

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION Section 6000

INDEX

6000	Concepts and Roles
6011	Academic Standards
6012	Parent Involvement
6115	Ceremonies and Observances
6115	Ceremonies and Observances (r)
6116	Classroom Interruptions
6116	Classroom Interruptions (r)
6136	Curriculum Development and Evaluation
6137	Recognition of Religious Beliefs and Customs
6137	Recognition of Religious Beliefs and Customs (r)
6138	Family Life/Sex Education
6139	Environmental Education
6140	Visual and Performing Arts Education
6141	Physical Education
6143	Courses of Study
6143	Courses of Study (r)
6144	Controversial Issues
6144	Controversial Issues (r)
6145	Publications
6146	Extracurricular and Cocurricular Activities
6146	Extracurricular and Cocurricular Activities (r)

Regulation is indicated by (r).
Exhibit is indicated by (e).

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT
Instruction - Section 6000
Index - Page 2

6147	Middle School Promotion/Graduation Requirements
6147	Middle School Promotion/Graduation Requirements (r)
6148	Assemblies and Special Events
6152	Class Assignment
6153	School-Sponsored Trips
6153	School-Sponsored Trips (r)
6153	School-Sponsored Trips (e)
6154	Homework/Makeup Work
6154	Homework/Makeup Work (r)
6158	Independent Study
6158	Independent Study (r)
6159	Individualized Education Program
6159	Individualized Education Program (r)
6160	Procedural Safeguards and Complaints for Special Education
6160	Procedural Safeguards and Complaints for Special Education (r)
6161	Nonpublic, Nonsectarian School and Agency Services for Special Education
6161	Nonpublic, Nonsectarian School and Agency Services for Special Education (r)
6162	Appointment of Surrogate Parent for Special Education Students
6162	Appointment of Surrogate Parent for Special Education Students (r)
6163	Behavioral Interventions for Special Education Students (r)
6164	Equipment, Books and Materials
6164	Equipment, Books and Materials (r)

Regulation is indicated by (r).
Exhibit is indicated by (e).

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT
Instruction - Section 6000
Index - Page 3

6165	Selection and Evaluation of Instructional Materials
6165	Selection and Evaluation of Instructional Materials (r)
6166	Supplementary Instructional Materials
6167	Damaged or Lost Instructional Materials
6168	Standardized Testing and Reporting Program
6169	Use of Copyrighted Materials
6169	Use of Copyrighted Materials (r)
6170	Use of Technology in Instruction
6170	Use of Technology in Instruction (r)
6172	Student Use of Technology
6172	Student Use of Technology (r)
6173	Identification of Individuals for Special Education
6173	Identification of Individuals for Special Education (r)
6174	Student Study Teams
6174	Student Study Teams (r)
6175	Identification and Education Under Section 504
6175	Identification and Education Under Section 504 (r)
6176	Title I Programs
6176	Title I Programs (r)
6177	Gifted and Talented Student Program
6178	Education for English Language Learners
6178	Education for English Language Learners (r)

Regulation is indicated by (r).
Exhibit is indicated by (e).

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT
Instruction - Section 6000
Index - Page 4

6179	Supplemental Instruction
6179	Supplemental Instruction (r)
6183	Home and Hospital Instruction
6190	Evaluation of the Instructional Program
6190	Evaluation of the Instructional Program (r)

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6000

Concepts and Roles – Page 1

Board Adopted: 5/9/01

Board Revised: 9/12/07

The Loma Prieta Joint Union Elementary School District Board of Trustees desires to provide a rich, research-based curriculum that motivates every student to succeed. The Board shall adopt instructional goals and objectives which reflect the District's philosophy and delineate the skills, knowledge and abilities students will need in order to lead successful, productive lives.

The Superintendent shall establish a curriculum development process which provides for the ongoing development, review and evaluation of the District's curriculum in keeping with these priorities.

The Board shall:

1. Establish expected standards of student achievement for each grade level.
2. Adopt the District curriculum and courses of study.
3. Approve and allocate funds for instructional materials and resources.
4. Provide a continuing program of professional development to keep certificated staff and the administration updated about curriculum issues, instructional strategies and available instructional materials.
5. Review and evaluate the instructional program on the basis of program quality reviews and frequent reports by the Superintendent.

The Superintendent:

1. Review research related to curriculum issues.
2. Ensure the articulation of the curriculum between grade levels and with the high school district.
3. Determine the general methods of instruction to be used.
4. Assign instructors and schedule classes for all curricular offerings.
5. Direct the purchase of instructional materials and equipment.
6. Evaluate and report to the Board on student achievement as demonstrated through testing and other types of appraisal.

Comparability in Instruction

The District shall provide comparable educational opportunities for all students. Instruction in the core curriculum shall be in no way diminished when students receive supplementary services funded by special programs. Services funded by any categorical program shall supplement the District-provided core curriculum and also supplement any services which may be provided by other categorical programs.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6000

Concepts and Roles – Page 2

Board Adopted: 5/9/01

Board Revised: 9/12/07

Legal Reference: Education Code
 51000-51007 Legislative Intent, Educational Program

 Code of Regulations, Title 5
 3940 Maintenance of Effort
 4424 Comparability of Services

 United States Code, Title 20
 6321 Fiscal Requirements

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6012

Parent Involvement

Board Adopted: 5/9/01

Board Revised: 9/12/07

The Loma Prieta Joint Union Elementary School District Board of Trustees recognizes that parents/guardians are their children's first and most influential teachers and that continued parental involvement in the education of children contributes greatly to student achievement and a positive school environment.

In order to engage parents/guardians positively in their children's education, the Superintendent shall ensure that staff members at each school:

1. Inform parents/guardians that they can directly affect the success of their children's learning and provide them techniques and strategies that they may use to improve their children's academic success and help their children in learning at home.
2. Initiate consistent and effective two-way communication between the home and school so that parents/guardians may know when and how to help their children in support of classroom learning activities.
3. Receive training that fosters effective and culturally sensitive communication with the home, including training on how to communicate with non-English speakers and how to give parents/guardians opportunities to assist in the instructional process both at school and at home.
4. Encourage parents/guardians to serve as volunteers in the schools, attend student performances and school meetings, and participate in site councils, advisory councils and other activities in which they may undertake governance, advisory and advocacy roles.

School plans shall delineate specific measures that shall be taken to increase parental involvement with their children's education, including measures designed to involve parents/guardians with cultural, language or other barriers which may inhibit such participation.

Legal Reference: Education Code
 11500-11506 Programs to Encourage Parental Involvement

 Labor Code
 230.8 Time Off to Visit Child's School

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6115

Ceremonies and Observances

Board Adopted: 5/9/01

Board Revised: 9/12/07

The Loma Prieta Joint Union Elementary School District Board of Trustees recognizes the importance of having students join together to celebrate events of cultural or historical significance or to acknowledge the contributions of outstanding individuals. Besides helping students to appreciate their pluralistic heritage, holidays, ceremonies and observances can enhance their sense of community, instill pride in our country, and contribute to a positive school climate.

Legal Reference: Education Code
 37220-37223 Saturdays and Holidays
 44015.1 Week of the School Administrator
 45203 Paid Holidays
 45460 Classified Employee Week
 52720 Daily Performance of Patriotic Exercises in Public Schools

 Government Code
 430-439 Display of Flags
 3540-3549.3 Meeting and Negotiating

 United States Code, Title 4
 6 Time and Occasion for Display of Flag
 7 Position and Manner of Display of Flag

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

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6115

Ceremonies and Observances

Board Adopted: 5/9/01

Board Revised: 9/12/07

Patriotic Exercises

Each school shall conduct patriotic exercises daily. The Pledge of Allegiance to the flag will fulfill this requirement.

Individuals may choose not to participate in the Pledge of Allegiance for personal reasons.

Display of Flag

The flag of the United States and the flag of California shall be displayed during school days at the entrance or on the grounds of the school. At all times, the national flag shall be placed in the position of first honor.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: **6116**

Classroom Interruptions

Board Adopted: **9/12/07**

The Board of Trustees recognizes that class time should be dedicated to student learning. The Board believes that classroom interruptions which are not related to the educational program should be kept at an absolute minimum.

The Superintendent shall establish administrative regulations to govern classroom interruptions.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: **6116**

Classroom Interruptions

Board Adopted: **9/12/07**

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

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

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

School visitors and observers shall make appointments in advance.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6136

Curriculum Development and Evaluation

Board Adopted: 5/9/01

Board Revised: 9/12/07

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

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

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

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

Legal Reference:	Education Code	
	221.5	Equal Opportunity Without Regard to Sex
	35160	Authority of Governing Boards
	35160.1	Broad Authority of School Districts
	51050-51057	Enforcement of Courses of Study
	51200-51263	Required Courses of Study, Especially
	51500-51551	Prohibited Instruction
	51720-51879.9	Authorized Classes and Courses of Instruction
	52001-52049	Improvement of Elementary and Secondary Education
	52060-52067	American Indian Early Childhood Education Program
	52160-52178	Bilingual-Bicultural Act
	52200-52212	Mentally Gifted and Talented Pupil Program
	54000-54041	Programs for Disadvantaged Pupils
	56000-56865	Special Education Programs
	Government Code	
	3543.2	Scope of Representation
	Code of Regulations, Title 5	
	4000-4091	School Improvement Programs
	4304-4320	Bilingual Education Programs
	4400-4426	Improvement of Elementary and Secondary Education

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6137

Recognition of Religious Beliefs and Customs

Board Adopted: 9/12/07

The Loma Prieta Joint Union Elementary School District Board of Trustees recognizes that students' education would be incomplete without an understanding of the role of religion in history. It is both proper and important for teachers to objectively discuss the influences of various religions, using religious works and symbols to illustrate their relationship with society, literature or the arts. The Board expects that such instruction will identify principles common to all religions and foster respect for the multiple creeds practiced by the peoples of the world.

In order to respect each student's individual right to freedom of religious practice, religious indoctrination is clearly forbidden in the public schools. Instruction about religion must not favor, promote or demean the beliefs or customs of any particular religion or sect. Staff shall be highly sensitive to its obligation not to interfere with the religious development of any student in whatever tradition the student embraces.

Staff shall not endorse, encourage or solicit religious or anti-religious expression or activities among students. They shall not lead students in prayer or participate in student-initiated prayer. However, staff shall not prohibit or discourage any student from praying or otherwise expressing his/her religious belief as long as this does not disrupt the classroom.

Students may express their beliefs about religion in their homework, artwork and other written and oral reports if the expression is germane to the assignment. Such work shall be judged by ordinary academic standards, free of discrimination based on religious content.

Religious Holidays

Whereas teaching about religious holidays is a permissible part of the educational program, celebrating religious holidays is not allowed in the public schools. School-sponsored programs shall not be, nor have the effect of being, religiously oriented or a religious celebration.

School and classroom decorations may express seasonal themes that are not religious in nature.

Legal Reference: Education Code
 51240 Excuse from Health Instruction and Family Life and Sex
 Education Due to Religious Belief
 51511 Religious Matters Properly Included in Courses of Study

 United States Code, Title 20
 6061 School Prayer

 Court Decisions
 Walleye v. Gaffer (1985) 472 U.S. 38
 Lemon v. Kurtzman (1971) 403 U.S. 602

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6137

Recognition of Religious Beliefs and Customs

Board Adopted: 9/12/07

Upon written request of the parent/guardian, a student shall be excused from any part of health, family life or sex education which conflicts with the religious training, beliefs, or personal moral convictions of the parent/guardian or student.

Alternative activities shall be provided for students who are so excused.

Staff shall make every effort to avoid scheduling examinations, school-sponsored trips, and picture-taking days on established religious holidays.

Programs and Exhibits

When school programs and exhibits are in any way related to instruction about religion or religious holidays, the following guidelines shall be observed:

1. The principal shall ensure that school-sponsored programs are not, or do not have the effect of being, religiously oriented or a religious celebration.
2. The principal shall participate in planning the program or exhibit and shall be kept informed of its development.
3. Program or exhibit planners shall take into consideration the diverse religious faiths represented in the community, student body and staff.
4. Students and staff whose beliefs prohibit their participation in a program shall be excused without penalty, and an alternate activity shall be provided for any such students.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6138

Family Life/Sex Education

Board Adopted: 5/9/01

Board Revised: 9/12/07

The District shall include a Family Life and Sex Education component as a part of the health education curriculum in selected grades.

The program shall be voluntary and not mandatory.

All instructional material shall be reviewed and evaluated annually and shall be available to parents/guardians at an open meeting to preview prior to student instruction. Parents/guardians may request that their child be excused from this instructional component.

Primary instruction concerning sex education shall be the responsibility of the classroom teacher with support from other qualified professionals.

The Superintendent shall ensure that parent/guardian notifications are sent that comply with the requirements of law and administrative regulation.

Legal Reference:	Education Code	
	48980	Notice at Beginning of Term
	51202	Instruction in Personal and Public Health and Safety
	51240	Excuse from Health Instruction and Family Life and Sex Education due to Religious Beliefs
	Penal Code	
	243.4	Sexual Battery
	261.5	Unlawful Sexual Intercourse

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6139

Environmental Education

Board Adopted: 9/12/07

The Board of Trustees recognizes that the schools play a crucial role in educating students on environmental issues and preparing them to be the stewards of their natural resources. The quality of life in future generations will depend upon our students' willingness and ability to solve today's environmental problems and prevent new ones from developing.

