTRICT
AND THE DEHESA CHARTER SCHOOL

Addendum #1

A.1 In the event that Dehesa Charter School is not allowed to move from the East County SELPA to the El Dorado SELPA for FY 17/18.

A.2 Special Education Funding Administrative Oversight fee for FY 17/18.
Dehesa School District's administrative oversight fee for the fiscal year FY 17/18 will be six (6) percent of gross special education revenue generated by Dehesa Charter School.

A.3 Special Education Payment Schedule.

<u>Payment Date</u>	<u>Percent</u>
March 31, 2018	50.0%
June 30, 2018	25.0%
September 30, 2018	25.0%

A.4 Hold Harmless

Dehesa Charter School agrees to indemnify and hold the District harmless from all liability in the event that the Dehesa Charter School does not appropriately spend funds or provide required special education services.

This represents the full addendum of the MOU dated July 23, 2015. This agreement may only be modified by written agreement of the parties.

Nancy Hauer, Superintendent
Dehesa School District

Date

Terri Novacek, Executive Director
Dehesa Charter School

Date

DEHESA SCHOOL DISTRICT

To: Members of the Board

From: Nancy Hauer

Subject: Professional Development
Contract for speaker Derek
Clark

Meeting Date: July 20, 2017

- ☒ Action
- ☐ First Reading
- ☐ Information
- ☐ Presentation
- ☐ Discussion
- ☐ Public Hearing
- ☒ Roll Call Vote Required

Background: Derek Clark is world renowned. His video the Rapping Dad has been featured on Reddit, Bing, MSN, Yahoo, Comedy Central, College Humor, worldstarhiphop.com, cheezburger.com, shmosh.com, shockmansion.com, wimp.com, knowyourmeme.com and has taken Facebook and Twitter by storm.

Report: Derek Clark's life is one of resilience and redemption. As a child he suffered unthinkable child abuse, abandonment, and emotional distress before being turned over to the psychiatric hospital at age five. His thirteen years in the San Francisco Bay area foster care system reflected an early life of aggression, humiliation, overwhelming anxiety, emotional distress and being wrongfully labeled. Derek is an inspirational speaker/trainer and Google has ranked him #1 inspiring motivational speaker out of 36 million listings. In addition to our staff, we have invited and received confirmation from staff at Julian Elementary, Diego Hills, and Method Charter Schools.

Financial Impact: There is no financial impact. Nancy Hauer wrote and received a grant from the Choices in Learning Foundation that will cover the \$6,000.00 cost.

Student Impact: Today students come to us with a host of difficulties and uncertainties. It is easy to assume they are just behavior issues or are acting out. This training will encourage staff to develop relationships, increase awareness and promote motivational strategies to ensure every student is given the best opportunity to succeed.

Recommendation: Administration recommends approving the contract for Derek Clark.

Agenda Item # VII.C.8

NEVER LIMIT YOUR LIFE

DEREK CLARK SPEAKING CONTRACT

Thanks for hiring Derek Clark for your conference/meeting. I have outlined the terms of the engagement. Please feel free to let me know if you have any questions to confirm Derek Clark's speaking engagement.

On August 17th, 2017, Derek Clark will travel to El Cajon, California to speak on August 18th, 2017 for Dehesa School.

1. Derek Clark will deliver a keynote presentation "Resilience to Redemption".
2. Derek Clark's speaking fee will be \$6,000.00 **All Inclusive** of Hotel, Meals and Travel expenses. The 50% Deposit of \$3,000.00 will not be due if the Dehesa School can guarantee that Derek Clark's speaking fee of \$6,000.00 will be paid in full when Derek arrives to the event.
3. If Derek Clark cancels due to unforeseen personal emergency or airline/weather complications, Derek will refund the holding deposit (if collected).
4. If Derek Clark has commenced travel to your event, and engagement is canceled due to an Act of God (example-snow storm, earthquake, tornado) or dangerous situation (example-riots, violence), Dehesa School will be responsible for travel expenses incurred by Derek Clark. Derek Clark's fee will not be charged, the holding deposit (if collected) will be applied to travel expenses, and any excess funds from the holding deposit will be refunded to Dehesa School.
5. If the conference/meeting is re-scheduled, the \$3,000.00 deposit that was waived as an upfront expense will be due immediately. Even though it was waived upfront for your convenience, the deposit is still due. The deposit fee is non-refundable if you should cancel the conference for any reason except an Act of God.
6. **The check for the full \$6,000.00 speaking fee is due at the time of the speaking engagement. Please have a check ready for Derek when he arrives.**
7. Derek Clark does give permission to record the voice, video or both for distribution by the client. Derek Clark retains all copyrights to his presentations. If distribution is not for profit within client's organization, Derek Clark approves and receives master copy. For-profit distribution requires a written royalty agreement.
8. All fees also include the opportunity to offer appropriate I Will Never Give Up materials as part of his presentation in the back of the seminar room. Derek Clark may sell or distribute promotional materials for products or services he has created.

9. Either party may terminate this agreement by giving a 45 day notice to the other.
If the flight and hotel have already been booked and paid for by Derek Clark, Dehesa School reimburse flight and hotel expenses within 14 days.

NOTICE:

Please understand the date is not confirmed until this contract is signed.

Payment Terms: We gladly accept Money Orders and Checks.

Make Checks/Money Orders payable to: Never Limit Your Life

Please fax to (877) 235-9830, scan and email or mail your signed contract to:
Never Limit Your Life/Derek Clark
1725 N. Snead Place
Eagle, Idaho 83616

If this is acceptable to you and you agree to all of the terms of the contract, please sign and fax back to (877) 235-9830.

We are looking forward to working with you. Please feel free to call me if you have any questions.

Dehesa School

Date

Derek Clark, Never Limit Your Life
Phone (209) 505-0872

Date



**Never Limit Your Life
Derek Clark
Invoice #07072017**

**1725 N. Snead Place
Eagle, Idaho 83616
Phone # (209)505-0872
Fax (877)235-9830**

Date: July 7th, 2017

**Dehesa School
4612 Dehesa Rd
El Cajon, CA 92019**

Keynote Speech on August 18th, 2017 for Dehesa School	\$6,000.00
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Total Due \$6,000.00

Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

Print or type See Specific Instructions on page 2.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. Derek W. Clark	
	2 Business name/disregarded entity name, if different from above Never Limit Your Life	
	3 Check appropriate box for federal tax classification; check only one of the following seven boxes: <input checked="" type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner. <input type="checkbox"/> Other (see instructions) ▶ _____	
	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small>	
	5 Address (number, street, and apt. or suite no.) 1725 N. Snead Place	Requester's name and address (optional)
	6 City, state, and ZIP code Eagle, Idaho 83616	
	7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Social security number								
			-					
or								
Employer identification number								
2	7	-	2	2	4	0	8	4

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

Sign Here	Signature of U.S. person 	Date ▶ 2/28/17
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at www.irs.gov/fw9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

• Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)

• Form 1099-C (canceled debt)

• Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding?* on page 2.

By signing the filled-out form, you:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
- Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.

DEHESA SCHOOL DISTRICT

To: Members of the Board

From: Nancy Hauer

Subject: Updated Board Policies
0000-0520 Concepts and
Roles

Meeting Date: July 20, 2017

- ☒ Action
- ☐ First Reading
- ☐ Information
- ☐ Presentation
- ☐ Discussion
- ☐ Public Hearing
- ☒ Roll Call Vote Required

Background: Our current Board policies have not been updated since June of 2003. The District worked with CSBA to update all of our policies. Each month the Board will be presented a section for review and approval.

Report: New areas in this section include:

BP 0410 Nondiscrimination in District Programs and Activities-Policy updated to reflect new law which, effective 1/1/17, prohibits the use of any racially derogatory or discriminatory school or athletic school name, mascot, or nickname. Policy also adds language regarding the use of uniform complaint procedures to investigate and resolve any allegation of unlawful discrimination, expands the means by which notice of the district's nondiscrimination policy will be distributed, reflects the new law which requires districts to post specified information regarding Title IX on their website by 7/1/17, and adds the district's responsibility to make its web site accessible to individuals with disabilities.

E 0420.41 Charter School oversight reflecting new laws which add requirements for charter schools to adopt a math placement policy, provide lactation accommodations for students, comply with law pertaining to the education of foster youth, and retroactively grant a diploma to students who met all graduation requirements except the high school exit examination. Item also added to reflect requirement of California Constitution to annually issue a school accountability report card applicable to charter schools pursuant to Education Code 47612(c). In addition policy updated to reflect the district not appoint a representative to serve on the board of directors of a nonprofit public benefit corporation that operates a charter school, but rather implement other means of fulfilling oversight responsibilities. Section on monitoring charter school performance updated to delete references to API and federal measures of AYP and to reflect new law which requires charter schools to submit an annual update of their LCAP. Policy also revised to reflect ESSA which provides for a new system of school support and improvement for Title I schools, including charter schools beginning in the 2017-18 school year.

BP/AR 0450 Comprehensive Safety Plan Policy updated to clarify the district's responsibility to annually review the comprehensive school safety plan. Regulation updated to delete the requirement to include hate crime reporting procedures in the safety plan, as they are no longer required by law. List of optional components expanded.

BP 0460 LCAP Policy updated to reflect new law which requires the LCAP development process to include solicitation of parent/guardian and community input on effective and appropriate instructional methods, including language acquisition programs. Policy also reflects the State Board of Education's adoption of evaluation rubrics that will assist districts in evaluating progress towards the LCAP goals.

BP/AR/E 0520.2 Title I Improvement Schools policy and regulation updated to reflect ESSA, USDOE guidance, and the CDE transition plan, which requires schools identified for program improvement (PI) to continue to implement their school improvement plans during the 2016-17 school year while a new system of support and improvement activities for Title I schools is developed. Policy also deletes references to AYP and the requirement of SES to eligible students as they have been eliminated under ESSA.

BP/AR 0520.3 Title I Program Improvement Districts (BP revised AP deleted). Policy updated to reflect ESSA, USDOE guidance, and the CDE's transition plan which for the 2016/17 school year requires districts identified for PI to continue to implement their improvement plans.

Financial Impact: None

Student Impact: Effective governance has a positive impact on student achievement.

Recommendation: Administration recommends approval of the new Board Policies 0000-0520.

Agenda Item #: VII.E.1

VISION

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

(cf. 0100 - Philosophy)

(cf. 0200 - Goals for the School District)

(cf. 0400 - Comprehensive Plans)

(cf. 9000 - Role of the Board)

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

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

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

(cf. 0500 - Accountability)

(cf. 1100 - Communication with the Public)

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Leadership: Vision, 1996

WEB SITES

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

VISION

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

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

(cf. 1220 - Citizen Advisory Committees)

(cf. 2230 - Representative and Deliberative Groups)

(cf. 6020 - Parent Involvement)

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

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

(cf. 0100 - Philosophy)

(cf. 0200 - Goals for the School District)

(cf. 0400 - Comprehensive Plans)

PHILOSOPHY

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

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 9000 - Role of the Board)

It is the philosophy of the district that:

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

PHILOSOPHY (continued)

13. The community provides an essential resource to the educational program.
14. Effective communication with all stakeholders helps build support for the school.
15. Accountability for the district's programs and operations is shared by the entire educational community, with the ultimate accountability resting with the Board as the basic embodiment of representative government.

Legal Reference:

EDUCATION CODE

51002 Local development of programs based on stated philosophy and goals

51019 Definition of philosophy

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Leadership: Vision, 1996

GOALS FOR THE SCHOOL DISTRICT

As part of the Governing Board's responsibility to set direction for the school district, the Board shall adopt long-term goals focused on the achievement of all district students. The district's goals shall be aligned with the district's vision, mission, philosophy, and priorities.

(cf. 0000 - Vision)

(cf. 0100 - Philosophy)

(cf. 9000 - Role of the Board)

In developing goals and identifying strategies to achieve those goals, the Board and Superintendent/Principal shall solicit input and review from key stakeholders. The Board shall also review and consider quantitative and/or qualitative data, including data disaggregated by student subgroup and school site, to ensure that district goals are aligned with student needs.

Goals shall be established for all students and each numerically significant subgroup as defined in Education Code 52052, which may include ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, and shall address each of the state priorities identified in Education Code 52060 and any additional local priorities established by the Board. These goals shall be incorporated into the district's local control and accountability plan (LCAP). (Education Code 52060, 52062, 52063; 5 CCR 15497.5)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 6159 - Individualized Education Program)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6174 - Education for English Learners)

The LCAP shall include a clear description of each goal, one or more of the state or local priorities addressed by the goal, any student subgroup(s) to which the goal is applicable, and expected progress toward meeting the goal for the term of the LCAP and in each year. (5 CCR 15497)

Each year the district's update to the LCAP shall review progress toward the goals and describe any changes to the goals. (Education Code 52060-52061)

(cf. 0500 - Accountability)

(cf. 6190 - Evaluation of the Instructional Program)

In addition to the goals identified in the LCAP, and consistent with those goals, the district may establish goals for inclusion in another district plan or for any other purpose. Such goals may address the improvement of governance, leadership, fiscal integrity, facilities, community involvement and collaboration, student wellness and other conditions of children, and/or any other areas of district or school operations. As appropriate, each goal shall include benchmarks or short-term objectives that can be used to determine progress toward meeting the goal.

GOALS FOR THE SCHOOL DISTRICT (continued)

(cf. 0400 - Comprehensive Plans)
(cf. 0420 - School Plans/Site Councils)
(cf. 0440 - District Technology Plan)
(cf. 5030 - Student Wellness)
(cf. 6171 - Title I Programs)
(cf. 7110 - Facilities Master Plan)

Legal Reference:

EDUCATION CODE

17002 State School Building Lease-Purchase Law, including definition of good repair
42238.01-42238.07 Local control funding formula
44258.9 County superintendent review of teacher assignment
51002 Local development of programs based on stated philosophy and goals
51020 Definition of goal
51021 Definition of objective
51041 Evaluation of the educational program
51210 Course of study for grades 1-6
51220 Course of study for grades 7-12
52050-52059 Public Schools Accountability Act, especially:
52052 Academic Performance Index; numerically significant student subgroups
52060-52077 Local control and accountability plan
60119 Sufficiency of textbooks and instructional materials; hearing and resolution
64000-64001 Consolidated application process
CODE OF REGULATIONS, TITLE 5
15497 Local control and accountability plan template
UNITED STATES CODE, TITLE 20
6311 Site plans
6312 Local educational agency plan

Management Resources:

CSBA PUBLICATIONS

State Priorities for Funding: The Need for Local Control and Accountability Plans, Fact Sheet, August 2013

WEB SITES

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

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

Policy
adopted:

DEHESA SCHOOL DISTRICT
El Cajon, California

COMPREHENSIVE PLANS

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

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

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

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

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

(cf. 1220 - Citizen Advisory Committees)
(cf. 2230 - Representative and Deliberative Groups)
(cf. 6020 - Parent Involvement)
(cf. 9130 - Board Committees)

Legal Reference: (see next page)

COMPREHENSIVE PLANS (continued)

Legal Reference:

EDUCATION CODE

35035 Powers and duties of Superintendent

35291 Rules (power of governing board)

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Leadership: Vision, 1996

WEB SITES

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

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES

Note: Government Code 11138 mandates districts to adopt rules and regulations to ensure that district programs and activities are free from unlawful discrimination. In accordance with various provisions of state and federal law, discrimination in education programs and activities is unlawful when it is based on certain actual or perceived characteristics of an individual. Education Code 220 prohibits discrimination based on race or ethnicity, nationality, sex, sexual orientation, gender, gender identity, gender expression, religion, or any other characteristic contained in the definition of hate crimes in Penal Code 422.55. Government Code 11135 prohibits discrimination based on all the foregoing characteristics and on age, disability, and an individual's genetic information. Title VI of the Civil Rights Act of 1964 (42 USC 2000d-2000d-7) prohibits discrimination on the basis of race, color, and national origin. Title IX (20 USC 1681-1688) prohibits discrimination on the basis of sex. The Americans with Disabilities Act (ADA) (42 USC 12101-12213) and Section 504 of the Rehabilitation Act of 1973 (29 USC 794) prohibit discrimination on the basis of disability. For policy language protecting students against discrimination and harassment, see BP/AR 5145.3 - Nondiscrimination/Harassment and BP/AR 5145.7 - Sexual Harassment.

Education Code 260 and 5 CCR 4900-4965 require the Governing Board to monitor district compliance with these state and federal laws. The federal laws are enforced by the Office for Civil Rights of the U.S. Department of Education, and the California Department of Education may investigate complaints regarding discrimination pursuant to 5 CCR 4600-4687.

Similarly, Government Code 12940 provides protections for employees, job applicants, unpaid interns, and volunteers against unlawful discrimination and harassment. For policy language addressing these protections as they relate to volunteers, see BP 1240 - Volunteer Assistance, and in relation to employees, unpaid interns, and job applicants, see BP 4030 - Nondiscrimination in Employment.

The Governing Board is committed to providing equal opportunity for all individuals in education. District programs, activities, and practices shall be free from unlawful discrimination, including discrimination against an individual or group based on race, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital, pregnancy, or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, or genetic information; a perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

(cf. 1240 - Volunteer Assistance)
(cf. 4030 - Nondiscrimination in Employment)
(cf. 4032 - Reasonable Accommodation)
(cf. 4033 - Lactation Accommodation)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)
(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)
(cf. 5131.2 - Bullying)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)

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

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

(cf. 6178 - Career Technical Education)

(cf. 6200 - Adult Education)

Note: Education Code 221.2-221.3 (the California Racial Mascot Act), as added by AB 30 (Ch. 767, Statutes of 2015), declare the use of racially derogatory or discriminatory school or athletic team names, mascots, or nicknames in public schools to be contrary to an equal education and specifically prohibit public schools from using the term "Redskins" as a school or athletic team name, mascot, or nickname beginning January 1, 2017. The following paragraph expands this prohibition to include any racially derogatory or discriminatory athletic team name, mascot, or nickname and may be revised to reflect district practice.

District programs and activities shall also be free of any racially derogatory or discriminatory school or athletic team names, mascots, or nicknames.

Note: Pursuant to Education Code 221.5, a district is required to permit a student to participate in sex-segregated school programs and activities, including athletic teams and competitions, and to use facilities consistent with the student's gender identity, regardless of his/her gender as listed on his/her educational records. See BP/AR 5145.3 - Nondiscrimination/Harassment. For further information, see CSBA's policy brief Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students and its Updated Legal Guidance: Protecting Transgender and Gender-Nonconforming Students Against Sex Discrimination.

Annually, the Superintendent or designee shall review district programs and activities to ensure the removal of any derogatory or discriminatory name, image, practice, or other barrier that may unlawfully prevent an individual or group in any of the protected categories stated above from accessing district programs and activities. He/she shall take prompt, reasonable actions to remove any identified barrier. The Superintendent or designee shall report his/her findings and recommendations to the Board after each review.

(cf. 1330 - Use of Facilities)

All allegations of unlawful discrimination in district programs and activities shall be investigated and resolved in accordance with the procedures specified in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

Note: Many nondiscrimination laws and regulations contain a notification requirement. For example, pursuant to 34 CFR 104.8 and 106.9, a district that receives federal aid is required to take "continuing steps" to notify students, parents/guardians, employees, employee organizations, and applicants for admission and employment that it does not discriminate on the bases of disability and sex in its educational programs or activities. In addition, Education Code 221.61, as added by SB 1375 (Ch. 655, Statutes of 2016), requires that, on or before July 1, 2017, districts must post specified information relating to Title IX on their web sites. To ensure consistent implementation of the laws, the same notification requirement should be adopted for all the protected categories as provided in the following paragraph.

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)

Pursuant to 34 CFR 104.8 and 34 CFR 106.9, the Superintendent or designee shall notify students, parents/guardians, employees, employee organizations, applicants for admission and employment, and sources of referral for applicants about the district's policy on nondiscrimination and related complaint procedures. Such notification shall be included in each announcement, bulletin, catalog, handbook, application form, or other materials distributed to these groups and, as applicable, to the public. As appropriate, such notification shall be posted in district schools and offices, including staff lounges, student government meeting rooms, and other prominent locations and shall be posted on the district's web site and, when available, district-supported social media.

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

(cf. 5145.6 - Parental Notifications)

Note: Pursuant to Education Code 48985, when 15 percent or more of students enrolled in a school speak a single primary language other than English, all notices and reports sent to the parents/guardians of these students must also be written in the primary language and may be answered by the parent/guardian in English or the primary language. In addition, 20 USC 6311 and 6312 require that districts receiving Title I funds provide parent/guardian notices in an understandable and uniform format and, to the extent practicable, in a language that parents/guardians understand.

The district's nondiscrimination policy and related informational materials shall be published in a format that parents/guardians can understand. In addition, when 15 percent or more of a school's students speak a single primary language other than English, those materials shall be translated into that other language.

Access for Individuals with Disabilities

Note: Pursuant to the ADA and its implementing regulations, 28 CFR 35.150 and 35.151, district facilities must be accessible to and usable by individuals with disabilities. Compliance methods may include equipment redesign, reassignment of services to accessible buildings, assignment of aides to beneficiaries, home visits, delivery of services at alternate accessible sites, and alteration of existing facilities and construction of new facilities. In achieving compliance, a district need not make structural changes to existing facilities if other methods are effective and the district can demonstrate that the structural change would result in a fundamental alteration in the nature of the activity or an undue financial or administrative burden. However, pursuant to 28 CFR 35.151, all newly constructed facilities must comply with the 2010 ADA Standards for Accessible Designs issued by the U.S. Department of Justice.

In addition, pursuant to 28 CFR 35.136, a district must permit an individual with a disability to be accompanied by a service animal on district premises when, without the animal's assistance, the individual with a disability will not be able to access or participate in a district program or activity. For language addressing this mandate, see AR 6163.2 - Animals at School. Districts with questions about compliance with the ADA should consult with legal counsel as appropriate.

District programs and facilities, viewed in their entirety, shall be in compliance with the

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)

Americans with Disabilities Act (ADA) and any implementing standards and/or regulations. When structural changes to existing district facilities are needed to provide individuals with disabilities access to programs, services, activities, or facilities, the Superintendent or designee shall develop a transition plan that sets forth the steps for completing the changes.

(cf. 6163.2 - Animals at School)

(cf. 7110 - Facilities Master Plan)

(cf. 7111 - Evaluating Existing Buildings)

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

In addition, Government Code 54953.2 requires that all Board meetings meet the protections of the ADA and implementing regulations (28 CFR 35.160 and 36.303). In effect, the district must ensure that such meetings are accessible to persons with disabilities and that, upon the request of any person with a disability, disability-related accommodations, such as auxiliary aids and services, are made available.

A U.S. Department of Justice technical assistance publication, Accessibility of State and Local Government Websites to People with Disabilities, affirms that the ADA applies to district-sponsored web sites. Examples of technical standards for web site accessibility are available from the World Wide Web Consortium, California Department of Education's standards for state web sites, and other sources; see BP 1113 - District and School Web Sites.

The Superintendent or designee shall ensure that the district provides appropriate auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, assistive technologies or other modifications to increase accessibility to district and school web sites, notetakers, written materials, taped text, and Braille or large print materials. Individuals with disabilities shall notify the Superintendent or Principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to a school-sponsored function, program, or meeting.

(cf. 6020 - Parent Involvement)

(cf. 9320 - Meetings and Notices)

(cf. 9322 - Agenda/Meeting Materials)

Note: Pursuant to 28 CFR 35.107, a district that has 50 or more employees is required to designate at least one employee to coordinate the district's efforts to comply with the ADA. The designated employee could be the same individual or position responsible for the district's compliance with state and federal laws and regulations governing educational programs as identified in the district's uniform complaint procedures. The following paragraph, which identifies the person or position identified in the AR 1312.3 - Uniform Complaint Procedures as the responsible employee, may be modified if the district chooses to designate another person or position.

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)

The individual identified in AR 1312.3 - Uniform Complaint Procedures as the employee responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws is hereby designated as the district's ADA coordinator. He/she shall receive and address requests for accommodation submitted by individuals with disabilities, and shall investigate and resolve complaints regarding their access to district programs, services, activities, or facilities.

Superintendent

(title or position)

4612 Dehesa Rd. El Cajon, CA 92019

(address)

619 444-2161

(telephone number)

nancy.hauer@dehesasd.net

(email)

Legal Reference: (see next page)

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

48985 Notices to parents in language other than English

51007 Legislative intent: state policy

GOVERNMENT CODE

11000 Definitions

11135 Nondiscrimination in programs or activities funded by state

11138 Rules and regulations

12900-12996 Fair Employment and Housing Act

54953.2 Brown Act compliance with Americans with Disabilities Act

PENAL CODE

422.55 Definition of hate crime

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities in Education Act

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

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

6311 State plans

6312 Local education agency plans

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

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

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

2000h-2000h-6 Title IX

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

36.303 Auxiliary aids and services

CODE OF FEDERAL REGULATIONS, TITLE 34

100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI

104.1-104.39 Section 504 of the Rehabilitation Act of 1973

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

106.9 Dissemination of policy

Management Resources:

CSBA PUBLICATIONS

Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, July 2016

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING PUBLICATIONS

California Law Prohibits Workplace Discrimination and Harassment

Management Resources continued: (see next page)

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)

Management Resources: (continued)

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

Dear Colleague Letter: Transgender Students, May 2016

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Dear Colleague Letter: Harassment and Bullying, October 2010

Dear Colleague Letter: Electronic Book Readers, June 29, 2010

Notice of Non-Discrimination, January 1999

Protecting Students from Harassment and Hate Crime, January 1999

Nondiscrimination in Employment Practices in Education, August 1991

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

2010 ADA Standards for Accessible Design, September 2010

Accessibility of State and Local Government Websites to People with Disabilities, June 2003

WORLD WIDE WEB CONSORTIUM PUBLICATIONS

Web Content Accessibility Guidelines, December 2008

WEB SITES

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

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

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

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

Pacific ADA Center: <http://www.adapacific.org>

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

U.S. Department of Justice, Civil Rights Division, Americans with Disabilities Act: <http://www.ada.gov>

U.S. Equal Employment Opportunity Commission: <http://www.eeoc.gov>

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

SCHOOL PLANS/SITE COUNCILS

The Governing Board believes that comprehensive planning that is aligned with the district's local control and accountability plan (LCAP) is necessary in order to focus school improvement efforts on student academic achievement and facilitate the effective use of available resources. The Superintendent/Principal or designee shall ensure that school plans provide clear direction and identify cohesive strategies aligned with school and district goals.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0400 - Comprehensive Plans)

(cf. 0460 - Local Control and Accountability Plan)

The district shall establish a school site council in accordance with Education Code 52852 and the accompanying administrative regulation to develop, review, and approve school plans.

If the school participates in specified state and/or federal categorical programs, the school site council or other schoolwide advisory committee shall consolidate the plans required for those categorical programs into a single plan for student achievement (SPSA). (Education Code 64001)

(cf. 0520.2 - Title I Program Improvement Schools)

(cf. 1220 - Citizen Advisory Committees)

(cf. 1431 - Waivers)

(cf. 6020 - Parent Involvement)

(cf. 6171 - Title I Programs)

(cf. 6174 - Education for English Learners)

(cf. 6190 - Evaluation of the Instructional Program)

As appropriate, the school may incorporate any other school program into the SPSA. (Education Code 64001)

The Superintendent/Principal or designee shall review the school's SPSA to ensure that it meets the content requirements for all programs included, is based on an analysis of current practices and student academic performance, and reasonably links improvement strategies to identified needs of the school and its students. He/she shall also ensure that specific actions included in the district's LCAP are consistent with the strategies identified in the school's SPSA.

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

SCHOOL PLANS/SITE COUNCILS (continued)

Whenever the Board does not approve the school's SPSA, it shall communicate its specific reasons for disapproval of the plan to the school site council or committee. The school site council or committee shall then revise and resubmit the SPSA to the Board for its approval. (Education Code 52855)

The Superintendent/Principal or designee shall ensure that school administrators and school site council members receive training on the roles and responsibilities of the site council.

Legal Reference:

EDUCATION CODE

52-53 *Designation of schools*

33133 *Information guide for school site councils*

35147 *Open meeting laws exceptions*

41540-41544 *Targeted instructional improvement block grants*

52060-52077 *Local control and accountability plan*

52176 *Advisory committees*

52852 *School site councils*

54000-54028 *Educationally Disadvantaged Youth Programs*

54425 *Advisory committees (compensatory education)*

56000-56867 *Special education*

64000 *Categorical programs included in consolidated application*

64001 *Single school plan for student achievement, consolidated application programs*

CODE OF REGULATIONS, TITLE 5

3930-3937 *Compliance plans*

UNITED STATES CODE, TITLE 20

6311 *Accountability, adequate yearly progress*

6312 *Title I local educational agency plans*

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

6601-6651 *Teacher and Principal Training and Recruitment program*

6801-7014 *Limited English proficient and immigrant students*

7101-7165 *Safe and Drug-Free Schools and Communities*

7341-7355c *Rural Education Initiative*

Management Resources: (see next page)

SCHOOL PLANS/SITE COUNCILS (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council, February 2014

WEST ED PUBLICATIONS

California Healthy Kids Survey

California School Climate Survey

WEB SITES

California Department of Education, Single Plan for Student Achievement:

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

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

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

SCHOOL PLANS/SITE COUNCILS

School Site Councils

A school site council shall be established and be composed of the following: (Education Code 52852)

1. The Principal
2. Teachers selected by the school's teachers
3. Other school personnel selected by the school's other personnel
4. Parent/guardian representatives, who may include parents/guardians of students attending the school and/or community members, selected by parents/guardians of students attending the school.

Half of the school site council membership shall consist of school staff, the majority of whom shall be classroom teachers. For an elementary school site council, the remaining half shall be parent/guardian representatives. (Education Code 52852)

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

The bylaws of the school site council shall include the method of selecting members and officers, terms of office, responsibilities of council members, time commitment, and a policy of nondiscrimination.

The school site council may function on behalf of other committees in accordance with law. (Education Code 52176, 54425; 5 CCR 3932)

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

(cf. 1220 - Citizen Advisory Committees)

Single Plan for Student Achievement

If the district school participates in any state or federal categorical program specified in Education Code 64000 on an ongoing basis the school site council shall approve and

annually review and update a single plan for student achievement (SPSA). If the school does not have a school site council, these responsibilities shall be fulfilled by a schoolwide advisory group or school support group conforming to the composition requirements of the school site council listed in the section "School Site Councils" above. (Education Code 64001)

(cf. 1431 - Waivers)

(cf. 6020 - Parent Involvement)

(cf. 6171 - Title I Programs)

(cf. 6174 - Education for English Learners)

(cf. 6184 - Continuation Education)

The SPSA shall be developed with the review, advice, and certification of any applicable school advisory committees. (Education Code 64001)

Such groups may include, but are not limited to, a parent advisory committee established to review and comment on the district's local control and accountability plan (LCAP); advisory committees established for English learner and special education programs; district or school liaison teams if the school is identified for program improvement; and other committees established by the school or district.

(cf. 0460 - Local Control and Accountability Plan)

(cf. 0520.2 - Title I Program Improvement Schools)

(cf. 6190 - Evaluation of the Instructional Program)

The SPSA shall be aligned with the district's LCAP and school goals for improving student achievement. School goals shall be based on an analysis of verifiable state data identified pursuant to law, and may consider any other data developed by the district to measure student achievement. (Education Code 52062, 64001)

(cf. 0500 - Accountability)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6162.52 - High School Exit Examination)

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

1. Address how funds provided to the school through specified categorical programs will be used to improve the academic performance of all students to the level of the performance goals established by law
2. Identify the means of evaluating the school's progress toward accomplishing those goals

AR 0420(c)

SCHOOL PLANS/SITE COUNCILS (continued)

3. Identify how state and federal law governing the categorical programs will be implemented

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

In developing or revising the SPSA, the school site council or other schoolwide advisory group or school support group shall:

1. Analyze student achievement data. Using measures of student academic performance, the school shall identify significant patterns of low performance in particular content areas, student groups, and/or individual students and determine which data summaries to include in the plan as most informative and relevant to school goals.
2. Assess the effectiveness of the school's instructional program in relation to the analysis of student data.
3. Identify a limited number of achievement goals and key improvement strategies to achieve the goals. School goals shall reflect the needs identified at the school site while aligning with goals identified in federally required district plans. The school shall specify the student group(s) on which each goal is focused, the methods or practices that will be used to reach the goal, and the criteria that will be used to determine if the goal is achieved.
4. Define timelines, personnel responsible, proposed expenditures, and funding sources to implement the SPSA.

The school site council or other schoolwide group shall approve the proposed SPSA at a meeting for which public notice has been posted and then submit the SPSA to the Governing Board for approval. (Education Code 35147, 64001)

The school site council or other schoolwide group shall regularly monitor the implementation and effectiveness of the SPSA and modify any activities that prove ineffective. At least once per year, the Principal or designee shall evaluate results of improvement efforts and report to the Board, school site council, advisory committees, and other interested parties regarding progress toward school goals.

The school site council or other schoolwide group may amend the SPSA at any time. Any revisions that would substantively change the academic programs funded through the consolidated application shall be submitted to the Board for approval.

Regulation
approved:

Philosophy, Goals, Objectives, and Comprehensive Plans

DEHESA SCHOOL DISTRICT
El Cajon, California
BP 0420.4(a)

CHARTER SCHOOL AUTHORIZATION

The Governing Board recognizes that charter schools may assist the district in offering diverse learning opportunities for district students. In considering any petition to establish a charter school within the district, the Board shall give careful consideration to the potential of the charter school to provide students with a high-quality education that enables them to achieve to their fullest potential.

One or more persons may submit a petition for a start-up charter school to be established within the district. In addition, the existing district school may be converted to a charter school when deemed beneficial by the district and community or when state or federal law requires restructuring of the school because of low performance.

(cf. 0520.2 - Title I Program Improvement Schools)

Any petition for a start-up charter school or conversion charter school shall include all components and signatures required by law and shall be submitted to the Board.

The Superintendent/Principal or designee may work with charter school petitioners prior to the formal submission of the petition in order to ensure compliance of the petition with legal requirements. As needed, he/she also may meet with the petitioners to establish workable plans for technical assistance or contracted services which the district may provide to the proposed charter school.

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

(cf. 9320 - Meetings and Notices)

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

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

Approval of Petition

The Board shall approve the charter petition if doing so is consistent with sound educational practice. In granting charters, the Board shall give preference to schools best able to provide comprehensive learning experiences for academically low-achieving students according to standards established by the California Department of Education (CDE) under Education Code 54032. (Education Code 47605)

BP 0420.4(b)

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

(cf. 0420.42 - Charter School Renewal)
(cf. 0420.43 - Charter School Revocation)

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

(cf. 0420.41 - Charter School Oversight)

The district shall not require any district student to attend the charter school nor shall it require any district employee to work at the charter school. (Education Code 47605)

The Board may approve one or more memoranda of understanding to clarify the financial and operational agreements between the district and the charter school. Any such memorandum of understanding shall be annually reviewed by the Board and charter school governing body and amended as necessary.