The Board desires to offer environmental education that fosters attitudes of personal responsibility toward the environment and provides students with the concepts, knowledge and skills needed to contribute meaningfully to decisions involving the environment and its resources. At all grade levels, environmental facts should be taught as they relate to each other, so that students will understand basic ecological principles and appreciate the interrelated nature of living processes, the effect of human activities on ecological relationships, and the interdependence of humanity and nature.

The Board encourages school and classroom activities that encourage students to recycle, conserve water and energy, use biodegradable materials when possible, and dispose of wastes in an environmentally sound way.

The Board encourages staff to provide students with opportunities to increase their understanding of science and the interdependence of living things through the study of endangered species in local habitats and through participation in projects related to this study.

Legal Reference:	Education Code	
	8700-8707	Environmental Education
	8720-8723	Conservation Education Service
	8760	Authorization of Outdoor Science and Conservation Program
	37222	John Muir; Recognition of His Contributions
	51210	Areas of Study; Grades 1-6
	51220	Areas of Study; Grades 7-12

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: **6140**

Visual and Performing Arts Education

Board Adopted: **9/12/07**

The Loma Prieta Joint Union Elementary School District Board of Trustees recognizes that arts education, including dance, theatre, music, and visual arts is an integral part of basic education for all students.

The Superintendent shall provide for the development, ongoing review and evaluation of the District's arts education program.

Legal Reference: Education Code
 8810-8820 Arts Education
 51204 Course of Study Designed for Students' Needs
 58800-58805 Specialized Secondary Programs
 99200-99205 Subject Matter Projects

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6141

Physical Education

Board Adopted: 9/12/07

During each March, April or May, students in grades 5 and 7 shall undergo the physical performance testing designated by the State Board of Education. Students with a physical disability and students who are physically unable to take all of the test shall undergo as much of the test as their physical condition will permit.

The Superintendent may grant temporary exemption from physical education when a student is ill or injured and a modified program to meet his/her needs cannot be provided. Permanent exemptions shall be granted only as provided by law.

Legal Reference:	Education Code	
	49066	Grades; Physical Education Class
	51241	Temporary or Permanent Exemption from Physical Education
	51242	Exemption from Physical Education for Athletic Program Participants
	52316	Excuse from Attending Physical Education Classes
	60800	Physical Performance Test
	Code of Regulations, Title 5	
	3051.5	Adapted Physical Education for Individuals with Exceptional Needs
	10060	Criteria for Physical Education Program
	Code of Regulations, Title 15	
	4346	Exemption from P.E.
	United States Code, Title 29	
	794	Rehabilitation Act of 1973, Section 504
	Attorney General Opinions	
	53 Ops.Cal.Atty.Gen. 230 (1970)	

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6143

Courses of Study

Board Adopted: 9/12/07

The Board of Trustees recognizes that a well-articulated sequence of courses fosters academic progress and makes for the best possible use of instructional time.

The Superintendent shall establish processes for ensuring the articulation of courses across grade levels within the District and shall work with representatives of the high school district to ensure articulation of courses between elementary and secondary schools.

The Board shall adopt a course of study for elementary grades that sufficiently prepares students for the secondary school course of study.

Legal Reference:	Education Code	
	33540	Government and Civics Instruction in Interaction with Government Agencies
	51202	Instruction in Personal and Public Health and Safety
	51203	Instruction on Alcohol, Narcotics and Restricted Dangerous Drugs
	51204	Course of Study Designed for Student's Needs
	51204.5	History of California; Contributions of Men, Women and Ethnic Groups to Development of State and Nations
	51210-51212	Areas of Study for Grades 1 Through 6
	51220-51230	Course of Study for Grades 7 Through 12
	51241	Exemption from Physical Education
	51911-51921	Comprehensive Health Educational Plans
	Government Code	
	3543.2	Scope of Representation
	Health and Safety Code	
	11032	Definition of Dangerous Drugs

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6143

Courses of Study – Page 1

Board Adopted: 9/12/07

Grades 1-6

Courses of study for grades 1 through 6 adheres to the California State Standards and may include such things as the following:

1. English: knowledge and appreciation of language and literature, and the skills of speaking, reading, listening, spelling, handwriting and composition.
2. Mathematics: concepts, operational skills and problem solving.
3. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology and sociology, including instruction in:
 - a. The history, resources, development and government of California and the United States.

Instruction shall include the early history of California and a study of the role and contributions of both men and women, black Americans, American Indians, Mexicans, Asians, Pacific Island people, and other ethnic groups to the economic, political, and social development of California and the United States, with particular emphasis on portraying the role of these groups in contemporary society.
 - b. The relations of persons to their human and natural environments.
 - c. Eastern and western cultures and civilizations.
 - d. Contemporary issues.
 - e. The wise use of natural resources.
4. Science: biological and physical aspects, with emphasis on experimental inquiry and the place of humans in ecological systems.
5. Visual and performing arts: instruction in dance, music, theatre and visual arts aimed at developing aesthetic appreciation and creative expression.
6. Health: principles and practices of individual, family and community health.
7. Physical education, with emphasis on physical activities conducive to health and vigor of body and mind.

Grades 7 and 8

Courses of study for grades 7 and 8 may include the following:

1. English: knowledge and appreciation of literature, language and composition, and the skills of reading, listening and speaking.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6143

Courses of Study – Page 2

Board Adopted: 9/12/07

2. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology and sociology, with instruction in:
3. Foreign language(s): understanding, speaking, reading and writing.
4. Physical education: with emphasis on physical activities conducive to health and vigor of body and mind.
5. Science: physical and biological aspects; emphasis on basic concepts, theories, and processes of scientific investigation and on the place of humans in ecological systems; appropriate applications of the interrelation and interdependence of the sciences.
6. Mathematics: mathematical understandings, operational skills and problem-solving procedures; algebra.
7. Visual and performing arts: dance, music, theatre and visual arts, with emphasis upon development of aesthetic appreciation and creative expression.
8. AIDS prevention.
9. Personal and public safety, accident prevention and health, including instruction in:
 - a. The protection and conservation of resources, including the necessity for the protection of our environment.
 - b. Venereal disease.
 - c. The effects of alcohol, narcotics, drugs and tobacco upon the human body and upon prenatal development.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6144

Controversial Issues

Board Adopted: 5/9/01

Board Revised: 9/12/07

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

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

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

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

Legal Reference:	Education Code
	51510 Prohibited Study or Supplemental Materials
	51511 Religious Matters Properly Included in Courses of Study
	51530 Prohibition and Definition re Advocating or Teaching Communism with Intent to Indoctrinate
	51550 Sex Education Courses
	60040 Portrayal of Cultural and Racial Diversity
	60044 Prohibited Instructional Materials
	60045 Required to be Accurate, Objective, Current, and Suited to Needs and Comprehension at Respective Grade Levels

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6144

Controversial Issues

Board Adopted: 5/9/01

Board Revised: 9/12/07

Controversial issues may be discussed in the classroom, provided that:

1. The issue is related to the course of study and provides opportunities for critical thinking, for developing tolerance, and for understanding conflicting points of view.
2. The issue has a meaningful relationship to matters of concern to the students.
3. Available information about the issue is sufficient to allow alternative points of view to be discussed and evaluated on a factual basis.
4. All sides of the issue are given a proper hearing, using established facts as primary evidence.
5. The issue has points of view which can be understood and defined by the students.
6. The teacher does not use his/her position to forward his/her own religious, political, economic or social bias. The teacher may express a personal opinion if he/she identifies it as such and does not express the opinion for the purpose of persuading students to his/her point of view.
7. Discussion or study of the issue is instigated by the students or by the established curriculum, but not by a source outside of the schools.
8. The discussion does not reflect adversely upon persons because of their race, sex, color, creed, national origin, ancestry, handicap or occupation.
9. The oral or written presentation does not violate state or federal law.

The Superintendent shall have the authority to judge whether the above conditions are being met.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6145

Publications – Page 1

Board Adopted: 5/9/01

Board Revised: 9/12/07

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

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

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

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

Legal Reference:	Education Code	
	221.5	Equal Opportunity Without Regard to Sex of Student
	221.7	School-Sponsored Athletic Programs: Prohibited Sex Discrimination.
	35160	Authority to Governing Boards Commencing January 1, 1976
	39617	Football Equipment: Certifications for Use
	41020	Audit of All School Funds (Including Student Activity Funds)
	48907	Freedom of Speech, Press; Restrictions Responsibilities
	48930-48938	Student Organizations
	48932	Authorization For Activities by Student Organizations
	48933	Deposit or Investment of Student Funds
	48936	Additional Uses of Student Funds
	48937	Supervision and Audit of Student Funds
	49020	Legislative Intent (Re: Opportunities on an Equal Basis in Interschool Athletic Programs in Public High Schools)
	49021	Legislative Intent; Equal Opportunity for Male and Female Students
	49022	Apportionment of Funds for Male and Female Students
	49023	Expenditure of Public Funds; Prohibited Sex Discrimination

Court Decisions

Lopez v. Tulare Joint Union High School District, Board of Trustees, 34 Cal.App.4th 1302 (1995)

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6145

Publications – Page 2

Board Adopted: 5/9/01

Board Revised: 9/12/07

Legal Reference: (cont.)

Attorney General Opinions
79 Ops.Cal.Atty.Gen. 58 (June 10, 1996)

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6146

Extracurricular and Cocurricular Activities

Board Adopted: 9/12/07

Relation to Regular Program

The Board of Trustees recognizes that extracurricular and cocurricular activities enrich the educational and social development and experiences of students. The District shall encourage and support student participation in extracurricular and cocurricular activities when they do not compromise the integrity and purpose of the educational program.

Extracurricular activities are not part of the regular school curriculum, are not graded, do not offer credit and do not take place during classroom time. Cocurricular activities are programs that are associated with the curriculum in a regular classroom.

Academic and Eligibility Requirements

In order to encourage and support academic excellence, all students participating in extracurricular and cocurricular activities shall meet the eligibility requirements established by the District.

A program that has as its primary goal the improvement of academic or educational achievement of students is not subject to these eligibility requirements. The Superintendent shall determine in advance when extracurricular or cocurricular activities are primarily for the student's academic or educational achievement and therefore not subject to the eligibility requirements of this policy.

Legal Reference:	Education Code	
	35145	Public Meetings
	35160.5	District Policy Rules and Regulations; Requirements; Matters Subject to Regulation
	35179	Interscholastic Athletics; Associations or Consortia
	48930-48938	Student Organizations
	Code of Regulations, Title 5	
	350	Fees not Permitted
	4900-4965	Nondiscrimination in Elementary and Secondary Education Programs Receiving State Financial Assistance
	5531	Supervision of Extracurricular Activities of Pupils
	United States Code, Title 42	
	2000h-2-2000h-6	Title IX, 1972 Education Act Amendments
	Court Decisions	
	<i>Hartzell v. Connell</i> (1984)	35 Cal.3d 899

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6146

Extracurricular and Cocurricular Activities

Board Adopted: 9/12/07

The Superintendent may develop regulations which provide for:

1. Determining which activities and programs are affected by the eligibility requirements of this policy.
2. Identifying and monitoring ineligible students.
3. Assisting ineligible students to become eligible for participation in such activities, including but not limited to counseling and tutoring.
4. Determining which activities may not be entered into after the onset of the activity.

Eligibility of students formally identified as those with special needs will be determined on an individual basis by the Superintendent consistent with the student's IEP.

In order to be eligible for participation in extra/cocurricular activities, a student in grades 6-8 shall have earned a minimum 2.0 or "C" grade point average, no more than 3 behavior points from 2 teachers, no suspensions and no outstanding school fines or debts.

Students must meet the above criteria each 9 weeks to participate during the following 9 weeks. The first semester of the school year provides a "fresh start" for students. Eligibility does not carry over from the prior year. However, students can become ineligible at any time based on poor behavior as determined by an administrative review team comprised of an administrator, teacher and counselor. These activities include, but are not limited to: dances, sports teams, concerts, and end of the year activities.

A student who is ineligible for participation may file a petition for probationary status. Upon filing a petition, the student can participate in extra-curricular activities. The petition will be reviewed by a committee of administrators and teachers; and if it is not approved, the student's parents will be formally notified of the student's ineligibility to participate in extra-curricular activities. If approved, the student will be evaluated on a regular basis while on probationary status and if it is determined the student is not making progress, the committee of administrators and teachers can rescind approval of the petition. When approval is rescinded, the student's parents will be formally notified of the student's ineligibility to participate in extra-curricular activities.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6147

Middle School Promotion/Graduation Requirements

Board Adopted: 9/12/07

The Loma Prieta Joint Union Elementary School District Board of Trustees places emphasis on promoting high academic standards for middle school students and teaching a sense of responsibility and behavior which will assist in the successful experience and completion of high school.

The Superintendent, with input from the Loma Prieta Joint Union Elementary Middle School staff shall develop administrative regulations to establish the specific standards and behavioral expectations for graduation and promotion exercises which recognize students who have completed the District's required course of study. While recognizing the importance of graduation ceremonies, the Board also desires to maintain high standards of student conduct and behavior. The principal may deny the privilege of participating in the ceremonies in accordance with school rules which provide for due process.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6147

Middle School Promotion/Graduation Requirements

Board Adopted: 9/12/07

This policy/regulation is written to provide all students, parents and staff a clear understanding of promotion and graduation standards. The Loma Prieta Joint Union Elementary School District Board of Trustees places emphasis on high academic standards with all students assuming responsibility for their actions. This policy/regulation encourages all students to be promoted/graduated.