It shall be the responsibility of the petitioners to provide written notice of the Board's approval and a copy of the charter to the County Superintendent/Principal of Schools, the CDE, and the State Board of Education (SBE). (Education Code 47605)

Denial of Petition

The Board shall deny any petition to authorize the conversion of a private school to a charter school or that proposes to serve students in a grade level that is not served by the district, unless the petition proposes to serve students in all the grade levels served by the district. (Education Code 47602, 47605; 5 CCR 11965)

Any other charter petition shall be denied only if the Board presents written factual findings specific to the petition that one or more of the following conditions exist: (Education Code 47605)

1. The charter school presents an unsound educational program for the students to be enrolled in the charter school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
3. The petition does not contain the number of signatures required.

BP 0420.4(c)

4. The petition does not contain an affirmation of each of the conditions described in Education Code 47605(d).
5. The petition does not contain reasonably comprehensive descriptions of the charter provisions in Education Code 47605(b).

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

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

If the Board denies a petition, the petitioners may choose to submit the petition to the County Board of Education and, if then denied by the County Board, to the SBE. (Education Code 47605)

Legal Reference: (see next page)

BP 0420.4(d)

Legal Reference:

EDUCATION CODE

220 Nondiscrimination

17078.52-17078.66 Charter schools facility funding; state bond proceeds

17280-17317 Field Act

17365-17374 Field Act, fitness for occupancy

41365 Charter school revolving loan fund

42238.51-42238.53 Funding for charter districts

44237 Criminal record summary

44830.1 Certificated employees, conviction of a violent or serious felony

45122.1 Classified employees, conviction of a violent or serious felony

46201 Instructional minutes

47600-47616.7 Charter Schools Act of 1992

47640-47647 Special education funding for charter schools

47650-47652 Funding of charter schools

51745-51749.3 Independent study

52052 Numerically significant student subgroup, definition

53300-53303 Parent Empowerment Act

56026 Special education

56145-56146 Special education services in charter schools

CORPORATIONS CODE

5110-6910 Nonprofit public benefit corporations

GOVERNMENT CODE

3540-3549.3 Educational Employment Relations Act

CODE OF REGULATIONS, TITLE 5

4800-4808 Parent Empowerment Act

11700.1-11705 Independent study

11960-11969 Charter schools

CODE OF REGULATIONS, TITLE 24

101 et seq. California Building Standards Code

UNITED STATES CODE, TITLE 20

6316 Program improvement

7223-7225 Charter schools

COURT DECISIONS

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

ATTORNEY GENERAL OPINIONS

89 Ops. Cal. Atty. Gen. 166 (2006)

80 Ops. Cal. Atty. Gen. 52 (1997)

78 Ops. Cal. Atty. Gen. 297 (1995)

Management Resources: (see next page)

BP 0420.4(e)

Management Resources:

CSBA PUBLICATIONS

The Role of the Charter School Authorizer, Online Course

Charter Schools: A Manual for Governance Teams, rev. 2009

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

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Sample Copy of a Memorandum of Understanding

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

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Charter Schools Program, July 2004

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

WEB SITES

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

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

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

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

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

Policy

adopted:

Philosophy, Goals, Objectives, and Comprehensive Plans

DEHESA SCHOOL DISTRICT

El Cajon, California

BP 0420.41(a)

CHARTER SCHOOL OVERSIGHT

Note: The following optional policy may be revised to reflect district practice. The Governing Board is obligated to monitor the performance of any charter school it authorizes in order to ensure the school's compliance with legal requirements and progress toward meeting measurable outcomes specified in the charter. Information about the school's performance is necessary when determining whether to grant a renewal of the charter or whether a revocation of the charter is warranted; see BP 0420.42 - Charter School Renewal and BP 0420.43 - Charter School Revocation. In addition, pursuant to Education Code 47604, if the district complies with all oversight responsibilities required by law, it will not be liable for the debts or obligations of any charter school that operates as or is operated by a nonprofit public benefit corporation pursuant to Corporations Code 5110-6910.

Pursuant to Education Code 47605, if the State Board of Education (SBE) approves a petition upon appeal after the Board and County Board of Education have denied the petition, the SBE may, by mutual agreement, designate its supervisory and oversight responsibilities to the Board or to any local educational agency in the county in which the charter school is located.

The Governing Board recognizes its ongoing responsibility to oversee that any charter school the Board has authorized is successfully fulfilling the terms of its charter and is providing a high-quality educational program for students enrolled in the charter school.

(cf. 0420.4 - Charter School Authorization)
(cf. 0500 - Accountability)

The Superintendent or designee shall identify at least one staff member to serve as a contact person for each charter school authorized by the Board. (Education Code 47604.32)

Note: Education Code 47604.32 requires the district to visit each charter school at least once every year. CSBA's publication Charter Schools: A Guide for Governance Teams recommends more frequent visits, perhaps two or three times during the school year, in order to monitor school operations more closely and develop relationships with the staff at the charter school.

The Board and Superintendent or designee may inspect or observe any part of the charter school at any time. The Superintendent or designee shall visit each charter school at least annually. (Education Code 47604.32, 47607)

Waivers

Note: A charter school is not authorized to submit general waiver requests to the SBE on its own behalf. Rather, the district must submit the waiver request for the charter school. A general waiver request form is available on the California Department of Education's (CDE) web site. Exceptions for which the charter school may directly apply for a waiver include a federal waiver of the Carl Perkins Career and Technical Education Act and a specific waiver of instructional time penalties.

If the charter school wishes to request a general waiver of any state law or regulation applicable to it, it shall request that the district submit a general waiver request to the State Board of Education (SBE) on its behalf. Upon approval of the Board, the Superintendent or designee shall submit such a waiver request to the SBE on behalf of the charter school.

(cf. 1431 - Waivers)

Provision of District Services

Note: The following optional section may be revised to reflect district practice. A charter school may elect to receive its funding directly from the County Superintendent of Schools pursuant to Education Code 47651 and be directly responsible for the provision of payroll, human resources, maintenance and operations, legal services, and other administrative operations. Alternatively, a charter school may receive its funding through the district that granted its charter, as is the case with most "dependent" charter schools. CSBA's publication Charter Schools: A Guide for Governance Teams recommends one or more memoranda of understanding to clarify the financial and operational agreements between the district and the charter school, including any services that will be provided by the district; see BP 0420.4 - Charter School Authorization.

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

Whenever the district agrees to provide administrative or support services, the district and charter school shall develop a memorandum of understanding which clarifies the financial and operational agreements between the district and charter school.

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

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CHARTER SCHOOL OVERSIGHT (continued)

Material Revisions to Charter

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

If an approved charter school proposes to establish or move operations to one or more additional sites, the charter school shall request a material revision to its charter and shall notify the Board of those additional locations. The Board shall consider approval of the additional locations at an open meeting. (Education Code 47605)

The Board shall have the authority to determine whether a proposed change in charter school operations constitutes a material revision of the approved charter.

Monitoring Charter School Performance

Note: The district has a responsibility to oversee that the charter school complies with all applicable legal requirements. Violation of any law may subject the charter school to revocation pursuant to Education Code

47607. See the accompanying Exhibit for a list of legal requirements pertaining to the operation of charter schools.

The Superintendent or designee shall monitor the charter school to determine whether it complies with all legal requirements applicable to charter schools, including making all reports required of charter schools in accordance with Education Code 47604.32. Any violations of law shall be reported to the Board.

Note: Education Code 47605 requires that measurable student outcomes for "all groups of students served by the charter school" be included in the school's charter petition and that these outcomes be aligned with the state priorities for the local control and accountability plan (LCAP) as stated in Education Code 52060; see AR 0420.4 - Charter School Authorization. Pursuant to Education Code 47607, "all groups of students served by the charter school" means all numerically significant subgroups of students served by the charter school, as defined in Education Code 52052. Education Code 52052 defines a numerically significant subgroup as a subgroup with at least 30 students (or at least 15 foster youth or homeless students) in the school, including ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students. For schools with 11-99 students, numerically significant student subgroups are defined by the Superintendent of Public Instruction (SPI) with approval by the SBE.

Education Code 47605 requires that the charter petition include methods for measuring the charter school's progress toward achieving student outcomes. Although the measures of the school's progress may vary, Education Code 47605 requires that charter schools conduct any statewide assessments applicable to other public schools. In addition, Education Code 47604.32 and 47604.33, as amended by SB 828 (Ch. 29, Statutes of 2016), require the district to ensure that the charter school submits an annual update of its LCAP as required by Education Code 47606.5. Education Code 47606.5 requires that the charter school's LCAP

BP 0420.41(d)

CHARTER SCHOOL OVERSIGHT (continued)

include a review of progress toward its goals, an assessment of the effectiveness of the specific actions described in the charter toward achieving the goals, and a description of changes in the specific actions that the charter school will make as a result of the review and assessment.

The Board shall monitor each charter school to determine whether it is achieving, both schoolwide and for all groups of students served by the school, the measurable student outcomes set forth in the charter. This determination shall be based on the measures specified in the approved charter and on the charter school's annual review and assessment of its progress toward the goals and actions identified in its local control and accountability plan (LCAP).

The Board shall monitor the fiscal condition of the charter school based on any financial information obtained from the charter school, including, but not limited to, the charter school's preliminary budget, annual update of the school's LCAP, first and second interim financial reports, and final unaudited report for the full prior year. (Education Code 47604.32, 47604.33, 47606.5)

Note: Education Code 47613 authorizes the district to charge the charter school, within specified limits, for the costs of supervisorial oversight of the school. Education Code 47613 provides that the costs of supervisorial oversight include, but are not limited to, costs incurred for technical assistance or intervention

pursuant to Education Code 47607.3; see the section "Technical Assistance/Intervention" below. CSBA's publication Charter Schools: A Guide for Governance Teams suggests that supervisory oversight activities also might include site visits, reviews of performance data and financial reports, and legal auditing. The actual provision of administrative or support services would not be considered supervisory oversight for purposes of charging supervisory oversight costs to the charter school. Those services may be purchased separately by the charter school.

The district may charge up to one percent of a charter school's revenue for the actual costs of supervisory oversight of the school. However, if the district is able to provide substantially rent-free facilities to the charter school, the district may charge up to three percent of the charter school's revenue for actual costs of supervisory oversight or, if the facility is provided under Education Code 47614, the pro-rata share facilities costs calculated pursuant to 5 CCR 11969.7. If the district charges the pro-rata share, it may also charge one percent of the charter school's revenue in oversight fees. (Education Code 47613)

(cf. 7160 - Charter School Facilities)

Technical Assistance/Intervention

If, in three out of four consecutive school years, a charter school fails to improve outcomes for three or more student subgroups identified in Education Code 52052, or for all of the student subgroups if the school has fewer than three, in regard to one or more state or school priorities identified in the charter, the district: (Education Code 47607.3)

1. Shall provide technical assistance to the charter school using an evaluation rubric adopted by the SBE pursuant to Education Code 52064.5

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CHARTER SCHOOL OVERSIGHT (continued)

2. May request that the Superintendent of Public Instruction (SPI), with SBE approval, assign the California Collaborative for Educational Excellence to provide advice and assistance to the charter school pursuant to Education Code 52074

Note: As amended by the Every Student Succeeds Act (P.L. 114-95), 20 USC 6311 provides for a new system of school support and improvement for Title I schools beginning in the 2017-18 school year. Until then, charter schools that have been identified for program improvement (PI) for failure to make "adequate yearly progress" for two or more consecutive years must continue to implement their improvement plans. However, because of the repeal of 20 USC 6316 by P.L. 114-95, schools in the second year of PI or beyond are no longer required to arrange for supplemental educational services from an approved service provider. Instead, the CDE has elected to require the provision of alternative supports, defined and administered by the school, to eligible students beginning with the 2016-17 school year; see the CDE's Every Student Succeeds Act 2016-17 School Year Transition Plan (April 2016).

If a charter school receiving federal Title I funding has been identified for program improvement, it shall implement improvement strategies in accordance with its existing school improvement plan.

(cf. 0520.2 - Title I Program Improvement Schools)

Note: Education Code 47607 requires the Board to consider specified criteria of academic performance when determining whether to deny a petition for charter renewal or to revoke a charter, with achievement of all student subgroups served by the charter school being the most important factor; see BP 0420.42 - Charter School Renewal and BP 0420.43 - Charter School Revocation. In addition, Education Code 47607.3 requires the Board to consider revocation of a charter whenever it finds that the charter school has failed, or is unable, to implement the recommendations of the California Collaborative for Educational Excellence or continues to demonstrate persistent or acute inadequate performance.

In accordance with law, the Board may deny a charter school's renewal petition or may revoke a charter based on the charter school's poor performance, especially with regard to the academic achievement of all numerically significant subgroups of students served by the charter school.

(cf. 0420.42 - Charter School Renewal)

(cf. 0420.43 - Charter School Revocation)

Complaints

Note: Pursuant to Education Code 52075, charter schools are required to establish policies and procedures addressing complaints of noncompliance with Education Code 47606.5 (annual update of school goals, actions, and related expenditures) or 47607.3 (technical assistance or intervention based on the school's failure to improve student outcomes). See AR 1312.3 - Uniform Complaint Procedures for applicable procedures.

Each charter school shall establish and maintain policies and procedures to enable any person to file a complaint, in accordance with the uniform complaint procedures as specified in 5

BP 0420.41(f)

CHARTER SCHOOL OVERSIGHT (continued)

CCR 4600-4687, alleging the school's noncompliance with Education Code 47606.5 or 47607.3. (Education Code 52075)

(cf. 1312.3 - Uniform Complaint Procedures)

A complainant who is not satisfied with the decision may appeal the decision to the SPI. (Education Code 52075)

If the charter school finds merit in the complaint or the SPI finds merit in an appeal, a remedy shall be provided to all affected students and parents/guardians. (Education Code 52075)

School Closure

Note: The following optional section may be revised to reflect district practice. Pursuant to Education Code 47605, procedures to be followed in the event a charter school ceases operation for any reason must be specified in the charter; see AR 0420.4 - Charter School Authorization. 5 CCR 11962 lists components that must be included in these procedures, including (1) designation of a responsible entity to conduct closure-related activities; (2) notifications to specified persons and entities; (3) provision of information about students' grade level, course completion, and district of residence; (4) transfer and maintenance of student

and personnel records; (5) completion of an independent final audit; and (6) disposal of any net assets remaining after all liabilities of the charter school have been paid or otherwise addressed.

Depending on the terms of the charter, these duties may be performed by the charter school, the district, or another specified entity. However, Education Code 47604.32 specifies that it is the responsibility of the district to notify the CDE when a charter school ceases operation for any reason. The CDE's web site also recommends that, in addition to the notifications required by 5 CCR 11962, either the district or the charter school should announce the closure to any school districts that may be responsible for providing education services to the former students of the charter school.

The CDE's web site recommends that charter school closures occur at the end of a school year if it is feasible to maintain a legally compliant program until then.

In the event that the Board revokes or denies renewal of a charter or the school ceases operation for any reason, the Superintendent or designee shall, when applicable in accordance with the charter and/or a memorandum of understanding, provide assistance to facilitate the transfer of the charter school's former students and to finalize financial reporting and close-out.

The Superintendent or designee shall provide notification to the California Department of Education, within 10 calendar days of the Board's action, if renewal of the charter is denied, the charter is revoked, or the charter school will cease operation for any reason.