Academic Standards

The following criteria are the promotion/graduation standards:

One "F" and one "D" or lower in 2 core classes constitutes a failed semester. All courses contribute to Grade Point Average (GPA). Core classes plus foreign language are twice the point value of elective courses. (Core classes are Language Arts, Math, Science, Social Studies and Physical Education.)

For each semester that a student fails, he/she will meet with the counselor and be placed on academic probation. The principal will notify the parent in writing of the school's concerns and develop an intervention plan for academic success.

If a student has failed 1 semester and is failing at the midpoint of the 2nd semester, he/she will have until the first week in June to improve his/her grades to passing. A student will not be promoted if he/she failed both semesters.

All promotion decisions will be made the first week in June.

Eighth grade students who are not promoted will not be allowed to participate in the 8th grade activities, graduation ceremony or dance.

Transfer students will be held to the previously described standards in order to be eligible for promotion.

Behavior Standards

A student may successfully complete all academic requirements for promotion/graduation but may be denied the opportunity to participate in any or all end-of-the-year/graduation activities due to inappropriate or disruptive behavior. Suspended or expelled students will not participate in any school functions. The principal will inform the student and parent or guardian. Students who are preempted from promotion/graduation activities but who successfully complete all academic requirements will be promoted and the diplomas will be mailed home.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: **6148**

Assemblies and Special Events

Board Adopted: **9/12/07**

The Board of Trustees believes that assemblies and special events should promote a positive school climate. Assemblies should be designed to emphasize cooperation and similarities among students rather than competition and differences between students of diverse backgrounds. In addition, showcasing student achievement in academics, athletics, music, art, drama or other such activities can provide many students with self-esteem and an incentive to be in school.

The principal shall ensure that the speakers and community resources featured in school assemblies and special events are carefully selected and balanced. Prospective speakers shall agree that they will present material of educational relevance that is appropriate to the maturity of the audience, with no statements that are obscene, vulgar or that incite violence. Assemblies may express seasonal themes that are not religious in nature.

The principal shall schedule assemblies and special events so as to minimize disruptions and meet the requirements of law and negotiated agreements. The principal may limit the number of such events whenever they encroach upon or do not support the instructional program.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6152

Class Assignment

Board Adopted: 9/12/07

When assigning students to specific classrooms, the principal shall strive to provide the best possible learning environment for each student. Insofar as possible, consideration shall be given to:

1. Recommendations of the current classroom teacher.
2. Gender and ethnic balance.
3. Academic balance of high, medium and low achievers.
4. Balance of students with social or emotional problems.
5. Strengths of individual teachers.
6. Student interests, readiness, behavior and motivation.

The principal may accept from parents/guardians any information which would be helpful in making placement decisions.

During the school year, the principal may make any adjustments in class placement which he/she considers beneficial to the student or the educational program.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6153

School-Sponsored Trips

Board Adopted: 9/12/07

The Board of Trustees recognizes that school-sponsored trips are important components of a student's development. Besides supplementing and enriching classroom learning experiences, such trips encourage new interests among students, make them more aware of community resources, and help them relate their school experiences to the outside world. The Board believes that careful planning can greatly enhance the value and safety of such trips.

Special trip expense funds may be established when necessary for fund-raising purposes.

All trips involving out-of-state or overnight travel shall require the approval of the Superintendent.

Principals shall ensure that teachers develop plans which provide for the safety of students and their proper supervision by certificated staff on all school-sponsored trips. Other school employees and parents/guardians also may participate in this supervision and may be asked to attend preparatory training sessions and/or meetings.

Study Trips

In advance of a study trip, teachers shall determine educational objectives which relate directly to the curriculum. Principals shall ensure that teachers develop plans which provide for the best use of students' learning time while on the trip. Teachers also shall provide appropriate instruction before and after the trip.

Legal Reference:	Education Code
	8760 Authorization of Outdoor Science and Conservation Programs
	32040 Duty to Equip School with First Aid Kit
	32041 Field Trips
	32043 Snakebite Kits on Field Trips
	32044 Violations
	35330 Excursions and Field Trips
	35331 Provision for Medical or Hospital Service for Pupils (on Field Trips)
	35332 Transportation by Chartered Airline
	35350 Transportation of Students
	44808 Liability When Pupils not on School Property
	48908 Duties of Pupils; Authority of Teachers

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6153

School-Sponsored Trips – Page 1

Board Adopted: 9/12/07

All planned trips away from school grounds, including athletic trips and outdoor education programs, are subject to this regulation.

Students must have written parental permission in order to participate in trips requiring transportation. The District shall provide an alternative educational experience for students whose parent/guardians do not wish them to participate in a trip.

Safety and First Aid

1. While conducting a trip, the teacher, employee or agent of the school shall have the school's first aid kit in his/her possession or immediately available.
2. Whenever trips are conducted in areas known to be infested with poisonous snakes:
 - a. The first aid kit taken on the trip shall contain medically accepted snakebite remedies.
 - b. The trip shall be accompanied by a teacher, employee or agent of the school who has completed a first aid course which is certified by the American Red Cross and which emphasizes the treatment of snakebites.
3. Before trips of more than one day, the principal shall hold a meeting for staff, parents/guardians and students to discuss safety and the importance of safety-related rules for the trip. For noncertificated adults who will assist in supervising students on the trip, the principal may also hold a meeting to explain how to keep appropriate groups together and what to do if an emergency occurs.

Supervision

1. Students on approved trips are under the jurisdiction of the Board of Trustees and subject to school rules and regulations.
2. Teachers or other certificated personnel shall accompany students on all trips and shall assume responsibility for their proper conduct.
3. Before the trip, teachers shall provide any adult chaperones who may accompany the students with clear information regarding their responsibilities.
4. Chaperones shall be 21 years of age or older.
5. Chaperones shall be assigned a prescribed group of students and shall be responsible for the continuous monitoring of these students' activities.
6. Teachers and chaperones shall not consume alcoholic beverages or use controlled substances while accompanying and supervising students on a trip.

7. When a trip is made to a place of business or industry, the teacher shall arrange for an employee of the host company to serve as conductor.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6153

School-Sponsored Trips – Page 2

Board Adopted: 9/12/07

Funding

No student shall be prevented from making a trip because of a lack of sufficient funds. No trip shall be authorized if any student would be excluded from participation because of a lack of sufficient funds.

Trip Approval

1. Teachers planning a trip shall make a request in writing to the principal at least 10 days prior to the date desired. Whenever practical, an alternate date should also be listed. The purpose of the trip and its relation to the course of study shall be stated in the request.
2. The principal shall approve or disapprove the request and notify the teacher. If the trip is disapproved, the principal should state the reasons.
3. Principals may exclude from the trip any student whose presence on the trip would pose a safety or disciplinary risk.
4. Principals shall approve no activities which they consider to be inherently dangerous to students or to pose unacceptable, unmitigated risks.

Trips Which Include Swimming or Wading

1. No swimming or wading shall be allowed to trips unless planned and approved in advance.
2. When swimming as part of a planned supervised outdoor education activity, teachers shall provide for a number of chaperones to exceed the normal one to 10 ratio and shall instruct both chaperones and students of the real and potential risks inherent in such activities and the precautions necessary for their safety.
3. **Swimming Activities**
 - a. Parents/guardians must provide written permission for the student to swim and must indicate the student's swimming ability.
 - b. Swimming facilities, including backyard pools, must be inspected.
 - c. Lifeguards must be designated for all swimming activities. If lifeguards are not provided by the pool owner or operator, the principal shall ensure their presence. Lifeguards must be Red Cross certified or equivalent and must be at least 21 years old.
 - d. The ratio of adult chaperones to students shall be at least one to 10. In grades 4-6, this ratio shall be one to eight. In grades K-3, this ratio shall be one to four.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6153

School-Sponsored Trips – Page 3

Board Adopted: 9/12/07

-
- e. Specific supervisory responsibilities shall be determined in advance to accommodate the varying swimming abilities of students. These responsibilities shall be clarified in writing and reviewed verbally before the trip.
 - f. Emergency procedures shall be included with written instructions to adult chaperones and staff.
 - g. Staff and chaperones assigned to supervise students must wear swim suits and know how to swim.
 - h. The principal may require students to wear flotation devices, depending upon their age and swimming ability.
 - i. A buddy-system or other means of surveillance shall be arranged in advance and strictly enforced during swimming activities.
 - j. No wading or swimming in the ocean surf.

Procedures

Teachers who wish to plan a field or study trip shall follow procedures listed below:

1. At the beginning of the school year, a Health Information for Study Trips form will be completed for each child and be signed by the parent/guardian.
2. Preparation for field trip normally includes a preliminary visit by the teacher to ascertain schedules, procedures and potential safety or supervision concerns.
3. Authorization for field trips is made by the school principal. The teacher must have the parent/guardian sign the Parent Authorization for Field Trip prior to the start of the field trip.
4. Parents/guardians transporting students in a private vehicle must read and sign the Parent/Volunteer Personal Automobile Use Permission Form.
5. The "Summary-Field Trip Authorization", which assigns students to the drivers of the vehicles, must be completed before leaving on the field trip. A completed copy needs to be on file with the District secretary.

For each field trip:

1. The teacher should have a copy of the Summary-Field Trip Authorization Form.
2. The driver should have a copy of the Health Information for Field Trips and the Parent Authorization Forms.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6153

School-Sponsored Trips – Page 4

Board Adopted: 9/12/07

-
3. The principal should have a copy of the Parent/Volunteer Personal Automobile Use Permission Form and the Summary-Field Trip Authorization Form.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Exhibit No.: 6153

School-Sponsored Trips

Board Adopted: 9/12/07

**PARENT/GUARDIAN PERMISSION FOR STUDENT PARTICIPATION IN
OFF-CAMPUS SCHOOL-SPONSORED EVENTS**

_____ has my permission to attend
(Name of Student)

_____ which will take place at:
(activity/event)

Date of event: _____ Class or group attending: _____

Teacher or leader: _____

Method of transportation: _____

If traveling by automobile, name of driver: _____

1. I understand that all students going on this trip will be responsible in conduct to the bus driver, to teachers or adult sponsors. It is further understood that students will go and return from the event on the transportation provided and that every reasonable caution will be maintained on the trip.

2. I hereby acknowledge that I have been advised that the activities involved in this excursion/field trip or event are _____ are not _____ considered by the District to be of "high risk" to the participants.

(Date)

(Parent or Guardian Signature)

**WAIVER OF CLAIM
(To be Completed for Out-of-State Events Only)**

In granting permission to attend, I do hereby waive all claims and hold harmless the individual sponsors, the Loma Prieta Joint Union Elementary School District, and the State of California for any injury, accident, illness, death, or any loss or damage to personal property occurring during or by reason of this excursion/field trip or event.

(Date)

(Parent or Guardian Signature)

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6154

Homework/Makeup Work

Board Adopted: 9/12/07

Homework is an important part of the educational process and should be assigned regularly. Assignments completed at home can assist the teacher and the child to reach educational objectives more thoroughly and quickly by extending the school day.

Homework is generally designed to promote reading, reinforce and/or extend basic skill concepts taught in class, provide an opportunity for the completion of work begun in class or give students the experience of developing and completing individual research projects in accordance with teaching instruction. Homework should be assigned with an awareness of individual students' capabilities and needs and with the intent of developing students' study habits and sense of responsibility. It is the responsibility of the teacher to monitor the assignment and to communicate homework expectations and any difficulties. It is the responsibility of the principal to facilitate the communication process and help maintain the parent/school partnership as it relates to homework.

The preponderance of academic research has found that the appropriate level of homework equates to 10 minutes per night per school grade level. The District subscribes to this guideline as the appropriate level of homework.

Parents/guardians are encouraged to take an active and supportive interest in homework assignments by helping students to determine an appropriate time and place for studying.

Parents are encouraged to contact the teacher when the length and difficulty of homework assignments appear inappropriate for their child. If a parent feels the issue was not resolved, he/she is encouraged to contact the principal. Each school site will set-up a process to facilitate inquiries from parents regarding the length and difficulty of homework assignments.

Legal Reference:	Education Code	
	48205	Absences for Personal Reasons
	48913	Completion of Work Missed by Suspended Student
	48980	Parental Notifications
	58700-58702	Tutoring and Homework Assistance Program; Summer School Apportionment Credit

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6154

Homework/Makeup Work

Board Adopted: 9/12/07

School Site Homework Plan

The principal and staff shall develop and regularly review school-site homework guidelines which include the assignment of homework and the responsibilities of students, staff and parents/guardians. The guidelines will include the means by which parents/guardians shall be informed about:

1. Homework expectations
2. How homework relates to the impact of students' grades
3. How best to help their children

Makeup Work

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

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

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6158

Independent Study – Page 1

Board Adopted: 9/12/07

The Board of Trustees authorizes independent study as an optional alternative instructional strategy by which students in grades 4-8 may reach curriculum objectives and fulfill graduation requirements. Independent study may offer a means of individualizing the educational plan for students whose needs may be met best through study outside of the regular classroom setting.