Such notification shall include, but not be limited to, a description of the circumstances of the closure, the effective date of the closure, and the location of student and personnel records. (Education Code 47604.32; 5 CCR 11962.1)

Legal Reference: (see next page)

BP 0420.41(g)

CHARTER SCHOOL OVERSIGHT (continued)

Legal Reference:

EDUCATION CODE

215 Suicide prevention policy

220 Nondiscrimination

221.9 Sex equity in competitive athletics

222 Lactation accommodations for students

17280-17317 Field Act

17365-17374 Field Act, fitness for occupancy

35330 Field trips and excursions; student fees

38080-38086 School meals

39831.3 Transportation safety plan

39843 Disciplinary action against bus driver; report to Department of Motor Vehicles

42100 Annual statement of receipts and expenditures

44030.5 Reporting change in employment status due to alleged misconduct

44237 Criminal record summary

44691 Information on detection of child abuse

44830.1 Certificated employees, conviction of a violent or serious felony

45122.1 Classified employees, conviction of a violent or serious felony

47600-47616.7 Charter Schools Act of 1992

47634.2 Nonclassroom-based instruction

47640-47647 Special education funding for charter schools
 48000 Minimum age of admission for kindergarten; transitional kindergarten
 48010-48011 Minimum age of admission (first grade)
 48850-48859 Educational placement of foster youth and homeless students
 48907 Students' exercise of free expression; rules and regulations
 48950 Student speech and other communication
 49011 Student fees
 49061 Student records
 49110 Authority of issue work permits
 49414 Epinephrine auto-injectors
 49475 Health and safety, concussions and head injuries
 51224.7 Mathematics placement policy
 51225.6 Instruction in cardiopulmonary resuscitation
 51745-51749.3 Independent study
 52051.5-52052 Academic performance index, applicability to charter schools
 52060-52077 Local control and accountability plans
 52075 Uniform complaint procedures
 56026 Special education
 56145-56146 Special education services in charter schools
 60600-60649 Assessment of academic achievement
 60850-60859 High school exit examination
 69432.9 Cal Grant program; notification of grade point average
CORPORATIONS CODE
 5110-6910 Nonprofit public benefit corporations
GOVERNMENT CODE
 1090-1099 Prohibitions applicable to specified officers
 3540-3549.3 Educational Employment Relations Act
 81000-91014 Political Reform Act of 1974

Legal Reference continued: (see next page)

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CHARTER SCHOOL OVERSIGHT (continued)

Legal Reference: (continued)

HEALTH AND SAFETY CODE

104420 Tobacco Use Prevention Education grant program

104559 Tobacco-free schools

LABOR CODE

1198.5 Personnel records related to performance and grievance

PENAL CODE

667.5 Definition of violent felony

1192.7 Definition of serious felony

CALIFORNIA CONSTITUTION

Article 9, Section 5 Common school system

Article 16, Section 8.5 Public finance; school accountability report card

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

11700.1-11705 Independent study

11960-11969 Charter schools

15497.5 Local control and accountability plan template

CODE OF REGULATIONS, TITLE 24

101 et seq. California Building Standards Code

UNITED STATES CODE, TITLE 20

6311 State plan
7221-7221j Charter schools
UNITED STATES CODE, TITLE 42
11431-11435 McKinney-Vento Homeless Assistance Act
CODE OF FEDERAL REGULATIONS, TITLE 34
200.1-200.78 Accountability
COURT DECISIONS
Ridgecrest Charter School v. Sierra Sands Unified School District, (2005) 130 Cal.App.4th 986
ATTORNEY GENERAL OPINIONS
89 Ops.Cal.Atty.Gen. 166 (2006)
80 Ops.Cal.Atty.Gen. 52 (1997)
78 Ops.Cal.Atty.Gen. 297 (1995)
CALIFORNIA OFFICE OF ADMINISTRATIVE HEARINGS DECISIONS
Student v. Horizon Instructional Systems Charter School, (2012) OAH Case No. 2011060763

Management Resources:

CSBA PUBLICATIONS
Charter Schools: A Guide for Governance Teams, rev. 2016
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Every Student Succeeds Act 2016-17 School Year Transition Plan, April 2016
California School Accounting Manual
Sample Copy of a Memorandum of Understanding
Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 12-02, April 24, 2013
Special Education and Charter Schools: Questions and Answers, September 10, 2002
U.S. DEPARTMENT OF EDUCATION GUIDANCE
Charter Schools Program: Title V, Part B of the ESEA, April 2011

Management Resources continued: (see next page)

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CHARTER SCHOOL OVERSIGHT (continued)

Management Resources: (continued)

WEB SITES
CSBA: <http://www.csba.org>
California Charter Schools Association: <http://www.calcharters.org>
California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/cs>
National Association of Charter School Authorizers: <http://www.qualitycharters.org>
U.S. Department of Education: <http://www.ed.gov>

Policy
adopted:

Philosophy, Goals, Objectives, and Comprehensive Plans

CSBA MANUAL MAINTENANCE SERVICE

October 2016

E 0420.41(a)

CHARTER SCHOOL OVERSIGHT

REQUIREMENTS FOR CHARTER SCHOOLS

Note: Pursuant to Education Code 47610, charter schools are exempt from Education Code provisions governing school districts unless otherwise specified in law. The following Exhibit lists some, but not necessarily all, legal requirements that apply to charter schools and may be used by the district to monitor a charter school's compliance with law. Violation of any law may subject the charter school to revocation pursuant to Education Code 47607; see BP 0420.43 - Charter School Revocation.

Charter schools shall be subject to the terms of their charters, any memorandum of understanding with their chartering authority, and other legal requirements that expressly include charter schools, including, but not limited to, requirements that each charter school:

1. Be nonsectarian in its programs, admission policies, employment practices, and all other operations (Education Code 47605)
2. Not discriminate against any student on the basis of the characteristics listed in Education Code 220 (Education Code 47605)
3. Not charge tuition (Education Code 47605)

Note: Education Code 47605 specifically prohibits a charter school from charging tuition, but does not mention fees or other charges. As clarified in the California Department of Education's (CDE) advisory Pupil Fees, Deposits, and Other Charges, because charter schools are subject to the California Constitution, the free school guarantee of the California Constitution, Article IX, Section 5, applies to charter schools. Charter schools may only charge fees authorized by law that have been made explicitly applicable to charter schools. For example, charter schools may charge fees for meals and field trips pursuant to Education Code 35330, 38082, and 38084 because those provisions apply to charter schools, but charter schools may not necessarily charge other fees authorized by law for school districts. In addition, Education Code 49011 prohibits all public schools from requiring services or donations as a condition of enrollment or continued enrollment.

4. Not charge student fees for any activity that is an integral component of the educational program, except as authorized by those Education Code provisions that explicitly apply to charter schools
5. Adhere to all laws establishing the minimum age for public school attendance (Education Code 47610)
6. Serve students who are California residents and who, if over 19 years of age, are continuously enrolled in a public school and making "satisfactory progress" toward a high school diploma as defined in 5 CCR 11965 (Education Code 47612)

E 0420.41(b)

CHARTER SCHOOL OVERSIGHT (continued)

Note: Education Code 56145 requires charter schools to serve students with disabilities in the same manner as other public schools. Pursuant to Education Code 47646, districts must ensure that each charter school that is deemed to be a public school of the district and is not its own local educational agency for special education purposes receives an equitable share of state and federal special education funding and/or any necessary special education services provided by the district on behalf of disabled students in the charter school.

If a charter school is operating as a public school of the district for purposes of providing special education, the district retains responsibility and must determine how best to ensure that all special education students receive a free appropriate public education (FAPE). However, the California Office of Administrative Hearings has ruled (Student v. Horizon Instructional Systems Charter School) that a charter school operating as its own local educational agency for purposes of special education, including a charter school offering an independent study program, is solely responsible for providing special education students with FAPE.

7. Serve students with disabilities in the same manner as such students are served in other public schools (Education Code 47646, 56145)
8. Admit all students who wish to attend the school, according to the following criteria and procedures:

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

If a charter school will be physically located in a public elementary school attendance area in which 50 percent or more of the student enrollment is eligible for free or reduced-price meals, it may also establish an admissions preference for students who are currently enrolled in the public elementary school and for students who reside in the public school attendance area. (Education Code 47605.3)

- b. If the number of students who wish to attend the charter school exceeds the school's capacity, attendance shall be determined by a public random drawing. However, preference shall be extended to students currently attending the charter school and students who reside in the district, except as provided for in Education Code 47614.5. (Education Code 47605)
 - c. Other admissions preferences may be permitted by the chartering district on an individual school basis consistent with law. (Education Code 47605)
9. Immediately enroll a homeless student, except where such enrollment would conflict with Education Code 47605(d) (Education Code 48850; 42 USC 11431-11435)
E 0420.41(c)

CHARTER SCHOOL OVERSIGHT (continued)

Note: Education Code 48859, as amended by SB 445 (Ch. 289, Statutes of 2015), requires all charter schools to comply with state law regarding the enrollment and placement of foster youth.

10. Comply with the requirements of Education Code 48850-48859 regarding the enrollment and placement of foster youth (Education Code 48853.5, 48859)
11. If the school offers a kindergarten program: (Education Code 48000)
 - a. Offer a transitional kindergarten (TK) program to students whose fifth birthday is from September 2 through December 2

Note: Pursuant to Education Code 48000, charter schools must ensure that credentialed teachers who are first assigned to a TK class after July 1, 2015 possess certain qualifications by August 1, 2020. These requirements include at least 24 units in early childhood education and/or child development, comparable experience in a preschool setting, and/or a child development teacher permit issued by the Commission on Teacher Credentialing (CTC).

- b. Ensure that any credentialed teacher first assigned to teach a TK class after July 1, 2015 meets the qualifications specified in Education Code 48000 by August 1, 2020

Note: The Every Student Succeeds Act (P.L. 114-95) repealed 20 USC 6319 to eliminate the requirement that teachers who teach core academic subjects meet requirements for "highly qualified" teachers, as defined. Guidance from the U.S. Department of Education (USDOE), Transitioning to the Every Student Succeeds Act (ESSA): Frequently Asked Questions, clarifies that local educational agencies, including charter schools, will not be required to comply with "highly qualified" teacher requirements beginning in the 2016-17 school year. Thus, hiring practices should be based solely upon state licensure requirements.

12. Require its teachers to hold a certificate, permit, or other document issued by the Commission on Teacher Credentialing (CTC) equivalent to that which a teacher in other public schools would be required to hold (Education Code 47605)
13. Provide annual training on child abuse and neglect reporting requirements to employees and persons working on their behalf who are mandated reporters, within the first six weeks of each school year or within six weeks of employment (Education Code 44691)

Note: Education Code 44830.1 and 45122.1 prohibit charter schools from hiring any person who has been convicted of a violent or serious felony as defined in Penal Code 667.5 and 1192.7, unless that person has received a certificate of rehabilitation and a pardon. Schools also may not retain in employment any temporary, substitute, or probationary employee who has been convicted of a violent or serious felony. See AR 4112.5/4212.5/4312.5 - Criminal Record Check.

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

E 0420.41(d)

CHARTER SCHOOL OVERSIGHT (continued)

Note: Education Code 44030.5 requires charter schools to report to the CTC any change in employment status due to an allegation of misconduct. See AR 4117.7/4317.7 - Employment Status Reports for further information about these reports.

15. Report to the CTC any change in a certificated employee's employment status (dismissal, nonreelection, resignation, suspension, unpaid administrative leave for more than 10 days, retirement, or other decision not to employ or reemploy) as a result of an allegation of misconduct or while an allegation of misconduct is pending (Education Code 44030.5)
16. Meet the requirements of Education Code 47611 regarding the State Teachers' Retirement System (Education Code 47610)
17. Meet the requirements of Government Code 3540-3549.3 related to collective bargaining in public education employment (Education Code 47611.5)

Note: Education Code 51224.7, as added by SB 359 (Ch. 508, Statutes of 2015), requires charter schools that serve students in grade 9 to adopt a mathematics placement policy with specified components.

18. If the school serves students in grade 9, adopt a fair, objective, and transparent mathematics placement policy, with specified components (Education Code 51224.7)

Note: Education Code 47605 requires charter schools to conduct statewide assessments, including, but not limited to, the California High School Exit Examination (Education Code 60850-60859). However, Education Code 60851.5, as added by SB 172 (Ch. 572, Statutes of 2015), suspends the administration of the exit examination through the 2017-18 school year.

19. Meet all statewide standards and conduct any statewide assessments applicable to noncharter public schools (Education Code 47605, 47612.5, 60605, 60850-60859)

Note: Education Code 60851.6, as added by SB 172 (Ch. 572, Statutes of 2015), requires charter schools to retroactively grant diplomas to students who met all graduation requirements except for passage of the high school exit examination, as provided in item #20 below.

20. Until July 31, 2018, grant a high school diploma to any student who completed grade 12 in the 2003-04 school year or a subsequent school year and who has met all applicable graduation requirements other than the passage of the high school exit examination (Education Code 60851.6)

Note: Education Code 47612.5 specifies, by grade level, the minimum number of instructional minutes that must be offered each fiscal year. Any charter school that fails to meet the requirement will have its state apportionment reduced in proportion to the percentage of instructional minutes that the school fails to offer. Education Code 47612.5 and 47612.6 provide that neither the State Board of Education nor the Superintendent of Public Instruction may waive the required number of instructional minutes but may waive the fiscal penalties under specified conditions.

E 0420.41(e)

CHARTER SCHOOL OVERSIGHT (continued)

21. Offer at least the number of instructional minutes required by law for the grade levels provided by the charter school (Education Code 46201.2, 47612.5)

Note: Education Code 47612.5 provides that charter schools offering independent study are subject to Education Code 51745-51749.3. Education Code 51745 requires that no course included among the courses required for graduation may be offered solely through independent study. However, pursuant to 5 CCR 11705, a charter school offering grades 9-12 shall be deemed to be an "alternative school" for purposes of independent study and thus, according to the CDE, would comply with this provision because students in such alternative schools are enrolled voluntarily and, if they wished, could attend any other district high school in which the courses were offered via classroom instruction.

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

23. Identify and report to the Superintendent of Public Instruction (SPI) any portion of its average daily attendance that is generated through nonclassroom-based instruction, including, but not limited to, independent study, home study, work study, and distance and computer-based education (Education Code 47612.5, 47634.2; 5 CCR 11963.2)
24. If the school offers competitive athletics, annually post on the school's web site or on the web site of the charter operator the total enrollment of the school classified by gender, the number of students who participate in competitive athletics classified by gender, and the number of boys' and girls' teams classified by sport and by competition level (Education Code 221.9)
25. If the school offers an athletic program, annually provide an information sheet about concussion and head injury to athletes and their parents/guardians, which must be signed and returned to the school before the athlete initiates practice or competition. In the event that an 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 and shall not be permitted to return to the activity until he/she is evaluated by a licensed health care provider and receives written clearance to return to the activity. (Education Code 49475)
26. On a regular basis, consult with parents/guardians and teachers regarding the school's educational programs (Education Code 47605)

Note: Education Code 48907 requires charter schools to establish a written "publications code" related to students' rights to freedom of speech and of the press. These written rules and regulations must include reasonable provisions for the time, place, and manner in which free expression may take place within the charter school's jurisdiction.

E 0420.41(f)

CHARTER SCHOOL OVERSIGHT (continued)

27. Provide students the right to exercise freedom of speech and of the press including, but not limited to, the use of bulletin boards; the distribution of printed materials or petitions; the wearing of buttons, badges, and other insignia; and the right of expression in official publications (Education Code 48907, 48950)
28. Maintain written contemporaneous records that document all student attendance and make these records available for audit and inspection (Education Code 47612.5)
29. If a student subject to compulsory full-time education is expelled or leaves the charter school without graduating or completing the school year for any reason, notify the Superintendent of the school district of the student's last known address within 30 days and, upon request, provide that district with a copy of the student's cumulative record, including a transcript of grades or report card, and health information (Education Code 47605)

30. Electronically submit the grade point average of all students in grade 12 to the Student Aid Commission each academic year for use in the Cal Grant program, after notifying the students and their parents/guardians as applicable, by October 15 of each year, of the opportunity to opt out of being deemed a Cal Grant applicant within a specified period of time of at least 30 days (Education Code 69432.9)
31. Comply with the California Building Standards Code as adopted and enforced by the local building enforcement agency with jurisdiction over the area in which the charter school is located, unless the charter school facility meets either of the following conditions: (Education Code 47610, 47610.5)
 - a. The facility complies with the Field Act pursuant to Education Code 17280-17317 and 17365-17374.
 - b. The facility is exclusively owned or controlled by an entity that is not subject to the California Building Standards Code, including, but not limited to, the federal government.

Note: Education Code 222, as added by AB 302 (Ch. 690, Statutes of 2015), requires charter schools to provide reasonable lactation accommodations to students as provided in item #32 below.
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32. Provide reasonable accommodations on campus to a lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding (Education Code 222)
33. Ensure the availability and proper use of emergency epinephrine auto-injectors by: (Education Code 49414)

E 0420.41(g)

CHARTER SCHOOL OVERSIGHT (continued)

- a. Providing school nurses or other voluntary, trained personnel with at least one regular and one junior device for elementary schools and, for secondary schools, one regular device if there are no students who require a junior device
 - b. Distributing a notice at least once per school year to all staff requesting volunteers and describing the training that volunteers will receive
 - c. Providing defense and indemnification to volunteers for any and all civil liability from such administration
34. Promptly respond to all reasonable inquiries from the district, the county office of education, or the SPI, including, but not limited to, inquiries regarding the school's financial records (Education Code 47604.3)

35. Annually prepare and submit financial reports to the district Governing Board and the County Superintendent of Schools in accordance with the following reporting cycle:

- a. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code 47605(g) will satisfy this requirement. (Education Code 47604.33)
- b. By July 1 each year, an update of the school's goals and the actions to achieve those goals as identified in the charter, developed using the local control and accountability plan template in 5 CCR 15497.5. This report shall include a review of the progress toward the goals, an assessment of the effectiveness of the specific actions toward achieving the goals, a description of changes the school will make to the specific actions as a result of the review and assessment, and a listing and description of expenditures for the fiscal year implementing the specific actions. (Education Code 47604.33, 47606.5; 5 CCR 15497.5)

When conducting this review, the governing body of the school may consider qualitative information including, but not limited to, findings that result from any school quality reviews conducted pursuant to Education Code 52052 or any other reviews. To the extent practicable, data shall be reported in a manner consistent with how information is reported on a school accountability report card. The update shall be developed in consultation with teachers, principals, administrators, other school personnel, parents/guardians and students. (Education Code 47606.5)

- c. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. (Education Code 47604.33)

E 0420.41(h)

CHARTER SCHOOL OVERSIGHT (continued)

- d. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31. (Education Code 47604.33)
- e. By September 15, a final unaudited report for the full prior year. The report submitted to the Board shall include an annual statement of all the charter school's receipts and expenditures for the preceding fiscal year. (Education Code 42100, 47604.33)
- f. By December 15, a copy of the charter school's annual, independent financial audit report for the preceding fiscal year, unless the charter school's audit is encompassed in the district's audit. The audit report shall also be submitted to the state Controller and the California Department of Education. (Education Code 47605)

Note: Pursuant to 5 CCR 4600, direct-funded charter schools are subject to state requirements to adopt uniform complaint procedures for investigating and resolving specified types of complaints in accordance with 5 CCR 4600-4670. See BP/AR 1312.3 - Uniform Complaint Procedures for further information about types of complaints addressed through these procedures, required notifications, timelines, and other requirements.

36. If a direct-funded charter school, adopt and implement uniform complaint procedures to resolve complaints of unlawful discrimination or alleged violation of a state or federal law or regulation governing educational programs, in accordance with 5 CCR 4600-4670 (5 CCR 4600)
37. Annually adopt a school accountability report card (Education Code 47612; California Constitution, Article XVI, Section 8.5)

Note: Districts should consult with legal counsel regarding the applicability of state law other than the Education Code to charter schools.

In addition, charter schools shall comply with the state and federal constitutions, applicable federal laws, and state laws that apply to governmental agencies in general, such as the Brown Act requirements in Government Code 54950-54963 and the conflict of interest laws in Government Code 1090-1099 and 87100-91014.

Exhibit

CSBA MANUAL MAINTENANCE SERVICE

version:

May 2016

Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0420.42(a)

CHARTER SCHOOL RENEWAL

The Governing Board believes that the ongoing operation of a charter school established within the district should be dependent on the school's effectiveness in achieving its mission and goals for student learning and other student outcomes. Whenever a charter school submits a petition for renewal of its charter, the Board shall review the petition thoroughly and in a timely manner.

(cf. 0420.4 - Charter School Authorization)

(cf. 0420.41 - Charter School Oversight)

(cf. 0420.43 - Charter School Revocation)

(cf. 0500 - Accountability)

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

Submission of Renewal Petition

A charter school seeking renewal of its charter is encouraged to submit its petition for renewal to the Board sufficiently early before the term of the charter is due to expire.

The signature requirement applicable to new charter petitions is not applicable to petitions for renewal. (5 CCR 11966.4)

The petition for renewal shall include a reasonably comprehensive description of how the charter school has met all new charter school requirements enacted into law after the charter was originally granted or last renewed. The petition also shall include documentation that the charter school meets at least one of the criteria for academic performance specified in Education Code 47607(b), as listed in item #5 in the section "Criteria for Granting or Denying Renewal" below. (Education Code 47607; 5 CCR 11966.4)

Criteria for Granting or Denying Renewal

Renewals shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605. The Board shall consider the past performance of the charter school's academics, finances, and operations in evaluating the likelihood of future success, along with plans for improvement, if any. (Education Code 47607; 5 CCR 11966.4)

In determining whether to grant a charter renewal, the Board shall consider increases in academic achievement for all "numerically significant" groups of students served by the charter school, as defined in Education Code 52052, as the most important factor. (Education Code 47607)

The Board shall deny a renewal petition only if it makes a written factual finding setting forth specific facts to support one or more of the following grounds: (Education Code 47605, 47607; 5 CCR 11966.4)

BP 0420.42(b)

CHARTER SCHOOL RENEWAL (continued)

1. The charter school presents an unsound educational program for the students enrolled in the school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
3. The petition does not contain an affirmation of each of the conditions described in Education Code 47605(d).
4. The petition does not contain reasonably comprehensive descriptions of the charter provisions in Education Code 47605(b).

5. The charter school has failed to meet at least one of the following criteria of academic performance:

- a. Attainment of its Academic Performance Index (API) growth target in the prior year or in two of the last three years, both schoolwide and for all numerically significant groups of students served by the charter school as defined in Education Code 52052.
- b. An API ranking in deciles 4-10 in the prior year or in two of the last three years.
- c. An API ranking in deciles 4-10 for a demographically comparable school in the prior year or in two of the last three years.
- d. Academic performance at least equal to the academic performance of the district school, taking into account the composition of the student population that is served at the charter school. In determining whether the charter school satisfies this criterion, the Board shall base its decision on:
 - (1) Documented clear and convincing data
 - (2) Student achievement data from assessments, including, but not limited to, the Standardized Testing and Reporting Program, for demographically similar student populations in comparison schools
 - (3) Information submitted by the charter school

Whenever the Board makes a determination based on this criterion, the Superintendent/Principal or designee shall submit copies of supporting documentation and a written summary of the basis for the Board's determination to the Superintendent/Principal of Public Instruction (SPI).

BP 0420.42(c)

CHARTER SCHOOL RENEWAL (continued)

(cf. 6162.51 - State Academic Achievement Tests)

- e. Qualification for an alternative accountability system pursuant to Education Code 52052(h)

Timelines for Board Action

Within 30 days of receiving the renewal petition, the Board shall hold a public hearing to review documentation submitted by the charter school and obtain public input.

If the charter school submits documentation pursuant to item #5d in the section "Criteria for Granting or Denying Renewal" above, the Board shall not grant a renewal until at least 30 days after the submission of such documentation. (Education Code 47607)

Within 60 days of receiving the renewal petition, or within 90 days if extended by mutual written agreement of the Board and the charter school, the Board shall either grant or deny the request to renew the charter. (Education Code 47607; 5 CCR 11966.4)

If the Board fails to make a written factual finding pursuant to items #1-5 in the section "Criteria for Granting or Denying Renewal" above within the required time period, the absence of a written factual finding shall be deemed an approval of the renewal petition. (5 CCR 11966.4)

The Superintendent/Principal or designee shall provide notification to the California Department of Education (CDE), within 10 calendar days of the Board's action, whenever a renewal of the charter is granted or denied. (Education Code 47604.32; 5 CCR 11962.1)

If the Board denies a renewal petition, the charter school may submit its application for renewal to the County Board of Education within 30 days of the Board's written factual findings supporting the denial. If the County Board then fails to deny or grant the petition within 60 days of receiving the petition, or within 90 days if extended by written mutual agreement of the charter school and the County Board, the charter school may submit the petition to the State Board of Education. (Education Code 47605, 47607.5)

Legal Reference: (see next page)

BP 0420.42(d)

CHARTER SCHOOL RENEWAL (continued)

Legal Reference:

EDUCATION CODE

47600-47616.7 *Charter Schools Act of 1992*

52052 *Alternative accountability system; definition of numerically significant student subgroup*

56145-56146 *Special education services in charter schools*

60600-60649 *Assessment of academic achievement*

CODE OF REGULATIONS, TITLE 5

11960-11969 *Charter schools*

UNITED STATES CODE, TITLE 20

7223-7225 *Charter schools*

Management Resources:

CSBA PUBLICATIONS

The Role of the Charter School Authorizer, Online Course

Charter Schools: A Manual for Governance Teams, rev. 2012

WEB SITES

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

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

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

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

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

Policy

adopted:

Philosophy, Goals, Objectives, and Comprehensive Plans

DEHESA SCHOOL DISTRICT

El Cajon, California

BP 0420.43(a)

CHARTER SCHOOL REVOCATION

The Governing Board expects any charter school it authorizes to provide a sound educational program that promotes student learning and to carry out its operations in a manner that complies with law and the terms of its charter.

(cf. 0420.4 - Charter School Authorization)

(cf. 0420.41 - Charter School Oversight)

(cf. 0420.42 - Charter School Renewal)

(cf. 0500 - Accountability)

The Board may revoke a charter before the date it is due to expire whenever the Board makes a written factual finding, supported by substantial evidence, that the charter school has done any of the following: (Education Code 47607)

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

The Board shall also consider revocation of a charter whenever the California Collaborative for Educational Excellence (CCEE), after providing advice and assistance to the charter school pursuant to Education Code 47607.3, submits to the Board either of the following findings: (Education Code 47607.3)

1. That the charter school has failed or is unable to implement the recommendations of the CCEE
2. That the inadequate performance of the charter school, as based on an evaluation rubric adopted by the State Board of Education (SBE), is so persistent or acute as to require revocation of the charter

In determining whether to revoke a charter, the Board shall consider increases in student academic achievement for all "numerically significant" groups of students served by the charter school, as defined in Education Code 52052, as the most important factor. (Education Code 47607, 47607.3)

At least 72 hours prior to any Board meeting at which the Board will consider issuing a Notice of Violation, the Board shall provide the charter school with notice and all relevant documents related to the proposed action. (5 CCR 11968.5.2)

(cf. 9320 - Meetings and Notices)

If the Board takes action to issue a Notice of Violation, it shall deliver the Notice of Violation to the charter school's governing body. The Notice of Violation shall identify: (Education Code 47607; 5 CCR 11965, 11968.5.2)

BP 0420.43(b)

CHARTER SCHOOL REVOCATION (continued)

1. The charter school's alleged violation(s)
2. All evidence relied upon by the Board in determining that the charter school committed the alleged violation(s), including the date and duration of the alleged violation(s). The Notice shall show that each alleged violation is both material and uncured and that it occurred within a reasonable period of time before the Notice of Violation is issued.
3. The period of time that the Board has concluded is a reasonable period of time for the charter school to remedy or refute the identified violation(s). In identifying this time period, the Board shall consider the amount of time reasonably necessary to remedy

each identified violation, which may include the charter school's estimation as to the anticipated remediation time.

By the end of the remedy period identified in the Notice of Violation, the charter school's governing body may submit to the Board a detailed written response and supporting evidence addressing each identified violation, including the refutation, remedial action taken, or proposed remedial action. (5 CCR 11968.5.2)

Within 60 calendar days of the conclusion of the remedy period, the Board shall evaluate any response and supporting evidence provided by the charter school's governing body and shall take one of the following actions: (5 CCR 11968.5.2)

1. Discontinue revocation of the charter and provide timely written notice of such action to the charter school's governing body
2. If there is substantial evidence that the charter school has failed to remedy a violation identified in the Notice of Violation or to refute a violation to the Board's satisfaction, continue revocation of the charter by issuing a Notice of Intent to Revoke to the charter school's governing body

If the Board issues a Notice of Intent to Revoke, it shall hold a public hearing concerning the revocation on the date specified in the notice, which shall be no later than 30 days after providing the notice. Within 30 calendar days after the public hearing, or within 60 calendar days if extended by written mutual agreement of the Board and the charter school, the Board shall issue a final decision to revoke or decline to revoke the charter. (Education Code 47607; 5 CCR 11968.5.2)

If the Board fails to meet the timelines specified above for issuing a Notice of Intent to Revoke or a final decision, the revocation process shall be deemed terminated. (5 CCR 11968.5.2)

Within 10 calendar days of the Board's final decision, the Superintendent/Principal or designee shall provide a copy of the final decision to the California Department of Education (CDE) and the County Board of Education. (Education Code 47604.32; 5 CCR 11968.5.2)

BP 0420.43(c)

CHARTER SCHOOL REVOCATION (continued)

Severe and Imminent Threat

The procedures specified above shall not be applicable when the Board determines, in writing, that any violation under Education Code 47607 constitutes a severe and imminent threat to the health or safety of students. In such circumstances, the Board may immediately revoke the school's charter by approving and delivering a Notice of Revocation by Determination of a Severe and Imminent Threat to Pupil Health or Safety to the charter school's governing body, the County Board, and the CDE. (Education Code 47607; 5 CCR 11968.5.3)

Appeals

If the Board revokes a charter, the charter school may, within 30 days of the Board's final decision, appeal the revocation to the County Board. Either the charter school or the district may subsequently appeal the County Board's decision to the SBE. However, a revocation based upon the findings of the CCEE pursuant to Education Code 47607.3 may not be appealed. (Education Code 47607, 47607.3; 5 CCR 11968.5.3-11968.5.5)

Legal Reference:

EDUCATION CODE

47600-47616.7 Charter Schools Act of 1992, especially:

47607 Charter renewals and revocations

52052 Numerically significant student subgroups; definition

CODE OF REGULATIONS, TITLE 5

11960-11969 Charter schools, especially:

11968.5-11968.5.5 Charter revocations

COURT DECISIONS

Today's Fresh Start, Inc. v. Los Angeles County Office of Education, (2013) 57 Cal.4th 197

Management Resources:

CSBA PUBLICATIONS

The Role of the Charter School Authorizer, Online Course

Charter Schools: A Manual for Governance Teams, rev. 2012

WEB SITES

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

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

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

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

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

Policy

adopted:

Philosophy, Goals, Objectives, and Comprehensive Plans

DEHESA SCHOOL DISTRICT

El Cajon, California

BP 0430(a)

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION

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

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

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)

(cf. 6159 - Individualized Education Program)

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

(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)
(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)
(cf. 6159.4 - Behavioral Interventions for Special Education Students)
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6164.6 - Identification and Education Under Section 504)

The special education local plan area (SELPA) shall administer a local plan and administer the allocation of funds. (Education Code 56195)

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

In order to meet the needs of individuals with disabilities and employ staff with adequate expertise for this purpose, the district participates as a member of the SELPA.

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

Legal Reference: (see next page)

BP 0430(b)

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION (continued)

Legal Reference:

EDUCATION CODE

56000-56001 Education for individuals with exceptional needs
56020-56035 Definitions
56040-56046 General provisions
56048-56050 Surrogate parents
56055 Foster parents
56060-56063 Substitute teachers
56170-56177 Children enrolled in private schools
56190-56194 Community advisory committees
56195-56195.10 Local plans

56205-56208 *Local plan requirements*
 56213 *Special education local plan areas with small or sparse populations*
 56240-56245 *Staff development*
 56300-56385 *Identification and referral, assessment, instructional planning*
 56440-56447.1 *Programs for individuals between the ages of three and five years*
 56500-56508 *Procedural safeguards, including due process rights*
 56520-56524 *Behavioral interventions*
 56600-56606 *Evaluation, audits and information*
 56836-56836.05 *Administration of local plan*
GOVERNMENT CODE
 7579.5 *Surrogate parent, appointment, qualifications, liability*
 95000-95029 *California Early Intervention Services Act*
WELFARE AND INSTITUTIONS CODE
 361 *Limitations on parental control*
 726 *Limitations on parental control*
CODE OF REGULATIONS, TITLE 5
 3000-3089 *Regulations governing special education*
UNITED STATES CODE, TITLE 20
 1400-1482 *Individuals with Disabilities Education Act*
UNITED STATES CODE, TITLE 29
 794 *Rehabilitation Act of 1973, Section 504*
UNITED STATES CODE, TITLE 42
 12101-12213 *Americans with Disabilities Act*
CODE OF FEDERAL REGULATIONS, TITLE 34
 99.10-99.22 *Inspection, review and procedures for amending education records*
 104.1-104.39 *Section 504 of the Rehabilitation Act of 1973*
 300.1-300.818 *Assistance to states for the education of children with disabilities, including:*
 300.500-300.520 *Due process procedures for parents and children*
 303.1-303.654 *Early intervention program for infants and toddlers with disabilities*

Management Resources:

WEB SITES

California Department of Education, Special Education: <http://www.cde.ca.gov/sp/se>

U.S. Department of Education, Office of Special Education Programs:

<http://www.ed.gov/about/offices/list/osep/osep>

Policy

adopted:

Philosophy, Goals, Objectives, and Comprehensive Plans

DEHESA SCHOOL DISTRICT

El Cajon, California

AR 0430(a)

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION

Definitions

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

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

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

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

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

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

AR 0430(b)

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION (continued)

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

Surrogate parent means an individual assigned to act as a surrogate for the parent/guardian. The surrogate may represent an individual with disabilities in matters relating to identification, assessment, instructional planning and development, educational placement,

reviewing and revising the IEP, and in other matters relating to the provision of FAPE to the individual with disability. (34 CFR 300.519; Education Code 56050)

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

Elements of the Local Plan

The local plan developed by the special education local plan area (SELPA) shall include, but not be limited to, the following: (Education Code 56205, 56206)

1. Assurances that policies, procedures, and programs, consistent with state law, regulation, and policy, are in effect as specified in Education Code 56205(a)(1-22) and in conformity with 20 USC 1412(a), 20 USC 1413(a)(1), and 34 CFR 300.201
2. An annual budget plan and annual service plan adopted at a public hearing held by the SELPA
3. A description of programs for early childhood special education from birth through five years of age
4. A description of the method by which members of the public, including parents/guardians of individuals with disabilities who are receiving services under the plan, may address questions or concerns pursuant to Education Code 56205
5. A description of a dispute resolution process
6. Verification that the plan has been reviewed by the community advisory committee in accordance with Education Code 56205
7. A description of the process being utilized to refer students for special education instruction pursuant to Education Code 56303
8. A description of the process being utilized to oversee and evaluate placements in nonpublic, nonsectarian schools and the method for ensuring that all requirements of each student's IEP are being met

AR 0430(c)

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION (continued)

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

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

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

(cf. 3541.2 - Transportation for Students with Disabilities)

(cf. 3542 - School Bus Drivers)

(cf. 4112.23 - Special Education Staff)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 6159 - Individualized Education Program)

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

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

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

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

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

Regulation

approved:

Philosophy, Goals, Objectives, and Comprehensive Plans

DEHESA SCHOOL DISTRICT

El Cajon, California

BP 0440(a)

DISTRICT TECHNOLOGY PLAN

The Governing Board recognizes that technological resources can enhance student achievement by increasing student access to information, supporting teacher effectiveness, and facilitating the administration of student assessments. Effective use of technology can also increase the efficiency of the district's noninstructional operations and governance.

(cf. 6162.51 - State Academic Achievement Tests)

The Superintendent/Principal or designee may develop, for Board approval, a comprehensive three-year technology plan based on an assessment of current uses of technology in the

district and an identification of future needs. The Superintendent/Principal or designee may appoint an advisory committee consisting of a variety of staff and community stakeholders to assist with the development of the technology plan.

(cf. 0400 - Comprehensive Plans)
(cf. 1220 - Citizen Advisory Committees)
(cf. 9140 - Board Representatives)

The plan may be integrated into the district's vision and goals for student learning and may contain research-based strategies and methods for the effective use of technology. When required for state or federal grant programs in which the district participates, the plan shall also address all components required for receipt of such grants.

(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)
(cf. 0460 - Local Control and Accountability Plan)
(cf. 6000 - Concepts and Roles)

The Superintendent/Principal or designee shall ensure that any use of technological resources in the district protects the private and confidential information of students and employees in accordance with law.