The District's independent study option may be substantially equivalent in quality and quantity to classroom instruction, thus enabling students enrolled in independent study to complete the District's adopted course of study within the customary time frame. Students in independent study may have access to the same services and resources as is available to other students in the school.

The Superintendent or designee may determine that the prospective independent study student understands and is prepared to meet the District's requirements for independent study. Independent study entails a commitment by both the parent/guardian and the student. As the student gets older, he/she assumes a greater portion of the responsibility involved. Independent study may be offered only to students who can achieve in this program as well as or better than they would in the regular classroom.

The Superintendent or designee may ensure that a written independent study agreement, as prescribed by law, exists for each participating student.

The Board recognizes that independent study may be used as an option to encourage students to remain in school. Teachers should carefully set the duration of independent study assignments, within the limits specified by the Board in order to help identify students falling behind in their work or in danger of failing or dropping out of school.

To foster each student's success in independent study, an independent study assignment is due within three (3) school days after the student's return to school.

When any student fails to complete three consecutive independent study assignments, the Superintendent or designee may conduct an evaluation to determine whether it is in the student's best interest to remain in independent study. Evaluation findings shall be kept in the student's permanent record.

Legal Reference:	Education Code	
	17289	Exemption for Building
	44865	Qualifications for Home Teachers and Teachers in Special Classes and Schools; Consent to Assignment
	46300-46300.6	Methods of Computing ADA
	48220	Classes of Children Exempted
	48340	Improvement of Pupil Attendance
	48915	Expulsion; Particular Circumstances
	48917	Suspension of Expulsion Order
	51225.3	Requirements for High School Graduation
	51745-51749.3	Independent Study Programs
	52001	Improvement of Elementary and Secondary Education: Legislative Intent

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6158

Independent Study – Page 2

Board Adopted: 9/12/07

Legal Reference: Education Code (cont.)
 52015 School Improvement Plans: Components of Plan
 56026 Individual with Exceptional Needs

 Family Code
 6550 Authorization Affidavits

 Code of Regulations, Title 5
 11700-11703 Independent Study

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6158

Independent Study – Page 1

Board Adopted: 9/12/07

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

Eligibility

No student shall be required to participate in independent study.

Students enrolling in independent study must be residents of Santa Clara County or an adjacent county.

Full-time independent study shall not be available to students whose District residency status is based on their parent/guardian's employment within District boundaries pursuant to Education Code 48204.

No individual with disabilities, as defined in Education Code 56026, may participate in independent study unless his/her Individualized Education Program specifically provides for such participation.

No temporarily disabled student may receive individual instruction pursuant to Education Code 48206.3 by means of independent study.

Criteria for Participation

Students who are interested in independent study should contact their school principal. Approval for participation shall be based on the following criteria:

1. Evidence that the student will work independently to complete the program.
2. Availability of experienced certificated staff with adequate time to supervise the student effectively.

Written Agreements and Assignments

The written independent study agreement for each participating student shall include, but not be limited to, all of the following:

1. The manner, frequency, time and place for submitting the student's assignments and for reporting his/her progress.
2. The objectives and methods of study for the student's work, and the methods used to evaluate that work.
3. The specific resources, including materials and personnel, that will be made available to the student.
4. The District's independent study policy describing the maximum length of time allowed between an assignment and its completion and the number of missed assignments which will trigger an evaluation of whether the student should be allowed to continue in independent study.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6158

Independent Study – Page 2

Board Adopted: 9/12/07

5. The duration of the independent study agreement, including the beginning and ending dates for the student's participation in independent study under the agreement. No independent study agreement shall be valid for any period longer than one semester, or one-half year for a school on a year-round calendar.
6. A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the agreement, to be earned by the student upon completion.
7. A statement that independent study is an optional educational alternative in which no student may be required to participate. In the case of a student who is referred or assigned to any school, class or program pursuant to Education Code 48915 or 48917, the agreement shall also include the statement that instruction may be provided through independent study only if the student is offered the alternative of classroom instruction.

The curriculum and methods of study specified in the written agreement shall be consistent with the Board of Trustees' policies, administrative regulations and procedures for curriculum and instruction.

The agreement also may include a schedule for achieving objectives and completing the agreement and a schedule of conferences between the student and supervising teacher.

Before beginning the independent study, each written agreement shall be signed and dated by the student, the parent/guardian or caregiver of the student under 18 years of age, the certificated employee designated as responsible for the general supervision of independent study, and all persons who have direct responsibility for providing assistance to the student.

The agreement shall state that the parent/guardian's signature confers his/her permission for the student's independent study as specified in the agreement.

Student Rights and Responsibilities

Students participating in independent study shall have the right, continuously, to enter or return to the regular classroom mode of instruction.

Independent study students who are late, miss scheduled conferences or do not submit assigned work on time shall not be reported as tardy or truant. However, the independent study administrator shall promptly and directly address any failure by the student to meet the terms of his/her written agreement. The following supportive strategies may be used:

1. A letter to the student and/or parent/guardian, as appropriate.
2. A special meeting between the student and the teacher and/or counselor.
3. A meeting between the student and the administrator, including the parent/guardian if appropriate.

4. An increase in the amount of time the student works under direct supervision.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6158

Independent Study – Page 3

Board Adopted: 9/12/07

When the student has missed the number of assignments specified in Board policy as precipitating an evaluation, the Superintendent shall conduct an evaluation which may result in termination of the independent study agreement, with the student's return to a regular classroom or alternative instructional program.

Administration of Independent Study

Each student's independent study shall be coordinated, evaluated and carried out under the general supervision of a certificated employee.

The responsibilities of the independent study administrator shall be to:

1. Ensure that the District's independent study option is operated in accordance with law, Board policy and administrative regulation.
2. Approve the participation of students requesting independent study for a period of no less than five school days.
3. Facilitate the completion of independent study written agreements.
4. Approve all credits earned through independent study supervised at a location apart from the student's regular school and forward the information to the appropriate staff so that the information becomes part of the student's record.
5. Authorize the selection of staff who are assigned to supervise independent study.
6. Supervise any staff assigned to independent study functions who are not regularly supervised by another administrator.
7. Complete or coordinate the preparation of all necessary records and reports.
8. Establish and maintain in a systematic manner all records required by law, Board policy and administrative regulation.
9. Monitor enrollment in independent study to stay within prescribed limits and to maximize income to the District without compromising the educational quality of independent study.
10. Develop and manage the budget for independent study.
11. Obtain and maintain current information and skills required for the operation of an independent study strategy that meets established standards for the District's educational programs.
12. Prepare and submit reports as required by the Board or Superintendent.

13. Assure a smooth transition into and out of the independent study mode of instruction.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6158

Independent Study – Page 4

Board Adopted: 9/12/07

Supervising Teachers

The independent study administrator shall approve the assignment of any teachers who directly supervise independent study on a regular basis. The principal may recommend teachers or students for independent study. The teacher may be the student's regular classroom teacher, particularly for elementary students.

Independent study teachers shall:

1. Complete designated portions of the written agreement and add additional information to the written agreement when appropriate.
2. Supervise and approve coursework.
3. Design all lesson plans.
4. Write the assignments for students.
5. Assess all student work.
6. Personally judge the time value of assigned work or work products completed and submitted by the student.
7. Select and save with each agreement representative samples of the student's completed and evaluated assignments on not less than a monthly basis, preferably biweekly.
8. Sign and complete the agreement when the student has reached his/her objectives or the agreement is terminated.
9. Maintain any required records and files on a current basis.

When appropriate, independent study teachers shall determine and assign grades or other approved measures of achievement.

Records

District records shall identify all students participating in independent study and shall specify the grade level, program placement and school in which each of these students is enrolled.

Each school shall maintain records for the students at that school.

Records shall be maintained for audit purposes and shall include the following:

1. A copy of the Board policy, administrative regulation, and procedures related to independent study.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6158

Independent Study – Page 5

Board Adopted: 9/12/07

-
2. A separate listing of the students, by grade level and program and school, who have participated in independent study, identifying units of the curriculum attempted and units of the curriculum completed by students in grades 4-8, as specified in their written agreements.
 3. A file of all agreements, with representative samples of each student's work products bearing signed or initialed and dated notations by the supervising teacher indicating that he/she has personally evaluated the work or that he/she has personally reviewed the evaluations made by another certificated teacher.
 4. A daily or hourly attendance register, as appropriate to the program in which the students are enrolled, separate from classroom attendance records, and maintained on a current basis as time values of student work products are personally judged by a certificated teacher, and reviewed by the supervising teacher if they are two different persons.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6159

Individualized Education Program

Board Adopted: 9/12/07

The Board of Trustees desires to provide students with exceptional needs an appropriate education. Students with disabilities shall be placed in the least restrictive environment which meets their needs to the extent provided by law.

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

Legal Reference:	Education Code	
	51225.3	Requirements for High School Graduation and Diploma
	56055	Rights of Foster Parents Pertaining to Foster Child's Education
	56136	Guidelines for Low Incidence Disabilities Areas
	56195.8	Adoption of Policies
	56321	Development or Revision of IEP
	56321.5	Notice to Include Right to Electronically Record
	56340.1-56346	Instructional Planning and Individualized Education Program
	56350-56352	IEP for Visually Impaired Students
	56380	IEP Reviews; Notice of Right to Request
	56390-56392	Certificate of Completion, Special Education
	56500-56508	Procedural Safeguards
	60640-60649	Standardized Testing and Reporting Program
	60850	High School Exit Examination, Students with Disabilities
	Family Code	
	6500-6502	Age of Majority
	Government Code	
	7572.5	Seriously Emotionally Disturbed Child, Expanded IEP Team
	Code of Regulations, Title 5	
	852-853	Standardized Testing and Reporting Program, Accommodations for Students with Disabilities
	1216-1218	High School Exit Exam, Accommodations for Students with Disabilities
	3021-3029	Identification, Referral and Assessment
	3040-3043	Instructional Planning and the Individualized Education Program
	United States Code, Title 20	
	1232g	Family Educational Rights and Privacy Act of 1974
	1400-1487	Individuals with Disabilities Education Act
	Code of Federal Regulations, Title 34	
	300.1-300.718	Individuals with Disabilities Education Act
	Court Decisions	

Sacramento City School District v. Rachel H. (9th Cir. 1994) 14 F.3d 1398
Shapiro v. Paradise Valley Unified Sch Dist #69 (9th Cir. 2003) 374 F.3d 857

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6159

Individualized Education Program – Page 1

Board Adopted: 9/12/07

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

Members of the IEP Team

The IEP team for any student with a disability may include at least the following members:

1. One or both of the student's parents/guardians, and/or a representative selected by the parent/guardian.
2. If the student is or may be participating in the regular education program, at least one regular education teacher.
3. At least one special education teacher or, where appropriate, at least one special education provider for the student.
4. A representative of the District, Special Education Local Plan Area (SELPA) or the Santa Clara County Office of Education who is:
 - a. Qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of students with disabilities.
 - b. Knowledgeable of the general curriculum.
 - c. Knowledgeable about the availability of District and/or SELPA resources.
5. An individual who conducted an assessment of the student or who is knowledgeable about the assessment procedures used and who is:
 - a. Familiar with the assessment results or recommendations.
 - b. Qualified to interpret the instructional implication of assessment results.

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

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

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

7. Whenever appropriate, the student with the disability.
8. For transition service participants:

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6159

Individualized Education Program – Page 2

Board Adopted: 9/12/07

- a. The student, of any age, with the disability if the purpose of the meeting is the consideration of the student's transition service needs.

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

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

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

9. For students with suspected learning disabilities, a person other than the student's regular teacher who has observed the student's educational performance in an appropriate setting and a person qualified to conduct individual diagnostic examinations of the student, such as a school psychologist, speech language pathologist or remedial reading teacher.

If the child is younger than five years or not enrolled in school, a team member shall observe the child in an appropriate environment.

10. a. A member of the IEP team shall not be required to attend an IEP meeting, in whole or in part, if the parent and the District agree that the attendance of such member is not necessary because the member's area of the curriculum or related service(s) is not being modified or discussed in the meeting. A parent's agreement that attendance is not necessary and consent to excusal of IEP member must be in writing.

- b. If the meeting does involve that member's area of the curriculum or related services, the parent and District must consent to the excusal and the IEP member must submit in writing to the team input into the development of the IEP prior to the meeting.

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

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

IEP Meetings

The IEP team shall meet:

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6159

Individualized Education Program – Page 3

Board Adopted:

1. Whenever a student has received an initial formal assessment and, when desired, when a student receives any subsequent formal assessment.
2. Whenever the student demonstrates a lack of anticipated progress.
3. Whenever the parent/guardian or teacher requests a meeting to develop, review or revise the IEP.
4. At least annually to:
 - a. Review the student's progress to determine whether the student's annual goals are being achieved.
 - b. Review the IEP and the appropriateness of placement.
 - c. Make any necessary revisions to the IEP, including but not limited to re-evaluations, new information and student's anticipated needs.

The IEP team shall conduct this review. Others may participate if they have essential expertise or knowledge.

If a participating agency, other than the District, fails to provide the transition services described in the student's IEP, the team shall reconvene to identify alternative strategies to meet the transition service needs for the student set out in the IEP.