(cf. 4112.6/4212.6/4312.6 - Personnel Files)
(cf. 5125 - Student Records)

Legal Reference: (see next page)

BP 0440(b)

DISTRICT TECHNOLOGY PLAN (continued)

Legal Reference:

BUSINESS AND PROFESSIONS CODE

22584-22585 Student Online Personal Information Protection Act

EDUCATION CODE

10550-10555 Telecommunications standards

11800 K-12 High Speed Network grant program

49060-49085 Student records

51006 Computer education and resources

51007 Programs to strengthen technological skills
 51865 California distance learning policy
 51870-51871.5 Educational technology planning
 60010 Instructional materials, definition
 66940 Distance learning
PENAL CODE
 502 Computer crimes, remedies
UNITED STATES CODE, TITLE 20
 1232g Family Educational Rights and Privacy Act
 1232h Protection of Pupil Rights Amendment
UNITED STATES CODE, TITLE 47
 254 Universal service discounts (E-rate)
CODE OF FEDERAL REGULATIONS, TITLE 16
 Part 312 Children's Online Privacy Protection Rule
CODE OF FEDERAL REGULATIONS, TITLE 34
 Part 99 Family Educational Rights and Privacy
CODE OF FEDERAL REGULATIONS, TITLE 47
 54.500-54.523 Universal service support for schools

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
California K-12 Education Technology Plan Template, Criteria, and Guiding Questions, November 2014
Empowering Learning: A Blueprint for California Education Technology 2014-2017, April 2014
FEDERAL COMMUNICATIONS COMMISSION PUBLICATIONS
E-rate Modernization Order, July 11, 2014
WEB SITES
 CSBA: <http://www.csba.org>
 California Department of Education, Education Technology Office: <http://www.cde.ca.gov/ls/et>
 California Educational Technology Professionals Association: <http://www.cetpa.net>
 Computer-Using Educators: <http://www.cue.org>
 Federal Communications Commission: <http://www.fcc.gov>
 ON[the]LINE, digital citizenship resources: <http://www.onthelineca.org>
 Technology Information Center for Administrative Leadership: <http://www.portical.org>

Policy
 adopted:
 Philosophy, Goals, Objectives, and Comprehensive Plans

DEHESA SCHOOL DISTRICT
 El Cajon, California
 AR 0440(a)

DISTRICT TECHNOLOGY PLAN

The district's technology plan may address, at a minimum, the following components:

1. Background Information: A guide to the district's use of technology for the next three years, including:
 - a. Specific starting and ending dates of the plan
 - b. An overview of the district's location and demographics

- c. A description of how stakeholders from the district and community were involved in the planning process
 - d. A description of the relevant research behind the strategies and/or methods in the plan and how the research supports the plan's curricular and professional development goals
2. Curriculum: Clear goals and realistic strategies for using telecommunications and information technology to improve educational services, including:
- a. A description of teachers' and students' current access to instructional technology and current use of digital tools, including district policies or practices to ensure equitable technology access for all students
 - b. Goals and an implementation plan, including annual activities, for:
 - (1) How technology will be used to improve teaching and learning, how these goals align with district curricular goals and other plans, how the district budget and local control and accountability plan support these goals, and whether future funding proposals or partnerships may be needed for successful implementation
 - (2) How and when students will acquire the technology skills and information literacy skills needed for college and career readiness
 - (3) Internet safety and the appropriate and ethical use of technology in the classroom

(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)
(cf. 0400 - Comprehensive Plans)
(cf. 0460 - Local Control and Accountability Plan)
(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 6141 - Curriculum Development and Evaluation)

AR 0440(b)

DISTRICT TECHNOLOGY PLAN (continued)

(cf. 6162.54 - Test Integrity/Test Preparation)
(cf. 6162.6 - Use of Copyrighted Materials)
(cf. 6163.4 - Student Use of Technology)

3. Professional Development: A professional development strategy to ensure that staff understands how to use new technologies to improve education services, including:

- a. A summary of teachers' and administrators' current technology proficiency and integration skills and needs for professional development
- b. Goals and an implementation plan, including annual activities, for providing professional development opportunities based on district needs assessment data and the curriculum component of the technology plan

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

4. **Infrastructure, Hardware, Technical Support, Software, and Asset Management:** An assessment of the telecommunication services, hardware, software, asset management, and other services that will be needed to improve education services, including:

- a. A description of existing hardware, Internet access, electronic learning resources, technical support, and asset management in the district
- b. A description of technology hardware, electronic learning resources, networking and telecommunications infrastructure, physical plant modifications, technical support, and asset management needed by district teachers, students, and administrators to support the activities in the curriculum and professional development components of the plan

(cf. 3100 - Budget)
(cf. 7000 - Facilities Master Plan)

5. **Monitoring and Evaluation:** An evaluation process that enables the school to monitor progress toward the specific goals and mid-course corrections in response to new developments and opportunities as they arise, including:

- a. The process for evaluating the plan's overall progress and impact on teaching and learning

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DISTRICT TECHNOLOGY PLAN (continued)

- b. The schedule for evaluating the effect of plan implementation and a description of the process and frequency of communicating evaluation results to technology plan stakeholders

(cf. 0500 - Accountability)

6. **Noninstructional Uses of Technology:** A description of how technology will be used to improve district governance, district and school site administration, support services, and communications

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

(cf. 3580 - District Records)

7. **Cost:** An estimate of the cost for each year of the plan and each of its major components

Regulation

approved:

Philosophy, Goals, Objectives, and Comprehensive Plans

DEHESA SCHOOL DISTRICT

El Cajon, California

BP 0450(a)

COMPREHENSIVE SAFETY PLAN

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

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 3515 - Campus Security)
(cf. 3515.2 - Disruptions)
(cf. 3515.3 - District Police/Security Department)
(cf. 3515.7 - Firearms on School Grounds)
(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5131.4 - Student Disturbances)
(cf. 5131.7 - Weapons and Dangerous Instruments)
(cf. 5136 - Gangs)
(cf. 5137 - Positive School Climate)
(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)

Note: Pursuant to Education Code 32281 and 32286, each school is required to adopt a comprehensive school safety plan (Option 1 below). However, districts with an average daily attendance (ADA) of 2,500 or less are authorized by Education Code 32281 to develop a districtwide safety plan in lieu of developing school plans; thus, those districts may select either Option 1 or 2 to reflect district practice. Any district may choose to develop both district and school plans.

COMPREHENSIVE SAFETY PLAN (continued)

OPTION 2: (Districts with 2,500 or less ADA that choose to develop a districtwide plan)

The Superintendent or designee shall oversee the development of a districtwide comprehensive safety plan that is applicable to the school. (Education Code 32281)

Note: The following two paragraphs apply to all districts. Education Code 32286 requires that the school site council review and update the comprehensive safety plan by March 1 of each year. In districts with ADA of 2,500 or less that choose to develop a districtwide plan in accordance with Option 2 above, the Superintendent or designee may conduct the annual review.

Pursuant to Education Code 32288, the updated plan(s) must be submitted to the district for approval. The Board may choose to delegate to the Superintendent or designee the responsibility to review and approve the updated plans, but the Board remains responsible for ensuring compliance with the law.

The comprehensive safety plan shall be reviewed and updated by March 1 of each year and forwarded to the Board for approval. (Education Code 32286, 32288)

The Board shall review the comprehensive safety plan in order to ensure compliance with state law, Board policy, and administrative regulation and shall approve the plan at a regularly scheduled meeting.

(cf. 0500 - Accountability)
(cf. 9320 - Meetings and Notices)

Note: Education Code 32288 requires that districts notify the California Department of Education if a school has not complied with the safety plan requirements. In the event that the Superintendent of Public Instruction determines that there has been a willful failure by a district to make any report required by Education Code 32280-32289, Education Code 32287 provides that the district may be fined up to \$2,000.

By October 15 of each year, the Superintendent or designee shall notify the California Department of Education if the school has not complied with the requirements of Education Code 32281. (Education Code 32288)

Tactical Response Plan

Note: The following section is **optional**. Pursuant to Education Code 32281, the Governing Board may, after consulting with law enforcement officials, elect to have the district, rather than the school site council, develop those portions of the comprehensive safety plan that include tactical responses to criminal incidents that may result in death or serious bodily injury.

Notwithstanding the process described above, any portion of a comprehensive safety plan that includes tactical responses to criminal incidents that may result in death or serious bodily injury at the school site, including steps to be taken to safeguard students and staff, secure the

BP 0450(c)

COMPREHENSIVE SAFETY PLAN (continued)

affected school premises, and apprehend the criminal perpetrator(s), shall be developed by district administrators in accordance with Education Code 32281. In developing such strategies, district administrators shall consult with law enforcement officials and with a representative of an employee bargaining unit, if he/she chooses to participate.

When reviewing the tactical response plan, the Board may meet in closed session to confer with law enforcement officials, provided that any vote to approve the tactical response plan is announced in open session following the closed session. (Education Code 32281)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

(cf. 9011 - Disclosure of Confidential/Privileged Information)

(cf. 9321 - Closed Session Purposes and Agendas)

(cf. 9321.1 - Closed Session Actions and Reports)

Public Access to Safety Plan(s)

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

(cf. 1340 - Access to District Records)

Note: The following paragraph is **optional**. Pursuant to Education Code 32281, the Board may choose to prohibit disclosure of those portions of the comprehensive safety plan that include tactical responses to criminal incidents.

However, those portions of the comprehensive safety plan that include tactical responses to criminal incidents shall not be publicly disclosed.

Legal Reference: (see next page)

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COMPREHENSIVE SAFETY PLAN (continued)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32260-32262 Interagency School Safety Demonstration Act of 1985

32270 School safety cadre

32280-32289 School safety plans

32290 Safety devices

35147 School site councils and advisory committees

35183 School dress code; uniforms

35291 Rules

35291.5 School-adopted discipline rules

35294.10-35294.15 School Safety and Violence Prevention Act

48900-48927 Suspension and expulsion

48950 Speech and other communication

49079 Notification to teacher; student act constituting grounds for suspension or expulsion

67381 Violent crime

PENAL CODE

422.55 Definition of hate crime

626.8 Disruptions

11164-11174.3 Child Abuse and Neglect Reporting Act

CALIFORNIA CONSTITUTION

Article 1, Section 28(c) Right to Safe Schools

CODE OF REGULATIONS, TITLE 5

11987-11987.7 School Community Violence Prevention Program requirements

11992-11993 Definition, persistently dangerous schools

UNITED STATES CODE, TITLE 20

7111-7122 Student Support and Academic Enrichment Grants

7912 Transfers from persistently dangerous schools

UNITED STATES CODE, TITLE 42
12101-12213 Americans with Disabilities Act

Management Resources:

CSBA PUBLICATIONS

Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, July 2016

Safe Schools: Strategies for Governing Boards to Ensure Student Success, October 2011

Community Schools: Partnerships Supporting Students, Families and Communities, Policy Brief, October 2010

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2010

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Safe Schools: A Planning Guide for Action, 2002

FEDERAL BUREAU OF INVESTIGATION PUBLICATIONS

Uniform Crime Reporting Handbook, 2004

Management Resources continued: (see next page)

BP 0450(e)

COMPREHENSIVE SAFETY PLAN (continued)

Management Resources: (continued)

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Practical Information on Crisis Planning: A Guide for Schools and Communities, January 2007

U.S. SECRET SERVICE AND U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates, 2004

WEB SITES

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

California Department of Education, Safe Schools: <http://www.cde.ca.gov/lr/ss>

California Governor's Office of Emergency Services: <http://www.caloes.ca.gov>

California Healthy Kids Survey: <http://chks.wested.org>

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

Federal Bureau of Investigation: <http://www.fbi.gov>

National Center for Crisis Management: <http://www.schoolcrisisresponse.com>

National School Safety Center: <http://www.schoolsafety.us>

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

U.S. Secret Service, National Threat Assessment Center: <http://www.secretservice.gov/protection/ntac>

Policy
adopted:
Philosophy, Goals, Objectives, and Comprehensive Plans

CSBA MANUAL MAINTENANCE SERVICE
July 2016
AR 0450(a)

COMPREHENSIVE SAFETY PLAN

Content of the Safety Plan

Each comprehensive safety plan shall include an assessment of the current status of any crime committed on campus and at school-related functions. (Education Code 32282)
AR 0450(c)

COMPREHENSIVE SAFETY PLAN (continued)

Note: Education Code 32282 requires that the following components be included in the districtwide and/or school site safety plan. The district may expand this list to require other components at its discretion.
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The plan also shall identify appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, including all of the following: (Education Code 32282)

1. Child abuse reporting procedures consistent with Penal Code 11164
(cf. 5141.4 - Child Abuse Prevention and Reporting)
2. Routine and emergency disaster procedures including, but not limited to:
 - a. Adaptations for students with disabilities in accordance with the Americans with Disabilities Act

(cf. 6159 - Individualized Education Program)

Note: Education Code 32282 requires districts to incorporate earthquake emergency procedures and disaster policies into the comprehensive school safety plan, as specified in items #2b and #2c below. See BP/AR 3516 - Emergencies and Disaster Preparedness Plan and AR 3516.3 - Earthquake Emergency Procedure System for further details about required components of these procedures.

- b. An earthquake emergency procedure system in accordance with Education Code 32282

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

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

AR 0450(d)

COMPREHENSIVE SAFETY PLAN (continued)

(cf. 1330 - Use of School Facilities)
(cf. 3516.1 - Fire Drills and Fires)
(cf. 3516.2 - Bomb Threats)
(cf. 3516.5 - Emergency Schedules)
(cf. 3543 - Transportation Safety and Emergencies)

3. Policies pursuant to Education Code 48915(d) for students who commit an act listed in Education Code 48915(c) and other school-designated serious acts which would lead to suspension, expulsion, or mandatory expulsion recommendations

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

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

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

Note: Education Code 234.1 requires the Board to adopt policy prohibiting discrimination, harassment, intimidation, and bullying based on specified characteristics and requires school personnel who witness such acts to take immediate steps to intervene when safe to do so; see BP 0410 - Nondiscrimination in District Programs and Activities and BP 5145.3 - Nondiscrimination/Harassment. In addition, the district's complaint process must include a timeline for investigating and resolving complaints and an appeals process; see BP/AR 1312.3 - Uniform Complaint Procedures.

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

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

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

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

(cf. 5132 - Dress and Grooming)

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

(cf. 5142 - Safety)

AR 0450(e)

COMPREHENSIVE SAFETY PLAN (continued)

8. A safe and orderly school environment conducive to learning

(cf. 5137 - Positive School Climate)

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

(cf. 5144 - Discipline)

Note: Education Code 32282 and 32261 encourage, but do not require, all comprehensive safety plans to include policies and procedures aimed at the prevention of bullying, as defined in Education Code 48900(r).

1. Disciplinary policies and procedures that contain prevention strategies, such as strategies to prevent bullying, hazing, and cyberbullying, as well as behavioral expectations and consequences for violations

(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Chronic Absence and Truancy)
(cf. 5131 - Conduct)

2. Curriculum that emphasizes prevention and alternatives to violence, such as multicultural education, character/values education, media analysis skills, conflict resolution, community service learning, and education related to the prevention of dating violence

(cf. 6142.3 - Civic Education)
(cf. 6142.4 - Service Learning/Community Service Classes)
(cf. 6142.8 - Comprehensive Health Education)

3. Parent involvement strategies, including strategies to help ensure parent/guardian support and reinforcement of the school's rules and increase the number of adults on campus

AR 0450(f)

COMPREHENSIVE SAFETY PLAN (continued)

(cf. 1240 - Volunteer Assistance)
(cf. 5020 - Parent Rights and Responsibilities)
(cf. 6020 - Parent Involvement)

4. Prevention and intervention strategies related to the sale or use of drugs and alcohol which shall reflect expectations for a drug-free school and support for recovering students

(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5131.61 - Drug Testing)
(cf. 5131.62 - Tobacco)
(cf. 5131.63 - Steroids)

5. Collaborative relationships among the city, county, community agencies, local law enforcement, the judicial system, and the school that lead to the development of a set of common goals and community strategies for violence prevention instruction

(cf. 1020 - Youth Services)

6. District policy related to possession of firearms and ammunition on school grounds

(cf. 3515.7 - Firearms on School Grounds)

7. Measures to prevent or minimize the influence of gangs on campus

(cf. 5136 - Gangs)

Note: Education Code 32281 authorizes the principal, upon receiving verification from law enforcement, to notify parents/guardians and employees in writing that a violent crime has occurred on the school site. A "violent crime" is any act for which a student could be expelled or crimes listed in Education Code 67381, including homicide, rape, robbery, and aggravated assault, as defined in the Federal Bureau of Investigation's Uniform Crime Reporting Handbook. Education Code 32281 encourages that the notice be sent no later than the second work day after receiving verification from law enforcement.

20 USC 7912 requires that all students attending a "persistently dangerous" school be provided notice of the designation and an option to transfer to a different school within the district. See BP/AR 5116.1 - Intradistrict Open Enrollment.

8. Procedures for receiving verification from law enforcement when a violent crime has occurred on school grounds and for promptly notifying parents/guardians and employees of that crime

(cf. 5116.1 - Intradistrict Open Enrollment)

AR 0450(g)

COMPREHENSIVE SAFETY PLAN (continued)

9. Assessment of the school's physical environment, including a risk management analysis and development of ground security measures such as procedures for closing campuses to outsiders, installing surveillance systems, securing the campus perimeter, protecting buildings against vandalism, and providing for a law enforcement presence on campus

(cf. 1250 - Visitors/Outsiders)

(cf. 3515 - Campus Security)

(cf. 3515.3 - District Police/Security Department)

(cf. 3530 - Risk Management/Insurance)

(cf. 5112.5 - Open/Closed Campus)

(cf. 5131.5 - Vandalism and Graffiti)

Note: Education Code 32282.1 does not require, but encourages, that comprehensive safety plans include the strategies described in item #10 below, to the extent the district uses the listed professionals.

10. Guidelines for the roles and responsibilities of mental health professionals, community intervention professionals, school counselors, school resource officers, and police officers on the school campus. Guidelines may include, but are not limited to, the following:
 - a. Strategies to create and maintain a positive school climate, promote school safety, and increase student achievement
 - b. Strategies to prioritize mental health and intervention services, restorative and transformative justice programs, and positive behavior interventions and support
 - c. Protocols to address the mental health care of students who have witnessed a violent act at any time, including, but not limited to, while on school grounds, while coming or going from school, during a lunch period whether on or off campus, or during or while going to or coming from a school-sponsored activity
11. Strategies for suicide prevention and intervention

(cf. 5141.52 - Suicide Prevention)

Note: Penal Code 626.8 provides that a person may be guilty of a misdemeanor if he/she interferes with or disrupts a school activity, remains on campus after having been asked to leave, or willfully or knowingly

creating a disruption with the intent to threaten the immediate physical safety of a student in preschool or grades K-8 who is arriving at, attending, or leaving school.; see BP/AR 3515.2 - Disruptions.