When a parent/guardian requests an IEP team meeting to review the IEP, the team shall meet within 30 days of receiving the parent/guardian's written request, not counting days in July and August. If the request is verbal, the District will assist/inform the parent to put the request in writing.

An IEP required as a result of an assessment of the student shall be developed within 60 days, not counting days between the student's regular school sessions, terms or days of school vacation in excess of five school days, from the date of receipt of the parent/guardian's written consent for assessment, unless the parent/guardian agrees, in writing, to an extension. However, an IEP shall be developed within 50 days after the commencement of the subsequent regular school year for each student for whom a referral has been made 20 days or less prior to the end of the regular school year. In the case of student school vacations, the 60-day time limit shall recommence on the date that student school days reconvene.

At each IEP meeting convened by the District, the District administrator or specialist on the team shall inform the parent/guardian and student of the federal and state procedural safeguards included in the notice of parental rights.

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

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6159

Individualized Education Program – Page 4

Board Adopted: 9/12/07

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

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

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

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

Alternative Means of Meeting Participation

When conducting IEP team meetings, placement meetings, mediation and resolution session, and carrying out administrative matters related to due process hearings, the parent and District may agree to use alternative means of meeting participation such as video conference and conference calls.

Contents of the IEP

The IEP shall be a written statement determined in a meeting of the IEP team. It shall include, but not be limited to, all of the following:

1. A statement of the present levels of the student's educational performance, including one of the following:
 - a. How the student's disability affects his/her involvement and progress in the general curriculum (e.g., the same curriculum as for nondisabled students).
 - b. For the preschool child, as appropriate, how the disability affects his/her participation in appropriate activities.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6159

Individualized Education Program – Page 5

Board Adopted: 9/12/07

2. A statement of measurable annual goals, including academic and functional goals related to:
 - a. Meeting the student's needs that result from his/her disability in order to enable the student to be involved in and progress in the general curriculum.

For a preschool child, as appropriate, meeting the child's needs that result from his/her disability to enable the child to participate in appropriate activities.
 - b. Meeting each of the student's other educational needs that result from the student's disability.
 - c. Goals will include benchmarks or short-term objectives for students who take alternate assessments.
3. A statement of the special education, related services and supplementary aids and services, based on peer-reviewed research to the extent practical, to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided for the student to:
 - a. Advance appropriately toward attaining the annual goals.
 - b. Be involved and progress in the general curriculum in accordance with item #1 above and to participate in extracurricular and other nonacademic activities.
 - c. Be educated and participate with other students with disabilities and nondisabled students in the activities in this item.
4. An explanation of the extent, if any, to which the student will not participate with nondisabled students in the regular class and in the activities described in item #3 above.
5. A statement of any individual modification or accommodations that are necessary to measure the academic achievement and functional performance of the child, and in the administration of state or District assessments of student achievement that is needed in order for the student to participate in such assessment.
 - a. If the IEP team determines that the student will not participate in the administration of a state or District assessment of student achievement (or part of such an assessment), the IEP shall include a statement as to why that assessment is not appropriate for the student and how the student will be assessed.
6. The projected date for the beginning of the services and modifications described in item #3 above and the anticipated frequency, location and duration of those services and modifications.
7. Appropriate objective criteria, evaluation procedures, and schedules for determining, on at least an annual basis, whether progress toward the annual goals is being achieved.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6159

Individualized Education Program – Page 6

Board Adopted: 9/12/07

8. A statement of:
 - a. How the student's progress toward the annual goals described in item #2 above will be measured.
 - b. How the student's parents/guardians will be regularly informed (by such means as periodic report cards), at least as often as parents/guardians of nondisabled students, of their child's progress towards the annual goals described in item #2 above.

Where appropriate, the IEP shall also include:

1. For students in grades 7 and 8, any alternative means and modes necessary for the student to complete the District's prescribed course of study and to meet standards required for graduation.
2. Linguistically appropriate goals, objectives, programs and services for students whose primary language is not English.
3. Extended school year services when needed, as determined by the IEP team.
4. Provision for transition into the regular education program if the student is to be transferred from a special class or center, or nonpublic, nonsectarian school, into a regular education program in a public school for any part of the school day.

The IEP shall include descriptions of activities intended to:

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

Development, Review and Revision of the IEP

In developing or revising the IEP, the IEP team shall consider the following:

1. The strengths of the student and the concerns of the parents/guardians for enhancing the education of their child.
2. The results of the initial evaluation or most recent evaluation of the student.
3. As appropriate, the results of the student's performance on any general state or District assessment programs.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6159

Individualized Education Program – Page 7

Board Adopted: 9/12/07

4. In the case of a student whose behavior impedes his/her learning or that of others, consider positive behavioral interventions, strategies and supports to address that behavior.
5. In the case of a student with limited English proficiency, the language needs of the student as such needs relate to the student's IEP.
6. In the case of a student who is blind or visually impaired, the need to provide for instruction in Braille and the use of Braille unless the IEP team determines, after an evaluation of the student's reading and writing skills, needs, and appropriate reading and writing media, that instruction in Braille or the use of Braille is not appropriate for the student.
7. The communication needs of the student, and in the case of a student who is deaf or hard of hearing, the student's language and communication needs, opportunities for direct communications with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and communication mode.

The team shall also consider the related services and program options that provide the student with an equal opportunity for communication access, including the following:

- a. The student's primary language mode and language, which may include the use of spoken language with or without visual cues and/or the use of sign language.
 - b. The availability of a sufficient number of age, cognitive and language peers of similar abilities.
 - c. Appropriate, direct and ongoing language access to special education teachers and other specialists who are proficient in the student's primary language mode and language.
 - d. Services necessary to ensure communication-accessible academic instructions, school services and extracurricular activities.
8. Whether the student requires assistive technology devices and services.

If, in considering the special factors in items #1-8 above, the IEP team determines that a student needs a particular device or service, including an intervention, accommodation or other program modification, in order to receive a free and appropriate public education, the IEP team must include a statement to that effect in the student's IEP.

The IEP may be revised, as appropriate, to address:

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

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6159

Individualized Education Program – Page 8

Board Adopted: 9/12/07

3. Information about the student provided to or by the parents/guardians regarding review of evaluation data.
4. The student's anticipated needs.
5. Factors used to develop the IEP.
6. Other matters.

As a member of the IEP team, the regular education teacher shall, to the extent appropriate, participate in the development, review and revision of the student's IEP, including assisting in the determination of:

1. Appropriate positive behavioral interventions and strategies for the student.
2. Supplementary aids and services, program modifications or supports for school personnel that will be provided for the student.

Due Process/Mediation/Resolution

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

A parent or student may initiate a due process hearing if there is a proposed or refusal to initiate a change in identification, assessment, or educational placement of a student or provision of a free, appropriate public education to the student.

The District may initiate a due process hearing if a parent refuses consent to an initial assessment of a student or to show its evaluations are appropriate.

Mediation is a voluntary alternative dispute mechanism conducted by a qualified impartial mediator. All discussions are confidential and may not be used in subsequent hearings or civil proceedings. If a resolution is reached through mediation, the parents and District shall execute a legally binding agreement that:

1. Will be enforceable in State or U.S. District court;
2. Signed by parent and District representative who has authority to bind agency; and
3. States all discussions during mediation shall be confidential and may not be used in subsequent hearings or civil proceedings.

Mediation may involve matters arising before as well as after filing of a complaint.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6159

Individualized Education Program – Page 9

Board Adopted: 9/12/07

Resolution

Prior to the opportunity for an impartial hearing, the District will convene a meeting with the parents and relevant IEP team members who have specific knowledge of the facts identified in the complaint:

1. Within 15 days of receiving notice of parent's complaint;
2. Which shall include a representative of the District who has decision-making authority;
3. Which may not include a District attorney unless the parent is accompanied by an attorney; and
4. Where parents of the child discuss their complaint, the facts that form the basis of the complaint, and the District is provided the opportunity to resolve the complaint, unless the parents and District agree in writing to waive such meeting, or agree to use the mediation process.

If the District has not resolved the complaint to the satisfaction of the parents within 30 days of receipt of the complaint, the due process hearing may occur, and all the applicable timelines for a due process hearing shall commence.

If a resolution is reached to resolve the complaint at the meeting, the parties must execute a legally binding agreement signed by both the parent and District representative who has authority to bind the District and is enforceable in State Court or U.S. District Court.

If the parties execute an agreement, a party may void the agreement within 3 business days of the agreement's execution.

Parent/Guardian Notice

The Superintendent shall send parents/guardians notice of the IEP team meetings early enough to ensure that they will have an opportunity to attend. This notice shall:

1. Indicate the purpose, time and location of the meeting.
2. Indicate who will be in attendance at the meeting.
3. Inform the parents/guardians of the provisions relating to the participation of other individuals on the IEP team who have knowledge or special expertise about the student.
4. Inform parents of the right to bring other people to the meeting who have knowledge or special expertise regarding their child.
5. For students age 14, or younger if appropriate:
 - a. Indicate that a purpose of the meeting will be the development of a statement of the transition service needs of the student.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6159

Individualized Education Program – Page 10

Board Adopted: 9/12/07

-
- b. Indicate that the District will invite the student to the IEP meeting.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6160

Procedural Safeguards and Complaints for Special Education

Board Adopted: 9/12/07

- Page 1

Procedural Safeguards/Due Process Hearings

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

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

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

Complaints for Special Education

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

Legal Reference:	Education Code	
	56000	Education for Individuals with Exceptional Needs
	56001	Provision of the Special Education Programs
	56020-56035	Definitions
	56195.7	Written Agreements
	56195.8	Adoption of Policies for Programs and Services
	56300-56381	Identification and Referral, Assessment, Instructional Planning, Implementation, and Review
	56440-56447.1	Programs for Individuals Between the Ages of Three and Five Years
	56500-56507	Procedural Safeguards, Including Due Process Rights
	56600-56606	Evaluation, Audits and Information
	Code of Regulations, Title 5	
	3000-3089	Regulations Governing Special Education
	4600-4671	Uniform Complaint Procedures
	United States Code, Title 20	
	1232g	Family Educational Rights and Privacy Act
	1400-1482	Individuals with Disabilities Education Act
	United States Code, Title 29	
	794	Section 504 of the Rehabilitation Act
	Code of Federal Regulations, Title 34	
	99.10-99.22	Inspection, Review and Procedures for Amending Education

Records

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6160

Procedural Safeguards and Complaints for Special Education

Board Adopted: 9/12/07

- Page 2

Legal Reference: Code of Federal Regulations, Title 34 (cont.)
104.36 Procedural Safeguards
300.500-300.517 Due Process Procedures for Parents and Children

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6160

Procedural Safeguards and Complaints for Special Education – Page 1 Board Adopted: 9/12/07

Due Process Hearing Procedures

A parent/guardian, the District, and/or a student who is emancipated or a ward or dependent of the court may initiate due process hearing procedures whenever:

1. There is a proposal to initiate or change the identification, assessment or educational placement of the student or the provision of a free, appropriate public education to the student.
2. There is a refusal to initiate or change the identification, assessment or educational placement of the student or the provision of a free, appropriate public education to the student.
3. The parent/guardian refuses to consent to an initial assessment of his/her child.

Upon requesting a due process hearing, the parent/guardian or attorney representing the child shall provide notice, which shall remain confidential, to the District specifying:

1. The child's name.
2. The child's address.
3. The name of the school the child attends.
4. A description of the nature of the child's problem relating to the proposed or refused initiation or change, including facts relating to the problem.
5. A proposed resolution to the problem to the extent known and available to the parents/guardians at the time.
6. In the case of a homeless child or youth (within the meaning of 42 U.S.C. 11434(a)(2)), available contact information for the child and name of the school the child attends.

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

At least five business days prior to a due process hearing, each party shall disclose to all other parties all evaluations completed by that date and recommendations based on the offering party's evaluations that the party intends to use at the hearing.

District Response to Complaint

If the District has not sent a prior written notice to the parent regarding the subject matter contained in the parent's due process complaint, the District shall within 10 days of receiving the complaint, send to the parent a response that shall include:

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6160

Procedural Safeguards and Complaints for Special Education – Page 2 Board Adopted: 9/12/07

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

Due Process Hearing Rights

Due process hearing rights include:

1. The right to a state prehearing mediation conference.
2. The right to request a mediation conference at any point during the hearing process.
3. The right to examine student records and receive copies within five days of request.
4. The right to a fair and impartial administrative hearing at the state level before a person knowledgeable and under contract in accordance with law.
5. The right to have the student who is the subject of the state hearing present at the hearing.
6. The right to open the state hearing to the public.
7. The right to initiate referral of a child for special education.
8. The right to obtain an independent educational assessment.
9. The right to participate in the development of the individualized education program (IEP) and be informed of the availability under state and federal law of free and appropriate public education (FAPE) and of all available alternative programs, both public and nonpublic.
10. The right to obtain written parental consent before any assessment of the student is conducted unless the District or SELPA prevails in a due process hearing relating to such assessment.

Informed parental consent need not be obtained in the case of a reassessment of the student if the District can demonstrate that reasonable measures have been taken to obtain consent and that the student's parent/guardian has failed to respond.