AR 0450(h)

COMPREHENSIVE SAFETY PLAN (continued)

12. Procedures to implement when a person interferes with or disrupts a school activity, remains on campus after having been asked to leave, or creates a disruption with the intent to threaten the immediate physical safety of students or staff

(cf. 3515.2 - Disruptions)

13. Crisis prevention and intervention strategies, which may include the following:

- a. Identification of possible crises that may occur, determination of necessary tasks that need to be addressed, and development of procedures relative to each crisis, including the involvement of law enforcement and other public safety agencies as appropriate

(cf. 3515.5 - Sex Offender Notification)

(cf. 5131.4 - Student Disturbances)

- b. Threat assessment strategies to determine the credibility and seriousness of a threat and provide appropriate interventions for the potential offender(s)
- c. Assignment of staff members responsible for each identified task and procedure
- d. Development of an evacuation plan based on an assessment of buildings and grounds and opportunities for students and staff to practice the evacuation plan
- e. Coordination of communication to school, Governing Board members, parents/guardians, and the media

(cf. 1112 - Media Relations)

(cf. 9010 - Public Statements)

- f. Development of a method for the reporting of violent incidents
- g. Development of follow-up procedures that may be required after a crisis has occurred, such as counseling
15. Staff development in violence prevention and intervention techniques, including preparation to implement the elements of the safety plan

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

AR 0450(i)

COMPREHENSIVE SAFETY PLAN (continued)

Note: Pursuant to Education Code 32284, the comprehensive safety plan may, at the discretion of the Board, include procedures for release of a pesticide or other toxic substance on properties located within one-quarter mile of a school. No state funds may be used for this purpose.

15. Environmental safety strategies, including, but not limited to, procedures for preventing and mitigating exposure to toxic pesticides, lead, asbestos, vehicle emissions, and other hazardous substances and contaminants

(cf. 3510 - Green School Operations)
(cf. 3513.3 - Tobacco-Free Schools)
(cf. 3514 - Environmental Safety)
(cf. 3514.1 - Hazardous Substances)
(cf. 3514.2 - Integrated Pest Management)

Regulation
approved:
Philosophy, Goals, Objectives, and Comprehensive Plans

CSBA MANUAL MAINTENANCE SERVICE
July 2016
BP 0460(a)

LOCAL CONTROL AND ACCOUNTABILITY PLAN

Note: The following policy is optional. Education Code 52060-52077 require the Governing Board to adopt and annually update, on or before July 1, a local control and accountability plan (LCAP). Pursuant to Education Code 52060, the LCAP must include goals and actions aligned with eight state priorities related to (1) the degree to which teachers are appropriately assigned and fully credentialed, students have sufficient access to standards-based instructional materials, and facilities are maintained in good repair; (2) implementation of and student access to state academic content and performance standards; (3) parent/guardian involvement; (4) student achievement; (5) student engagement; (6) school climate; (7) student access to and enrollment in a broad course of study, including programs and services provided to benefit low-income students, English learners, and/or foster youth (i.e., "unduplicated students" for purposes of the local control funding formula); and (8) student outcomes in the specified course of study. Education Code 52060 provides that, in addition to addressing the state priorities in the LCAP, the district may establish and address local priorities. Examples include priorities for student wellness and other conditions of children, professional development, community involvement, and effective governance and leadership. See the accompanying administrative regulation for further information about the required content of the LCAP.

The LCAP is a key component of the state accountability system. Pursuant to Education Code 52064.5, the State Board of Education (SBE) has adopted evaluation rubrics (called the "California School Dashboard") which will assist districts in evaluating their progress toward the goals in their LCAP. Under the flexibility provided by the federal Every Student Succeeds Act (ESSA) (P.L. 114-95), California has begun to streamline local, state, and federal requirements into a single, coherent system for planning, accountability, and school improvement and support.

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

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

Note: A template for the LCAP and related requirements are contained in 5 CCR 15494-15497.5. According to California Department of Education (CDE) correspondence dated January 18, 2017, for the 2017-18 school year, districts scheduled for Federal Program Monitoring and/or applying for Title III funds must also complete an LCAP Addendum that was developed by the CDE to ensure alignment of local, state, and federal planning efforts. Districts may use an electronic template, accessible on the CDE's web site, to create their LCAP.

The Board shall adopt a districtwide local control and accountability plan (LCAP), following the template provided in 5 CCR 15497.5, that addresses the state priorities in Education Code 52060 and any local priorities adopted by the Board. The LCAP shall be updated on or before July 1 of each year and, like the district budget, shall cover the next fiscal year and subsequent two fiscal years. (Education Code 52060; 5 CCR 15497.5)

(cf. 3100 - Budget)

The LCAP shall focus on improving outcomes for all students, particularly those who are "unduplicated students" and other underperforming students.

BP 0460(b)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

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

(cf. 3553 - Free and Reduced Price Meals)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6174 - Education for English Language Learners)

Note: Education Code 52062 requires the district to ensure that the specific actions included in the LCAP are consistent with strategies in the single plan for student achievement (SPSA) submitted by each school pursuant to Education Code 64001; see BP/AR 0420 - School Plans/Site Councils for SPSA requirements. In addition, the LCAP template in 5 CCR 15497.5 allows for the LCAP to be supplemented with information contained in other plans, including the Title I local educational agency plan required by 20 USC 6312 (see BP/AR 6171 - Title I Programs).

The Superintendent or designee shall review the single plan for student achievement (SPSA) submitted by each district school pursuant to Education Code 64001 to ensure that the specific actions included in the LCAP are consistent with strategies included in the SPSA. (Education Code 52062)

(cf. 0420 - School Plans/Site Councils)

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

(cf. 0400 - Comprehensive Plans)

(cf. 0440 - District Technology Plan)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5030 - Student Wellness)

(cf. 6171 - Title I Programs)

(cf. 7110 - Facilities Master Plan)

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

(cf. 1312.3 - Uniform Complaint Procedures)

Plan Development

The Superintendent or designee shall gather data and information needed for effective and meaningful plan development and present it to the Board and community. Such data and

information shall include, but not be limited to, data regarding the number of students in student subgroups, disaggregated data on student achievement levels, and information about current programs and expenditures.

BP 0460(c)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

Note: Education Code 52060 requires consultation on plan development with all of the groups listed below. The Board may delegate responsibility for arranging meetings and other input opportunities to the Superintendent or designee.

5 CCR 15495 defines what it means to consult with students, including unduplicated students and other numerically significant student subgroups, and gives examples of methods that may be used for this consultation. Pursuant to Education Code 52052, a numerically significant subgroup includes ethnic subgroups, students with disabilities, socioeconomically disadvantaged students, English learners, foster youth, and homeless students, when there are at least 30 students in the subgroup (or 15 foster youth or homeless students) in the school or district. For schools or districts with 11-99 students, numerically significant student subgroups are defined by the Superintendent of Public Instruction (SPI) with approval of the SBE.

State regulations do not provide examples of consultation with groups other than students, but consultations might include the establishment of an advisory committee consisting of representatives of all the specified groups, solicitation of feedback from the groups after a draft plan is available, discussion of the LCAP at staff meetings, and communication with parent organizations, student councils, school site councils, or other established committees or organizations.

The district may expand the following paragraph to reflect district practice.

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

(cf. 1220 - Citizen Advisory Committees)

(cf. 4140/4240/4340 - Bargaining Units)

(cf. 6020 - Parent Involvement)

Public Review and Input

Note: Pursuant to Education Code 52063 and 5 CCR 15495, the Board is required to establish a parent advisory committee that is composed of a majority of parents/guardians and includes at least one parent/guardian of an unduplicated student. In addition, if district enrollment includes at least 15 percent English learners, with at least 50 students who are English learners, the Board is required to establish an English learner parent advisory committee which, pursuant to 5 CCR 15495 as amended, must include a majority of parents/guardians of English learners. The district may use existing parent advisory committees for these purposes if the committee composition complies with Education Code 52063 and 5 CCR 15945. However, the district should consider whether such opportunities need to be expanded to achieve significant levels of stakeholder involvement in the planning process as intended by the law.

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

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

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

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

Note: Education Code 52062 requires notification to the public of the opportunity to submit written comments on the proposed LCAP, including notification in the primary language of parents/guardians when required by Education Code 48985. Pursuant to Education Code 48985, whenever 15 percent or more of the students in a school speak a single primary language other than English, notifications sent to parents/guardians of such students must be written in the primary language as well as in English; see BP 5145.6 - Parental Notifications.

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

(cf. 5145.6 - Parental Notifications)

Note: Pursuant to Education Code 305, as amended by Proposition 58 (November 2016) and effective July 1, 2017, the LCAP parent and community engagement process must include solicitation of input as described in the following paragraph. Also see BP/AR 6174 - Education for English Language Learners for further information regarding the types of language acquisition programs that may be offered to students.

As part of the parent and community engagement process, the district shall solicit input on effective and appropriate instructional methods, including, but not limited to, establishing language acquisition programs to enable all students, including English learners and native

English speakers, to have access to the core academic content standards and to become proficient in English. (Education Code 305-306)

BP 0460(e)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

Note: Pursuant to Education Code 42127, the Board cannot adopt a district budget until the LCAP is in place for the budget year; see BP 3100 - Budget. The budget must include the expenditures necessary to implement the plan that will be effective during the subsequent fiscal year. If it does not, the County Superintendent of Schools will disapprove the district's budget.

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

(cf. 9320 - Meetings and Notices)

Adoption of the Plan

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

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

Submission of Plan to County Superintendent of Schools

Note: Education Code 52070 requires the district to submit the LCAP to the County Superintendent. The County Superintendent may seek written clarification of the contents of the plan and may submit recommendations for amendments as provided below. He/she is required to approve the LCAP on or before October 8 if he/she determines that (1) the LCAP adheres to the template in 5 CCR 15497.5; (2) the district budget includes expenditures sufficient to implement the specific actions in the LCAP; and (3) the LCAP adheres to supplemental and concentration grant expenditure requirements specified in Education Code 42238.07 for unduplicated students. In determining whether the district has fully demonstrated that it will use supplemental and concentration funds to increase or improve services for unduplicated students, 5 CCR 15497 requires the County Superintendent to review any descriptions of districtwide or schoolwide services provided.

Not later than five days after adoption of the LCAP, the Board shall file the LCAP with the County Superintendent of Schools. (Education Code 52070)

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

BP 0460(f)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

Monitoring Progress

Note: The following **optional** paragraph may be revised to reflect the district's timeline for reviewing evaluations of the progress and effectiveness of strategies included in the LCAP. Such reports should be provided to the Board in sufficient time to allow for any necessary changes in the annual update to the LCAP by July 1 of each year, as required by Education Code 52060-52061. The California School Dashboard provides a tool to assist in evaluation of district and school performance and includes all of the state priorities for the LCAP described in Education Code 52060.

The Superintendent or designee shall report to the Board, at least annually in accordance with the timeline and indicators established by him/her and the Board, regarding the district's progress toward attaining each goal identified in the LCAP. Evaluation shall include, but not be limited to, an assessment of district and school performance based on evaluation rubrics adopted by the State Board of Education pursuant to Education Code 52064.5. Evaluation data shall be used to recommend any necessary revisions to the LCAP.

(cf. 0500 - Accountability)

Technical Assistance/Intervention

Note: Pursuant to Education Code 52071, the Board may, at its discretion and at the district's expense, request technical assistance as described in items #1-3 below. In addition, the County Superintendent is required to provide such technical assistance whenever he/she does not approve the district's LCAP and/or the district fails to improve student achievement across more than one state priority described in Education Code 52060, as determined using the SBE evaluation rubric.

When it is in the best interest of the district, the Board may submit a request to the County Superintendent for technical assistance, including, but not limited to: (Education Code 52071)

1. Assistance in the identification of district strengths and weaknesses in regard to state priorities and review of effective, evidence-based programs that apply to the district's goals
2. Assistance from an academic expert, team of academic experts, or another district in the county in identifying and implementing effective programs to improve the outcomes for student subgroups

3. Advice and assistance from the California Collaborative for Educational Excellence established pursuant to Education Code 52074

In the event that the County Superintendent requires the district to receive technical assistance pursuant to Education Code 52071, the Board shall review all recommendations received from the County Superintendent or other advisor and shall consider revisions to the LCAP as appropriate in accordance with the process specified in Education Code 52062.

BP 0460(g)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

Note: Education Code 52072 provides that the SPI, with approval of the SBE, may intervene when a district meets both of the following criteria: (1) the district did not improve the outcomes for three or more student subgroups identified pursuant to Education Code 52052, or all of the student subgroups if the district has fewer than three subgroups, in regard to more than one state or local priority in three out of four consecutive school years; and (2) the California Collaborative for Educational Excellence (CCEE) has provided advice and assistance to the district and submits a finding that the district failed or is unable to implement the CCEE's recommendations or that the district's inadequate performance is so persistent or acute as to require intervention. For any district identified as needing intervention, the SPI or an academic trustee appointed by the SPI may, with approval of the SBE, take one or more of the actions listed in items #1-3 below.

If the Superintendent of Public Instruction (SPI) identifies the district as needing intervention pursuant to Education Code 52072, the district shall cooperate with any action taken by the SPI or any academic advisor appointed by the SPI, which may include one or more of the following:

1. Revision of the district's LCAP
2. Revision of the district's budget in accordance with changes in the LCAP
3. A determination to stay or rescind any district action that would prevent the district from improving outcomes for all student subgroups, provided that action is not required by a collective bargaining agreement

Legal Reference: (see next page)

LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

Legal Reference:

EDUCATION CODE

305-306 English language education
17002 State School Building Lease-Purchase Law, including definition of good repair
33430-33436 Learning Communities for School Success Program; grants for LCAP implementation
41020 Audits
42127 Public hearing on budget adoption
42238.01-42238.07 Local control funding formula
44258.9 County superintendent review of teacher assignment
48985 Parental notices in languages other than English
51210 Course of study for grades 1-6
51220 Course of study for grades 7-12
52052 Academic Performance Index; numerically significant student subgroups
52060-52077 Local control and accountability plan
52302 Regional occupational centers and programs
52372.5 Linked learning pilot program
54692 Partnership academies
60119 Sufficiency of textbooks and instructional materials; hearing and resolution
60605.8 California Assessment of Academic Achievement; Academic Content Standards Commission
60811.3 Assessment of language development
64001 Single plan for student achievement
99300-99301 Early Assessment Program
CODE OF REGULATIONS, TITLE 5
15494-15497.5 Local control and accountability plan and spending requirements
UNITED STATES CODE, TITLE 20
6312 Local educational agency plan
6826 Title III funds, local plans

Management Resources:

CSBA PUBLICATIONS

Promising Practices for Developing and Implementing LCAPs, Governance Brief, November 2016
LCFF Rubrics, Issue 1: What Boards Need to Know About the New Rubrics, Governance Brief, rev. October 2016

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

Every Student Succeeds Act - Update #6, January 18, 2017

LCFF Frequently Asked Questions

WEB SITES

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

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

Policy
adopted:
Philosophy, Goals, Objectives, and Comprehensive Plans

CSBA MANUAL MAINTENANCE SERVICE
March 2017
BP 0500(a)

ACCOUNTABILITY

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

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

Alternative schools serving high-risk student populations, including continuation high schools, opportunity schools, and community day schools, shall be subject to an alternative accountability system established by the Superintendent/Principal of Public Instruction. (Education Code 52052)

The Superintendent/Principal shall provide regular reports to the Board and the public regarding district and school performance. Opportunities for feedback from students, parents/guardians, staff, and community members shall be made available as part of any review and evaluation of district programs and operations and as part of the development or annual update of the local control and accountability plan (LCAP).

(cf. 0460 - Local Control and Accountability Plan)
(cf. 0510 - School Accountability Report Card)
(cf. 1100 - Communication with the Public)
(cf. 1112 - Media Relations)
(cf. 1220 - Citizen Advisory Committees)
(cf. 6020 - Parent Involvement)

Evaluation results may be used as a basis for revising school goals, updating the LCAP or other comprehensive plans, identifying and developing strategies to address disparities in achievement among student subgroups, implementing programmatic changes, determining

the need for additional support and assistance, awarding incentives or rewards, and establishing other performance-based consequences.