11. The right to obtain written parental consent before the student is placed in a special education program.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6160

Procedural Safeguards and Complaints for Special Education – Page 3 Board Adopted: 9/12/07

The parties shall also have the following rights:

1. The right to call witnesses, including adverse witnesses, and to cross-examine witnesses.
2. The right to compel the attendance of witnesses, including the right to issue subpoenas.
3. The right to have witnesses excluded from the hearing.
4. Because hearings are conducted in English, the right to an interpreter, when the primary language of a party to a hearing is other than English, or other mode of communication.
5. The right of parents/guardians to determine whether the due process hearing will be open or closed to the public.
6. If the hearing officer conducts all or part of a hearing by electronic means, the right of each participant in the hearing to participate in and hear the entire proceeding while it is taking place and to observe exhibits.

At the hearing, the parent/guardian shall have the right to be accompanied and advised by counsel, and by individuals with special knowledge or training with respect to the problems of children with disabilities.

The parent/guardian shall have the right to obtain a written or, at his/her option, electronic verbatim recording of the hearing. In addition, the parent/guardian shall have the right to obtain written or, at his/her option, electronic findings of facts and decisions. The District shall provide this record and findings of fact to the parent/guardian at no cost.

Prior Written Notice

The Superintendent or designee shall send parents/guardians a prior written notice whenever there is a proposal or refusal to initiate or change the identification, evaluation or educational placement of the student or the provision of a free and appropriate public education. This notice shall include:

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

description of procedural safeguards can be obtained.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6160

Procedural Safeguards and Complaints for Special Education – Page 4 Board Adopted: 9/12/07

7. Sources for parents/guardians to obtain assistance in understanding these provisions.

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

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

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

Procedural Safeguards Notice

A procedural safeguards notice shall be made available to parents/guardians of students with a disability upon:

1. Initial referral or parent request for evaluation.
2. The first occurrence of the filing of a complaint.
3. Request by parent.

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

In addition, this notice shall include a full explanation of the procedural safeguards relating to: independent educational evaluation; prior written notice; parental consent; access to educational records; opportunity to present complaints; the student's placement while due process proceedings are pending; procedures for students who are subject to placement in an interim alternative educational setting; requirements for unilateral placement by parent/guardians of students in private schools at public expense; due process hearings; state-level appeals; civil action including time period in which to file such action; and attorney's fees.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6161

Nonpublic, Nonsectarian School and Agency Services for Special Education – Page 1

Board Adopted: 9/12/07

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

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

Legal Reference:	Education Code	
	56034-56035	Definitions of Nonpublic, Nonsectarian School and Agency
	56042	Placement not to be Recommended by Attorney with Conflict of Interest
	56101	Waivers
	56163	Certification
	56168	Responsibility for Education of Student in Hospital or Health Facility School
	56195.8	Adoption of Policies
	56360-56370	Implementation of Special Education
	Government Code	
	7570-7588	Interagency Responsibilities for Providing Services to Children with Disabilities, Especially:
	7572.55	Seriously Emotionally Disturbed Child; Out-of-State Placement
	Family Code	
	7911-7912	Interstate Compact on Placement of Children
	Welfare and Institutions Code	
	362.2	Out-of-Home Placement for IEP
	727.1	Out-of-State Placement of Wards of Court
	Code of Regulations, Title 5	
	3001	Definitions
	3061-3069	Nonpublic, Nonsectarian School and Agency Services
	United States Code, Title 20	
	1400-1487	Individuals with Disabilities Education Act
	Code of Federal Regulations, Title 34	
	300.400-300.487	Children with Disabilities in Private Schools

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6161

**Nonpublic, Nonsectarian School and Agency Services for
Special Education – Page 2**

Board Adopted: 9/12/07

Legal Reference: (cont.)

Court Decisions

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

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6161

Nonpublic, Nonsectarian School and Agency Services for Special Education – Page 1

Board Adopted: 9/12/07

Placement and Services

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

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

The master contract shall specify the general administrative and financial agreements between the nonpublic, nonsectarian school or agency and the District to provide the special education and designated instruction and services, as well as transportation specified in the student's IEP. The administrative provisions of the contract shall also include procedures for recordkeeping and documentation, and the maintenance of school records by the contracting District to ensure that appropriate high school graduation credit is received by the student. The contract may allow for partial or full-time attendance at the nonpublic, nonsectarian school.

The master contract shall include a description of the process being utilized by the District to oversee and evaluate placements in nonpublic, nonsectarian schools. This description shall include a method for evaluating whether the student is making appropriate educational progress.

The District IEP team shall annually review the IEP of a student placed in a nonpublic, nonsectarian school or agency. The student's IEP and contract shall specify the review schedules.

The Superintendent or designee shall notify a high school district of all students placed in nonpublic school or agency programs prior to the annual review of the IEP for each student who may transfer to the high school district.

When a special education student meets the District requirements for completion of prescribed course of study and adopted differential proficiency standards as designated in the student's IEP, the District which developed the IEP shall award the diploma.

Out-of-State Placements

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

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

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6161

Nonpublic, Nonsectarian School and Agency Services for Special Education – Page 2

Board Adopted: 9/12/07

If the District decides to place a student with a nonpublic, nonsectarian school or agency outside the state, the District shall indicate the anticipated date of the student's return to a placement within California and shall document efforts during the previous year to return the student to California. All such out of state placements will be approved by the Board of Trustees.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6162

Appointment of Surrogate Parent for Special Education Students

Board Adopted: 9/12/07

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

Before individuals are appointed as surrogate parents, the Superintendent shall ensure that they have passed a criminal background screening and have demonstrated interest and skill in working with children with disabilities, sensitivity to ethnic and cultural factors, and ability to work cooperatively with others.

Legal Reference:

Education Code

56028 Parent
56050 Surrogate Parents

Government Code

7570-7588 Interagency Responsibilities for Providing Services to Disabled Children, Especially:
7579.5 Surrogate Parent; Appointment; Qualifications; Liability

Welfare and Institutions Code

300 Children Subject to Jurisdiction
601 Minors Habitually Disobedient or Truant
602 Minors Violating Laws

United States Code, Title 20

1414-1487 Individuals with Disabilities Education Act

Code of Federal Regulations, Title 34

300.20 Definition "Parent"
300.515 Surrogate Parents

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6162

Appointment of Surrogate Parent for Special Education Students – Page 1

Board Adopted: 9/12/07

The Superintendent shall appoint a surrogate parent to represent a child with disabilities under one or more of the following circumstances.

1. No parent for the child can be identified.
2. The District, after reasonable efforts, cannot discover the location of a parent or legal guardian of the child.
3. The child is adjudicated a dependent or ward of the court pursuant to Welfare and Institutions Code 300, 601 or 602, and either the court has referred the child for special education and related services or the child has a valid individualized education program (IEP).

A surrogate parent shall not be appointed for a child who is a dependent or ward of the court unless the court specifically limits the rights of the parent/guardian to make educational decisions for the child. In addition, a surrogate parent shall not be appointed for a child who has reached the age of majority unless he/she has been declared incompetent by a court of law.

When appointing a surrogate parent, the Superintendent shall give first preference to a relative caretaker, foster parent or court-appointed special advocate, provided any of these individuals exists and is willing to serve. If none of these individuals is willing or able to act as a surrogate parent, the Superintendent shall select the surrogate parent of his/her choice. If the child is moved from the home of the relative caretaker or foster parent who was appointed as a surrogate parent, the Superintendent shall appoint another surrogate parent if a new appointment is necessary to ensure adequate representation of the child.

As far as practical, a surrogate parent should be culturally sensitive to his/her assigned child.

Surrogate parents shall have no vested interests that conflict with the child's educational interests and shall have knowledge and skills that ensure adequate representation of the child. If a conflict of interest arises after the appointment of a surrogate parent, the Superintendent shall terminate the appointment and appoint another surrogate parent.

The surrogate parent shall have all the rights relative to the child's education that a parent has under the Individuals with Disabilities Education Act. The surrogate parent may represent the child in all matters relating to identification, assessment, instructional planning and development, educational placement, review and revision of the IEP, and in other matters relating to the provision of a free and appropriate public education.

In addition, the representation of the surrogate parent shall include the provision of written consent to the IEP including nonemergency medical services, mental health treatment services, and occupational or physical therapy services. The surrogate parent may sign any consent relating to IEP purposes.

The Superintendent shall terminate the appointment of a surrogate parent whenever he/she no longer satisfies the eligibility requirements for surrogate parents as specified above.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6162

Appointment of Surrogate Parent for Special Education Students – Page 2

Board Adopted: 9/12/07

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

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

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6163

Behavioral Interventions for Special Education Students – Page 1

Board Adopted: 9/12/07

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

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

Definitions

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

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

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

Behavioral intervention case manager is a designated certificated school/District/county staff member or other qualified personnel contracted by the District or Santa Clara County Office, and trained in behavior analysis with emphasis on positive behavioral interventions.

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

Functional Analysis Assessment

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

Before a functional analysis assessment begins, parents/guardians shall be notified and consent obtained. No such assessment shall preclude a parent/guardian from requesting a functional analysis assessment on the basis of language and speech disorders or specific learning disabilities.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6163

Behavioral Interventions for Special Education Students – Page 2

Board Adopted: 9/12/07

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

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

The parent/guardian shall receive a complete written report of the assessment. The report shall include:

1. A description of the nature and severity of the targeted behavior(s) in objective and measurable terms.
2. A description of the targeted behavior that includes baseline data and an analysis of the antecedents and consequences that maintain the behavior and a functional analysis of the behavior across all appropriate settings in which it occurs.
3. A description of the rate of alternative behaviors, their antecedents and consequences.
4. A proposed behavioral intervention plan for consideration by the IEP team.

Behavioral Intervention Plan

Within 10 business days after removing a student for more than 10 school days in a school year or commencing a removal that constitutes a change in placement, the District shall implement a behavioral intervention plan.

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

1. A summary of relevant and determinative information gathered from the functional analysis assessment.
2. An objective and measurable description of the targeted maladaptive behavior(s) and replacement positive behavior(s).

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6163

Behavioral Interventions for Special Education Students – Page 3

Board Adopted: 9/12/07

3. The student's goals and objectives specific to the behavioral intervention plan.
4. A detailed description of interventions to be used and the circumstances for their use.
5. Specific schedules for recording the frequency of intervention use and the frequency of the targeted and replacement behaviors, including specific criteria for discontinuing an intervention for lack of effectiveness or replacing it with a specified and identified alternative.
6. Criteria by which the procedure will be faded or phased-out, or less intense/restrictive intervention schedules or techniques that will be used.
7. Those behavioral interventions which will be used in the home, residential facility, work site or other noneducational settings.
8. Specific dates when the IEP team will periodically review the efficacy of the program.
9. The frequency of the consultation to be provided by the behavioral intervention case manager to the staff and parents/guardians who are responsible for implementing the plan.

Based on the results of the functional analysis assessment, interventions specified in the plan may include:

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

Acceptable responses to targeted behavior may include, but are not limited to, one or more of the following:

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

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6163

Behavioral Interventions for Special Education Students – Page 4

Board Adopted: 9/12/07

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

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

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

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

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

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

Emergency Interventions

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

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

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

1. The name and age of the student.
2. The setting and location of the incident.
3. The name of the staff or other persons involved.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6163

Behavioral Interventions for Special Education Students – Page 5

Board Adopted: 9/12/07

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

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

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

Prohibited Interventions

The District prohibits any use of the following:

1. Any intervention designed or likely to cause physical pain.
2. Releasing noxious, toxic or otherwise unpleasant sprays, mists or substances near the student's face.
3. Any intervention that denies adequate sleep, food, water, shelter, bedding, physical comfort or access to the bathroom.
4. Any intervention that subjects the student to verbal abuse, ridicule, humiliation or excessive emotional trauma.
5. Use of any material or objects which simultaneously immobilize all hands and feet, except that prone containment or similar techniques may be used by trained staff as a limited emergency intervention.
6. Locked seclusion, unless in a facility otherwise licensed or permitted by law to use a locked room.
7. Any intervention that precludes adequate supervision of the student.
8. Any intervention that deprives the student of one or more of his/her senses.
9. Force exceeding what is reasonable and necessary under the circumstances

Legal Reference:

Education Code

49001 Prohibition of Corporal Punishment
56321 Notice of Parental Rights; Consent of Parents
56500-56508 Procedural Safeguards, Including Due Process Rights
56520-56524 Behavioral Interventions

Code of Regulations, Title 5

3001 Definitions
3052 Designated Positive Behavioral Interventions

United States Code, Title 20

1412 State Eligibility
1415 Procedural Safeguards

Code of Federal Regulations, Title 34

300.1-300.756 Assistance to States for the Education of Students With Disabilities

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6164

Equipment, Books and Materials

Board Adopted: 5/9/01

Board Revised: 9/12/07

The Board of Trustees recognizes that students' educational opportunities are enhanced when they have sufficient access to high-quality textbooks, equipment and other instructional materials for each of the subjects they are studying. To adequately support the Board-approved curriculum, instructional materials must also be up to date.

The Superintendent shall develop procedures for determining the obsolescence of instructional materials. When new materials have been chosen in accordance with the District's selection and evaluation policy and approved by the Board, the Board shall make final decisions regarding their purchase and the use of District funds to supplement state allotments for this purpose.

Legal Reference:	Education Code	
	60010	Definitions
	60040-60047	Requirements, Materials
	60117-60119	Pupil Textbook and Instructional Materials Incentive Program
	60200-60206	Elementary School Materials
	60240-60252	State Instructional Materials Funds

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6164

Equipment, Books and Materials

Board Adopted: 5/9/01

Board Revised: 9/12/07

Instructional Materials Funding Realignment Program

Any year during which the District participates in the state Pupil Textbook and Instructional Materials Incentive Program, the Board of Trustees shall hold one or more public hearings. At these hearings, the Board shall determine whether each student in each school has or will have before the end of the fiscal year sufficient textbooks and instructional materials in each subject consistent with the content and cycles of the state curriculum frameworks. The Board's determination shall be made in the form of a resolution.

The Board shall encourage participation by parents/guardians, teachers, interested community members and bargaining unit leaders at the above hearing(s). Ten days before the hearing(s), the Superintendent shall post a notice in three public places within the District containing the time, place and purpose of the hearing.

If the Board determines that there are insufficient textbooks and/or instructional materials, the Board shall:

1. Provide classroom teachers and the public the reasons for the insufficiency, and
2. Take action to ensure that the insufficiency is corrected within two years, using any of the following:
 - a. Funds available from categorical programs for textbooks and/or instructional materials, including funds appropriated in the annual Budget Act.
 - b. District funds that are in excess of the amount available for each student during the prior fiscal year to purchase textbooks and/or instructional materials.
 - c. Other funds available to the District for textbooks and/or instructional materials.

The Superintendent shall:

1. Assure the Superintendent of Public Instruction of the District's compliance with the above requirements, and
2. Ensure that funds received through the Pupil Textbook and Instructional Materials Incentive Program:
 - a. Are used in compliance with Education Code 60119, and
 - b. Supplement any other state and local monies expended on textbooks and/or instructional materials.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6165

Selection and Evaluation of Instructional Materials

Board Adopted: 9/12/07

The Board of Trustees desires that District instructional materials, as a whole, present a broad spectrum of knowledge and viewpoints, reflect the ethnic and cultural diversity of our society, and enhance the use of multiple teaching strategies and technologies. The Board's adoption of instructional materials shall be based on a determination that such materials meet criteria specified in law and are an effective learning resource to help students acquire facts, skills and opinions and develop cognitive processes.

To ensure that instructional materials effectively support the District's adopted courses of study and meet current curricular goals, the selection of textbooks, technology-based materials, other educational materials and tests shall be coordinated with the overall development and evaluation of the District's curriculum.

The Superintendent shall establish a process by which instructional materials shall be reviewed for recommendation to the Board. This process shall involve teachers in a substantial manner and may include parents/guardians and community members.

Individuals who participate in selecting and evaluating instructional materials shall have no financial interest in the materials being reviewed, recommended or approved. Incompatible activities and conflicts of interest related to the selection and evaluation of instructional materials shall be clearly identified in administrative regulations.

All recommended instructional materials shall be available for public inspection at the District office.

Complaints concerning instructional materials shall be handled in accordance with Board policy, administrative regulation, and uniform complaint procedures.

Legal Reference:	Education Code	
	1720-1723	Preparation of Courses of Study
	35272	Education and Athletic Materials
	44805	Enforcement of Course of Studies; Use of Textbooks, Rules and Regulations
	51501	Subject Matter Reflecting on Race, Color, Etc.
	60000-60005	Instructional Materials, Legislative Intent
	60010	Definitions
	60040-60048	Instructional Requirements and Materials
	60060-60062	Requirements Publishers and Manufacturers
	60070-60076	Prohibited Acts (Re Instructional Materials)
	60110-60111	Instructional Materials on Drug Education
	60117-60119	Pupil Textbook and Instructional Materials Incentive Program
	60200-60206	Elementary School Materials
	60240-60252	State Instructional Materials Fund
	60350-60352	Core Reading Program Instructional Materials

California Code of Regulations, Title 5
9505-9550 Instructional Materials

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6165

Selection and Evaluation of Instructional Materials – Page 1

Board Adopted: 9/12/07

Selection of Instructional and Library Materials

The selection of instructional and library materials shall be done cooperatively by professional personnel serving on the selection committees of the schools and District.

The basic criteria for selection will be:

1. The needs of the District based on knowledge of the curriculum and requests from teachers and administrators.
2. The needs of individual students based on abilities and interests, the needs of children generally and requests of students and parents/guardians.
3. Provision of a wide range of materials on all levels of difficulty and with a diversity of appeal.
4. Provision of different points of view.
5. Provision of materials of high artistic and literary quality. Videos and films shall be directly related to the curriculum.
6. Provision of factual and reliable material.
7. Avoidance of discrimination as to sex, race, color, creed, national origin, age or physical or medical handicap as follows:
 - a. Evidence on the part of writers, artists and editors of a sensitivity to prejudice to stereotypes and to the use of material which would be offensive to women or to any minority group.
 - b. Suggestion, by omission or commission, or by over-emphasis or understatement that any sexual, racial, religious or ethnic segment of our population is more or less worthy, more or less capable or more or less important in the mainstream of American life.
 - c. Utilization of numerous opportunities for full, fair, accurate and balanced treatment of women and minority groups.
 - d. Provision of abundant recognition for women and minority groups by frequently placing them in positions of leadership and centrality.
 - e. Depiction of both male and female adult members of minority groups in situations which exhibits them as fine and worthy models to emulate.
 - f. Presentation of many instances of fully integrated human groupings and settings to indicate equal status and non-segregated social relationships.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6165

Selection and Evaluation of Instructional Materials – Page 2

Board Adopted: 9/12/07

- g. Delineation of life in contemporary urban environments as well as in rural or suburban environments so that today's city children can also find significant identification for themselves, their problems and challenges and their potential for life, liberty and the pursuit of happiness.
- h. Portrayal of sexual, racial, religious and ethnic groups in our society in such a way as to build positive images, mutual understanding and respect, full and unqualified acceptance and commitment to ensure equal opportunity for all.
- i. Presentation of social group differences in ways that will cause students to look upon the multi-cultural character of our nation as a value which we must esteem and treasure.
- j. Assistance to students to recognize clearly the basic similarities among all members of the human race, and the uniqueness of each individual.
- k. Teaching of the great lesson that we must accept each other on the basis of individual worth regardless of sex or race or religion or socioeconomic background.
- l. Help in making students appreciate the many important contributions to our civilization made by members of the various human groups, emphasizing that every human group has its list of achievers, thinkers, writers, artists, scientists, builders and political leaders.
- m. Clarification of the true historical forces and conditions which have operated in the past to the disadvantage of women and minority groups.
- n. Clarification of the true contemporary forces and conditions which operate at present to the disadvantage of women and minority groups.
- o. Analysis of intergroup tension and conflict fairly, frankly, objectively and with emphasis on resolving our social problems in a spirit of fully implementing democratic values and goals in order to achieve the American dream for all Americans.
- p. Efforts in seeking to motivate students to examine their own attitudes and behaviors, and to comprehend their own duties and responsibilities as citizens in a pluralistic democracy – to demand freedom and justice and equal opportunity for every individual and for every group.
- q. Help to minority group (as well as majority group) students in identifying more fully with the educational process by providing textual content and illustrations which give students many opportunities for building a more positive self-image, pride in their group, knowledge consistent with their experience; in sum, learning material which offers students meaningful and relevant learning worthy of their best efforts and energies.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6165

Selection and Evaluation of Instructional Materials – Page 3

Board Adopted: 9/12/07

Selection of Library Materials

The librarian shall select materials in consultation with the principal, department chairpersons and teachers.

It is the intent of the Board to adopt instructional materials which:

1. Contain content supporting the philosophy, goals and objectives of the District.
2. Contain accurate and current information.
3. Present accurate information on controversial topics appropriate to the age level of the students.
4. Are written at the appropriate difficulty level for the students using them.
5. Provide continuous and sequential content for all grades in a given subject.
6. Are designed for practical use by students and teachers.
7. Are aligned with District standards.

There have been and will be conflicting ideas among educators concerning the appropriate content and methodology of instructional materials. Therefore, it is imperative that selection procedures represent a broad cross section of all segments of personnel with opportunities for input from the community. Members of selection committees must accept the responsibility of acting as representatives of their colleagues instead of acting individually. Likewise, all personnel must accept the final decision of the Board even though it may not be their personal choice. Therefore, it shall be District policy that all instructional materials selected by appropriate procedures be incorporated as a regular part of the curriculum in each classroom. This statement does not limit a teacher to exclusive use of adopted materials; however, when supplemental materials are used they should be in addition to the adopted materials.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6165

Selection and Evaluation of Instructional Materials – Page 4

Board Adopted: 9/12/07

Selection of State Adopted Textbooks

Textbooks are not intended to necessarily become the sole “course of study” simply because they have been selected. Each teacher is required to use the state standards as the basis for preparing his/her program. Instructional materials of various types should be utilized as needed to implement a program of continuous individual learning for each student.

Piloting groups shall be formed by the principal.

It is in the interest of the District to not only ensure that there is no conflict of interest, but also to avoid any appearance of conflict of interest. Therefore, all individuals involved in the selection and/or purchase of instructional materials shall not accept benefits (such as paid conference registration or free meals) or gifts from one or more publisher, nor shall have or had any formal relationship with one or more publisher.

Procedures for conducting pilots of instructional materials shall include the following:

1. A pilot will be conducted only after a thorough evaluation of materials using a District-developed evaluation instrument.
2. A pilot will be conducted only if several programs receive a top evaluation and only if the pilot will provide information that cannot be obtained through the evaluation process.
3. Pilots will not be conducted for the sole purpose of obtaining free materials.
4. Similar components of competing programs will be compared.

The final recommendation will be submitted from each grade level to the principal for final review from the piloting teachers.

All materials under consideration for adoption will be available for public review upon request.

All instructional materials funds received from the State will be used in accordance with Education Code and State guidelines.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6166

Supplementary Instructional Materials

Board Adopted: 9/12/07

The Board of Trustees encourages teachers to use supplementary instructional materials which are relevant to curriculum objectives and the state standards. By using such materials, teachers can introduce content and instructional strategies that enrich the curriculum, enhance learning, help students make critical judgments, and stimulate their intellectual growth.

Teachers shall carefully preview all supplementary instructional materials in order to ensure that, in their professional judgment, the materials are:

1. Directly related to the course of study in which they are being used.
2. Appropriate for students' ages and maturity levels.

When using supplementary materials, teachers shall provide appropriate introductory and follow-up activities. In addition, teachers shall ensure that supplementary materials do not supplant the use of basic texts or teaching activities.

All materials must be used within legal copyright limits.

Films

All films and/or videos must be appropriate for the curriculum and standards in the grade level taught. Film must be appropriate for the students' ages.

If the teacher has any questions about how a film relates to curriculum and standards, he/she shall confer with the principal before showing the film.

Legal Reference:	Education Code	
	233.5	Duty re Instruction in Morals, Manners and Citizenship
	18111	Exclusion of Books by Governing Board
	51510	Prohibited Study or Supplemental Materials
	51511	Religious Matters Properly Included
	51550	Sex Education Materials
	60010	Definitions

Court Decisions

McCarthy v. Fletcher (1989) 207 Cal.App.3d 130

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6167

Damaged or Lost Instructional Materials

Board Adopted: 5/9/01

Board Revised: 9/12/07

The Board of Trustees recognizes that instructional materials are an expensive resource. The Superintendent may establish procedures in accordance with law to protect instructional materials from damage or loss.

Instructional materials provided for use by students remain the property of the District. Students are responsible for returning borrowed materials in good condition, with no more wear and tear than usually results from normal use.

When materials are lost or so damaged that they are no longer usable, the student shall be responsible for reparation equal to the current replacement cost of the materials. When materials are damaged but still usable, the Superintendent shall determine a lesser charge.

If it can be demonstrated to the Superintendent's satisfaction that the student has taken all reasonable precautions to safeguard instructional materials issued to him/her, the Superintendent may excuse the student/parent/guardian from payment of reparation.

If reparation is not excused and not paid by the student or parent/guardian, the District may initiate due process procedures to withhold the student's grades, diploma and transcripts.

Legal Reference:	Education Code	
	48904	Willful Misconduct; Limit of Liability of Parent or Guardian
	48904.3	Withholding Grades, Diplomas or Transcripts of Pupils Causing Property Damage or Injury; Transfer of Pupils to New School Districts; Notice to Rescind Decision to Withhold
	60411	Purchase and Use; Property of District
	Code of Regulations, Title 5	
	305	Pupil Responsible for Care of Property

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6168

Standardized Testing and Reporting Program – Page 1

Board Adopted: 5/9/01
Board Revised: 09/12/07

Testing Period

The Standardized Testing and Reporting (STAR) assessments shall be administered to students during a testing window of 21 instructional days that includes 10 instructional days before and after completion of 85% of the school's instructional days. Testing for all students, including make-up testing, shall be completed within this 21 instructional day window unless all or part of the 21 instructional day period falls after any statutorily specified deadline.

Exemptions

A parent/guardian may submit to the school a written request to excuse his/her child from any or all parts of any test. The District and its employees may discuss the STAR program with parents/guardians and may inform them of the availability of exemptions. However, the District and its employees shall not solicit or encourage any written exemption request on behalf of any student or group of students.

Testing of English Language Learners

Students of limited English proficiency who have been enrolled in a California public school for less than 12 months shall take the designated achievement test and the standards-based achievement test in English and a test in his/her primary language if such a test is available.