(cf. 0400 - *Comprehensive Plans*)
(cf. 0420 - *School Plans/Site Councils*)
(cf. 0520.2 - *Title I Program Improvement Schools*)
(cf. 0520.3 - *Title I Program Improvement Districts*)
(cf. 4141/4241 - *Collective Bargaining Agreement*)

BP 0500(b)

ACCOUNTABILITY (continued)

Legal Reference:

EDUCATION CODE

33127-33129 *Standards and criteria for fiscal accountability*
33400-33407 *California Department of Education evaluation of district programs*
44660-44665 *Evaluation of certificated employees*
51041 *Evaluation of the educational program*
52052-52052.1 *Academic Performance Index*
52055.57-52055.59 *Districts identified or at risk of identification for program improvement*
52060-52077 *Local control and accountability plan*

CODE OF REGULATIONS, TITLE 5

1068-1074 *Alternative schools accountability model, assessments*
15440-15463 *Standards and criteria for fiscal accountability*

UNITED STATES CODE, TITLE 20

6311 *Accountability, adequate yearly progress*
6312 *Local educational agency plan*
6316 *School and district improvement*

CODE OF FEDERAL REGULATIONS, TITLE 34

200.13-200.20 *Adequate yearly progress*
200.30-200.53 *Program improvement*

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>
California Department of Education, Accountability: <http://www.cde.ca.gov/ta/ac>
U.S. Department of Education: <http://www.ed.gov>

Policy
adopted:
Philosophy, Goals, Objectives, and Comprehensive Plans

DEHESA SCHOOL DISTRICT
El Cajon, California
BP 0510(a)

SCHOOL ACCOUNTABILITY REPORT CARD

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

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

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

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

(cf. 0500 - Accountability)

(cf. 6190 - Evaluation of the Instructional Program)

(cf. 9000 - Role of the Board)

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

(cf. 0420 - School Plans/Site Councils)

(cf. 1100 - Communication with the Public)

(cf. 1112 - Media Relations)

Notification and Dissemination of SARCs

The Superintendent/Principal or designee shall annually publicize the issuance of the SARC and notify parents/guardians that a paper copy will be provided upon request. On or before

February 1 of each year, the Superintendent/Principal or designee shall make the SARC available in paper copy and on the Internet. (Education Code 35256)

(cf. 5145.6 - Parental Notifications)

Legal Reference: (see next page)

BP 0510(b)

SCHOOL ACCOUNTABILITY REPORT CARD (continued)

Legal Reference:

EDUCATION CODE

1240 County superintendent, general duties
17002 Definition, including good repair
17014 Plan for building maintenance
17032.5 Portable classroom maintenance
17070.15 School Facilities Act; definitions
17089 Portable classroom maintenance
33126 School Accountability Report Card
33126.1 School Accountability Report Card model template
33126.15 School Accountability Report Card template
33126.2 Secretary of Education school accountability report card study
35256 School Accountability Report Card
35256.1 Information required in the School Accountability Report Card
35258 Internet access to the School Accountability Report Card
41409 Calculation of statewide averages
41409.3 Salary information required in the School Accountability Report Card
46112 Minimum school day for grades 1 through 3
46113 Minimum school day for grades 4 through 8
46117 Minimum kindergarten school day
46141 Minimum school day (high school)
51225.3 Requirements for graduation
52052 Academic performance index
52053 Immediate intervention/underperforming schools program
60119 Textbook sufficiency
60600-60618 General provisions
60800 Physical fitness testing
60850 High school exit examination
60851 High school exit examination
CALIFORNIA CONSTITUTION
Article 16, Section 8.5(e) Allocations to State School Fund
UNITED STATES CODE, TITLE 20
6311 State plans, including local educational agency report cards

Management Resources:

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Report Cards, September 12, 2003

WEB SITES

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

California Department of Education, School Accountability Report Card:

<http://www.cde.ca.gov/ta/ac/sa>

Policy
adopted:

Philosophy, Goals, Objectives, and Comprehensive Plans

DEHESA SCHOOL DISTRICT
El Cajon, California
BP 0520.2(a)

TITLE I PROGRAM IMPROVEMENT SCHOOLS

Note: The following optional policy is for use by districts that receive federal Title I funds to improve the academic achievement of students from economically disadvantaged families. As amended by the Every Student Succeeds Act (ESSA) (P.L. 114-95), 20 USC 6311 provides for a new system of school support and improvement activities for Title I schools beginning in the 2017-18 school year. Using a methodology to be established in the state plan, the California Department of Education (CDE) will be required to identify and notify districts regarding schools that need "comprehensive support and improvement," including schools in the lowest performing five percent of Title I schools, all high schools failing to graduate one third or more of their students, and schools in which a subgroup of students, considered on its own, would lead to identification among the lowest performing five percent of schools. The CDE will also be required to notify districts of schools that have a consistently underperforming subgroup of students and therefore need "targeted support and improvement." Until the new school improvement system is in place, schools that were previously identified for program improvement (PI) for failure to make "adequate yearly progress" (AYP) for two or more consecutive years must continue to implement their improvement plans and are subject to the requirements of this policy and the accompanying administrative regulation.

For requirements pertaining to districts identified for PI, see BP/AR 0520.3 - Title I Program Improvement Districts.

The Governing Board is committed to enabling all district students to meet state academic achievement standards and to narrowing the achievement gap among student groups. To that end, the district shall provide support and assistance to increase student achievement in any school that receives federal Title I funding and has been identified by the California Department of Education as a program improvement (PI) school.

(cf. 6011 - Academic Standards)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6171 - Title I Programs)

Note: Although school improvement plans are still in effect for PI schools, districts are no longer required, because of the repeal of 20 USC 6316 by P.L. 114-95, to (1) offer intradistrict transfers to all students in Title I schools identified for Year 1 PI or beyond or (2) provide supplemental educational services from an approved service provider to eligible students in schools identified for Year 2 PI or beyond.

At their discretion, districts may choose to continue to offer intradistrict transfers to students in PI schools. If the Governing Board elects to continue to offer the option to transfer, it may revise the paragraph below to reflect that option. 20 USC 6311, as amended by P.L. 114-95, requires that any student who was previously granted a transfer out of a PI school be allowed to remain at the school to which he/she transferred until the highest grade maintained at that school; see BP/AR 5116.1 - Intradistrict Open Enrollment.

In addition, although the requirement to provide supplemental educational services was repealed, the CDE has elected to instead require the provision of alternative supports, defined and administered by the district, to eligible students beginning with the 2016-17 school year; see the accompanying administrative

regulation. Also see BP 6179 - Supplemental Instruction and the CDE's Every Student Succeeds Act 2016-17 School Year Transition Plan (April 2016).

The Superintendent or designee shall ensure that school improvement strategies developed for a PI school are coordinated, aligned, and effectively implemented in accordance with administrative regulation and the Board-approved school improvement plan.

BP 0520.2(b)

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

(cf. 0420 - School Plans/Site Councils)
(cf. 0460 - Local Control and Accountability Plan)
(cf. 5116.1 - Intradistrict Open Enrollment)
(cf. 6179 - Supplemental Instruction)

Note: When a school enters Year 3 PI, the Board is required to select corrective action(s) to be applied to the school. The Board also must select a restructuring option for any school that enters Year 4 PI. See the accompanying administrative regulation for allowable options.

As necessary, the Board shall determine corrective actions for the school in Year 3 of PI and/or restructuring options for the school in Year 4 of PI or beyond.

Note: Pursuant to Education Code 53300-53303 (the Parent Empowerment Act) and 5 CCR 4800-4808, when a school enters Year 4 PI, continues to fail to make AYP, has a state Academic Performance Index (API) of less than 800, and is not identified by the CDE as a "persistently lowest achieving school," the parents/guardians of that school may petition the district to implement one of four intervention models (i.e., turnaround model, restart model, school closure, or transformation model) or an alternative governance arrangement, as these models are described in 5 CCR 4803-4807. However, both the AYP and API measures are currently suspended and the CDE's last identification of "persistently lowest achieving schools" was in 2015 based on 2013-14 data. Thus, districts should consult with legal counsel if they have questions about their eligibility to receive a parent/guardian petition under the Parent Empowerment Act. The district must notify the Superintendent of Public Instruction and the State Board of Education when it receives such a petition and when it takes action on the petition. This option is limited to 75 schools statewide.

Whenever the school is identified for Year 4 PI but is not identified as a "persistently lowest achieving school" pursuant to Education Code 53201, the parents/guardians of students attending the school may petition the Board to implement an intervention for the purpose of improving academic achievement or student safety, provided that the state limit on the number of such schools has not yet been reached. To be considered by the Board, the petition shall contain all required content and signatures and specify one of four intervention models (i.e., turnaround model, restart model, school closure, or transformation model) or an alternative governance arrangement, as described in 5 CCR 4803-4807. The district shall implement the option requested by the parents/guardians unless, at a regularly scheduled public hearing, the Board makes a finding in writing stating the reason it cannot implement the recommended option and instead designates one of the other options to be implemented. (Education Code 53300-53303; 5 CCR 4800-4808)

Program Evaluation

Note: Pursuant to 20 USC 6311, any district receiving Title I, Part A funds must prepare and disseminate an annual report card which includes specified information. As amended by P.L. 114-95, 20 USC 6311 expands the required content of the report card but no longer requires that it include annual measurable objectives, AYP, or teacher quality information.

BP 0520.2(c)

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

Rather than issuing a district-level report card, districts are allowed by 20 USC 6311 to incorporate the information into the school accountability report card required by Education Code 35256; see BP 0510 - School Accountability Report Card.

The Superintendent or designee shall develop an annual report card that includes the information specified in 20 USC 6311 for the school and for the district as a whole. The required information may be incorporated into the school's school accountability report card. (20 USC 6311)

(cf. 0510 - School Accountability Report Card)

(cf. 6190 - Evaluation of the Instructional Program)

Note: 20 USC 6311 requires that the report card be accessible to the public by posting it on the district's web site or, if the district does not have its own web site, then in a manner determined by the district. A district that does not have a web site should revise the following paragraph to reflect the method it will use to disseminate the report card.

The report card shall be concise, presented in an understandable and uniform format and, to the extent practicable, in a language that parents/guardians can understand. It shall be made accessible to the public on the district's web site. (20 USC 6311)

(cf. 1113 - District and School Web Sites)

As necessary based on the results of this evaluation, the Board may require the Superintendent or designee to review and revise any of the school's reform plans, including the school's Single Plan for Student Achievement, allocate additional resources toward the implementation of the plan, and/or require more frequent monitoring of the school's progress in order to raise student achievement.

Legal Reference:

EDUCATION CODE

35256 School accountability report card

53200-53203 Persistently lowest achieving schools

53300-53303 Parent Empowerment Act

64000 Categorical programs included in consolidated application

64001 Single school plan for student achievement, consolidated application programs

CODE OF REGULATIONS, TITLE 5
11992-11994 Persistently dangerous schools, definition
4800-4808 Parent Empowerment petitions

Legal Reference continued: (see next page)

BP 0520.2(d)

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

Legal Reference: (continued)

UNITED STATES CODE, TITLE 20
1232g Family Educational Rights and Privacy Act
6301 Title I program purpose
6311 State plan; state and local educational agency report cards
6312 Local educational agency plan
6313 Eligibility of schools and school attendance areas; funding allocation
7912 Persistently dangerous schools
UNITED STATES CODE, TITLE 29
794 Section 504 of the Rehabilitation Act
CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family Educational Rights and Privacy
200.49-200.51 State responsibilities
200.52-200.53 District improvement

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Every Student Succeeds Act 2016-17 School Year Transition Plan, April 2016
FEDERAL REGISTER
Final Rule and Supplementary Information, October 29, 2008. Vol. 73, No. 210, pages 64436-64513
U.S. DEPARTMENT OF EDUCATION PUBLICATIONS
Transitioning to the Every Student Succeeds Act (ESSA): Frequently Asked Questions, rev. May 4, 2016
WEB SITES
CSBA: <http://www.csba.org>
California Department of Education, Program Improvement:
<http://www.cde.ca.gov/ta/ac/ti/programimprov.asp>
U.S. Department of Education: <http://www.ed.gov>

Policy
adopted:
Philosophy, Goals, Objectives, and Comprehensive Plans

CSBA MANUAL MAINTENANCE SERVICE
July 2016
BP 0520.3(a)

TITLE I PROGRAM IMPROVEMENT DISTRICTS

Note: The following **optional** policy is for use by districts that receive federal Title I funds and have been identified for districtwide program improvement (PI) by the California Department of Education (CDE) for failure to make "adequate yearly progress" for two or more consecutive years.

As amended by the Every Student Succeeds Act (ESSA) (P.L. 114-95), 20 USC 6311 provides for a new system of support and improvement activities for Title I schools and districts beginning in the 2017-18 school year. Until the new system is in place, the CDE's Every Student Succeeds Act 2016-17 School Year Transition Plan (April 2016) requires that districts previously identified for PI must continue to implement their improvement plans and fulfill the requirements described in this policy.

See BP/AR 0520.2 - Title I Program Improvement Schools for requirements pertaining to individual schools identified for PI or for single school districts.

The Governing Board desires to continuously improve educational programs and district operations to enable all students to achieve proficiency. The Superintendent or designee shall ensure the implementation and coordination of the district improvement plan and shall annually report to the Board regarding the district's performance in making progress toward student achievement standards.

(cf. 0460 - Local Control and Accountability Plan)
(cf. 0500 - Accountability)
(cf. 0520.2 - Title I Program Improvement Schools)
(cf. 6011 - Academic Standards)
(cf. 6162.51 - State Academic Achievement Tests)

The district shall implement all actions required for Title I program improvement (PI) as required by law and the California Department of Education (CDE).

Note: Education Code 52055.57 requires districts in Year 1 of PI to conduct a self-assessment using materials and criteria provided by the CDE. Among the tools required by the CDE is the District Assistance Survey, which assesses how the district supports its schools in the areas of standards-based curriculum, instruction, and assessment; professional development; human resources; data systems, data analysis, and ongoing monitoring; parent and community involvement; fiscal operations; and governance and leadership. PI districts are also required to complete the English Learner Subgroup Self-Assessment and the Inventory of Services and Supports for Students with Disabilities to analyze the needs of English learners and students with disabilities. The CDE's Academic Program Survey may be used to provide school-level information on the extent to which the school is providing a coherent instructional program to support student achievement. These tools are available on the CDE's web site.

The development of district improvement strategies shall be based upon the results of a self-assessment conducted with state program assessment tools that identify specific problems contributing to low student achievement.

Each year that the district is in PI status, it shall:

Note: Requirements for districts in any year of PI include review and revision of the district's Title I local educational agency (LEA) plan. The CDE recommends that districts develop an addendum to the LEA plan

BP 0520.3(b)

TITLE I PROGRAM IMPROVEMENT DISTRICTS (continued)

rather than revising the entire plan and has developed a template for this purpose, available on the CDE's web site. The template indicates that the addendum must be approved by the Governing Board and sent to the CDE.

According to the CDE's Every Student Succeeds Act 2016-17 School Year Transition Plan (April 2016), the separate LEA plan will be transitioned out at the end of the 2016-17 school year and, beginning in the 2017-18 school year, state and federal planning requirements will need to be met through the district's local control and accountability plan and the consolidated application reporting system.

1. Review the Title I local educational agency (LEA) plan and, as needed, revise the plan. Revisions may be made in an addendum to the existing plan. The revised LEA plan or plan addendum shall be approved by the Board and electronically submitted to the CDE.

(cf. 6171 - Title I Programs)

2. Reserve and spend at least 10 percent of its Title I, Part A allocation to provide high-quality professional development for instructional staff

(cf. 4131 - Staff Development)

(cf. 4331 - Staff Development)

Note: Districts in Year 3 of PI or beyond are subject to corrective actions as recommended by the Superintendent of Public Instruction and approved by the State Board of Education (SBE). Pursuant to Education Code 52055.57, the SBE must choose at least one of the following sanctions: (1) replacement of district staff who are relevant to the district's inability to make adequate progress; (2) removal of individual schools from the district's jurisdiction; (3) appointment of a trustee to administer the district; (4) abolishment or restructuring of the district; (5) implementation of a new curriculum based on state content and achievement standards, including provision of research-based professional development for all relevant staff; (6) deferment of programmatic funds or reduction of administrative funds; and (7) in conjunction with any of items #1-6, authorization for students to transfer to a higher performing school in another district and to be provided transportation. In addition, the SBE may require the district to contract with a district assistance and intervention team.

In addition, during Year 3 of PI or beyond, the Board shall cooperate with the Superintendent of Public Instruction and the State Board of Education (SBE) in the identification and implementation of appropriate corrective actions. As applicable, the district shall implement

the recommendations of the district assistance and intervention team (DAIT) that has been assigned to assist the district pursuant to Education Code 52055.57.

The Superintendent or designee shall submit to the CDE an annual report regarding the district's evidence of progress, including a summary description of the district's progress toward implementing the strategies in the LEA plan, an analysis of the district's progress toward student achievement goals in the LEA plan based on state or local assessment data, and documentation that the Board has been notified of the report.

BP 0520.3(c)

TITLE I PROGRAM IMPROVEMENT DISTRICTS (continued)

In the event that the district is required to appear before the SBE within Year 3 of PI to review the district's progress, the Superintendent or designee, the DAIT, and/or the County Superintendent of Schools shall provide testimony and written data sufficient for the SBE to determine whether an alternative corrective action is needed. (Education Code 52055.57)

Legal Reference:

EDUCATION CODE

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

52059 *Statewide system of school support*

UNITED STATES CODE, TITLE 20

6301 *Title I program purpose*

6311 *State plan*

6312 *Local educational agency plan*

6321 *Fiscal responsibilities*

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Every Student Succeeds Act 2016-17 School Year Transition Plan, April 2016

Local Educational Agency Program Improvement Plan Addendum Template, rev. April 2016

WEB SITES

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

California Department of Education, Program Improvement:

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

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

**Policy
adopted:**

**CSBA MANUAL MAINTENANCE SERVICE
July 2016**

DEHESA SCHOOL DISTRICT

To: Members of the Board

From: Nancy Hauer

Subject: Personnel
Recommendations

Meeting Date: July 20, 2017

- ☒ Action
- ☐ First Reading
- ☐ Information
- ☐ Presentation
- ☐ Discussion
- ☐ Public Hearing
- ☒ Roll Call Vote Required

The Governing Board is requested to approve/ratify the following personnel recommendations:

Personnel:

Certificated:

1. To hire 3 certificated employees effective 8/17/2017. (To fill open positions.)

Classified:

1. To reinstate 2 3.75 hour per day instructional assistants effective 8/18/17 due to resignation of full- time instructional assistant.
2. To reinstate the Student Care Coordinator Position 30 hours per week effective 8/15/17
3. To reinstate one Student Care Assistant Position 10-18.75 hours per week effective 8/18/17.

Agenda Item #: VII.F