English language learners enrolled in the District for less than one year may be tested with standard or nonstandard accommodations in accordance with the manuals or other instructions provided by the test publisher. Nonstandard accommodations may include, but are not limited to, reading and translating the test instructions into the student's primary language and allowing the student to use a bilingual word list.

Accommodations shall not include translation of test passages or content.

All English language learners enrolled in the District for less than one year shall be provided nonstandard accommodations.

Following the first year of enrollment in a California public school, English language learners shall continue to take a second achievement test in their primary language, if such a test is available, in addition to the statewide assessment in English.

Testing of Special Education Students

Special education students shall be tested with the designated achievement test and the standards-based test, unless an explicit provision in their individualized education program specifically exempts them from the STAR program.

Students in special education programs with individualized education programs or students with current Section 504 plans delineating accommodations such as, but not limited to, large print, Braille, extended time, or the use of a reader or scribe or a calculator shall be tested and the prescribed adaptations or accommodations shall be made.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6168

Standardized Testing and Reporting Program – Page 2

Board Adopted: 5/9/01

Board Revised: 09/12/07

Reports

Districtwide, school-level and grade-level results shall be reported to the Board of Trustees at a regularly scheduled meeting. The Board shall not receive individual student's scores or the relative position of any individual student.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6169

Use of Copyrighted Materials

Board Adopted: 09/12/07

All District staff shall adhere to the provisions of the federal copyright law and maintain the highest ethical standards in using copyrighted materials. The District shall provide no legal support to any employee who violates the copyright law. Willful infringement of this law by students or staff may result in disciplinary action.

The Board of Trustees recognizes that computer software piracy contributes to higher costs and decreases commercial incentives for the development of quality educational computer software. In circumstances where the interpretation of the copyright law is ambiguous, the District shall determine appropriate use of computer software by referring to the license agreement and/or policy statements contained in the software packages used in the District. Computer-related instruction for students and staff shall address the ethical and practical problems caused by software piracy.

The Superintendent shall be the only individual who may sign license agreements for software for the District. Licensed software shall have a signed copy of the software agreement.

The Superintendent shall maintain regulations to discourage violation of all copyright laws and prevent illegal copying activities.

Legal Reference: Education Code
35182 Computer Software

United States Code, Title 17
101 et seq. Definition; Scope of Copyright

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6169

Use of Copyrighted Materials – Page 1

Board Adopted: 09/12/07

Each employee making a reproduction shall first determine whether the copying is permitted by law based on the guidelines below. If the copying is not permitted according to these guidelines, the principal may request permission to reproduce the material from its copyright holders.

Requests for permission to use copyrighted materials shall include the following information:

1. Title, author(s), editor(s) or publisher, producer(s) or distributor.
2. Edition, copyright and/or production year.
3. Exact amount of material to be used (i.e., lines, pages, running time, etc.).
4. Nature of the use (i.e., how many times, when and with whom the material will be used).
5. Number of copies to be made.
6. How the material will be reproduced.
7. If an initial contact was made by phone, the request shall also include the name of the initial contact person.

The following guidelines differentiate between permitted and prohibited uses of printed material, sheet and recorded music, videotapes, films, filmstrips or slide programs, off-air taping (radio or television), and computer software.

Printed Materials

Permitted Uses:

1. Single copies at the request of an individual teacher:
 - a. A chapter of a book.
 - b. An article from a magazine or newspaper.
 - c. A short story, short essay or short poem, whether or not from a collective work.
 - d. A chart, graph, diagram, drawing, cartoon or a picture from a book, magazine or newspaper.
2. Multiple copies at the request of an individual teacher for classroom use, not to exceed one copy per student in a course:
 - a. A complete poem if less than 250 words and if printed on not more than two pages.
 - b. An excerpt from a longer poem, not to exceed 250 words.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6169

Use of Copyrighted Materials – Page 2

Board Adopted: 09/12/07

- c. A complete article, story or essay of less than 2,500 words.
- d. An excerpt from a larger prose work not to exceed 10 percent of the whole or 1,000 words, whichever is less, but in any event a minimum of 500 words.
- e. One chart, graph, diagram, cartoon or picture per book or magazine issue.

All preceding copies must bear the copyright notice. They may be made only at the discretion of the individual teacher on occasions when a delay to request permission would preclude their most effective instructional use.

Prohibited Uses:

1. Copying more than one work or two excerpts from a single author during one class term.
2. Copying more than three works from a collective work or periodical volume during one class term.
3. Copying materials for more than one course in the school where the copies are made.
4. More than nine sets of multiple copies for distribution to students in one class term.
5. Copying used to create, replace or substitute for anthologies or collective works.
6. Copying of “consumable” works such as workbooks, standardized tests, answer sheets, etc.
7. Copying that substitutes for the purchase of books, publishers’ reprints or periodicals.
8. Repeated copying of the same item by the same teacher from term to term.

The above prohibitions do not apply to current news magazines and newspapers.

Sheet and Recorded Music

Permitted Uses:

1. Emergency copies for an imminent performance are permitted, provided they are replacing purchased copies and replacement is planned.
2. Multiple copies (one per student) of excerpts not constituting an entire performable unit or more than 10% of the total work may be made for academic purposes other than performances.
3. Purchased sheet music may be edited or simplified provided the character of the work is not distorted or lyrics added or altered.
4. A single copy of a recorded performance by students may be retained by the District or individual teacher for evaluation or rehearsal purposes.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6169

Use of Copyrighted Materials – Page 3

Board Adopted: 09/12/07

5. A single copy of recordings of copyrighted music owned by the District or individual teacher may be made and retained for the purpose of constructing exercises or examinations.
6. A single copy of an excerpt that constitutes an entire performable unit (i.e., a movement or aria) may be made, provided it is either:
 - a. Confirmed by the copyright proprietor to be out of print, or
 - b. Unavailable except in a larger work. This may be done by or for a teacher only for scholarly research or in preparation for teaching a class.
7. A single copy of a portion of a sound recording may be made by or for a student, i.e., a song from a record, but not the entire recording. The copy may be used in the educational context in which it was made and may not be sold or performed for profit.

Prohibited Uses:

1. Copying to replace or substitute for anthologies or collections.
2. Copying from works intended to be “consumable.”
3. Copying for purposes of performance except as noted in an emergency.
4. Copying to substitute for purchase of music.
5. Copying without inclusion of copyright notice on the copy.
6. Duplication of tapes, unless reproduction rights were given at time of purchase.
7. Reproduction of musical works or conversion to another format, e.g. record to tape.

Videotapes, Films, Filmstrips or Slide Programs

Permitted Uses:

1. A single copy of a portion of a copyrighted film or filmstrip may be made by a student for educational purposes if the material is owned by the school which the student attends.
2. A single copy of a small portion of a film or filmstrip may be made by or for a teacher for scholarly or teaching purposes.
3. Selected slides may be reproduced from a series if reproduction does not exceed 10% of the total or excerpt the essence of the work.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6169

Use of Copyrighted Materials – Page 4

Board Adopted: 09/12/07

4. A slide or overhead transparency series may be created from multiple sources as long as creation does not exceed 10% of photographs in one source (book, magazine, filmstrip, etc.). This may not be done when the source forbids photographic reproduction.
5. A single overhead transparency may be created from a single page of a “consumable” workbook.
6. Sections of a film may be excerpted for a local videotape (not to be shown over cable) if they do not exceed 10% of the total or excerpt the essence of the work. Extreme care must be exercised in copying a small portion of a film or filmstrip; small portions may contain the very essence of the material in question.

Prohibited Uses:

1. Reproduction of an audiovisual work in its entirety.
2. Conversion from one media format to another, e.g., film to videotape, unless permission is secured.
3. No one is permitted to copy any portion of a film or filmstrip sent to the school for preview or rented or owned by another school or institution without the express written permission of the copyright holder. The copyright of a film governs its performance (showing) as well as the copying of it. It is permissible to show a film to students using closed-circuit television if the system is confined to one building. Showing a film via closed-circuit television outside the building is not permitted.

Radio-Off-Air Taping

Permitted Uses:

1. A single copy of a small portion of a copyrighted radio program may be made by a student for educational purposes. Such a copy may not be sold or performed for profit.
2. Copies of broadcasts by national public radio may be made by District employees and retained for an indefinite period for educational purposes.

Prohibited Uses:

Copying broadcasts on commercial radio, except for copyrighted musical selections (see Sheet and Recorded Music), is governed by the same copyright laws that apply to off-air taping of commercial television; however, there is no special provision allowing libraries to tape radio news programs.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6169

Use of Copyrighted Materials – Page 5

Board Adopted: 09/12/07

Television-Off-Air Taping

Permitted Uses:

1. A broadcast program may be recorded off-air simultaneously with broadcast transmission (including simultaneous cable retransmission) and retained for a period not to exceed 45 days. All off-air recordings shall be erased or destroyed at the end of the retention period. Broadcast programs are television programs transmitted for reception by the general public without charge.
2. Off-air recordings may be used once by individual teachers in the course of relevant teaching activities and repeated once only when instructional reinforcement is necessary. These recordings may be shown in classrooms and similar places devoted to instruction within a single building, cluster, or campus, as well as in the homes of students receiving formalized home instruction, during the first 10 consecutive school days in the 45 calendar-day retention period.
3. Off-air recordings may be made only at the request of individual teachers, for use by those teachers. No broadcast program may be recorded off-air more than once at the request of the same teacher, regardless of the number of times the program may be broadcast.
4. A limited number of copies may be reproduced from each off-air recording to meet the legitimate needs of teachers under these guidelines. Each such additional copy shall be subject to all provisions governing the original recording.
5. After the first 10 consecutive school days, off-air recordings may be used up to the end of the 45 calendar day retention period only for teacher evaluation purposes; i.e., to determine whether or not to include the broadcast program in the teaching curriculum; they may not be used for student exhibition or any other nonevaluation purpose without authorization.
6. All copies of off-air recordings shall include the copyright notice on the broadcast programs as recorded.

Prohibited Uses:

1. Off-air recording in anticipation of teacher requests.
2. Using the recording for instruction after the 10-day use period.
3. Holding the recording for weeks or indefinitely because:
 - a. Units needing the program concepts are not taught within the 10-day use period.
 - b. An interruption or technical problems delayed its use.
 - c. Another teacher wishes to use it, or for any other supposedly “legitimate” educational reason.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6169

Use of Copyrighted Materials – Page 6

Board Adopted: 09/12/07

4. On occasion a special notice is provided with some materials specifically prohibiting reproduction of any kind. Permission to use any part of such works must be secured in writing from the author or producer in accordance with this regulation.
5. Off-air recordings need not be used in their entirety, but the content of recorded programs may not be altered. Off-air recordings may not be physically or electronically combined or merged to constitute teaching anthologies or compilations.

Software Copyright

Permitted Uses:

Copies of District-owned software may be made only when:

1. The copy is needed as an essential step in using the computer program with a particular machine. This copy is to be used in no other way.
2. The copy is used for archival or “backup” purposes. This copy may be held only as a file copy and must be destroyed when the program is no longer rightfully owned by the District unless the copyright owner authorizes its sale, lease or transfer as part of the sale, lease or transfer of the original program.

Prohibited Uses:

1. Copies of copyrighted programs may not be made for any purpose other than the two permitted above.
2. When permission is obtained from the copyright holder to use software on a disk-sharing system, efforts will be made to secure software from copying.
3. Illegal copies of copyrighted programs shall not be made or used on school equipment.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6170

Use of Technology in Instruction

Board Adopted: 09/12/07

The Board of Trustees encourages the instructional use of computers, the Internet, videotapes, interactive CDs, digital video, distance learning, cable television and other technologies. The Board believes that these technologies:

1. Enable students to access information, practice skills and develop reasoning and problem-solving abilities.
2. Help teachers differentiate instruction and meet a wide range of learning styles.
3. Enable teachers to move from whole-class to small group and individualized instruction.
4. Are a part of students' everyday lives.

Every effort shall be made to provide equal access to technology throughout the District's schools and classes.

The Board recognizes that trained teachers are needed to make the best use of the District's technology. Teachers and instructional staff shall receive training in using the technologies available to them.

The District's educational software shall be carefully selected and evaluated so as to meet the teachers' and students' needs and conform to District policy, regulations, and content standards.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6170

Use of Technology in Instruction – Page 1

Board Adopted: 09/12/07

Copyright

Staff shall strictly observe copyright laws related to computers and educational technology. A designated employee shall ensure that software is used and duplicated in accordance with software licensing agreements. No illegal copies of copyrighted software shall be accepted or used in the District.

Selection of Educational Software

The following guidelines shall be considered when evaluating educational software:

1. Program objectives related to course objectives and District content standards are explicitly stated or readily apparent to the learner.
2. Skill levels required to operate the program are commensurate with the skill levels being taught or practiced.
3. Instructions are clear and complete.
4. Responses to learners are encouraging and helpful.
5. Users can easily and independently operate the program.
6. The pace of the program can be controlled by the teacher or learner, unless pacing is an essential element of the instructional strategy.
7. Unanticipated learner input does not disrupt the program operation.
8. Screens are well-formatted, with appropriate use of sound and graphics.
9. Support materials include:
 - a. A description of the hardware required to use the program.
 - b. Procedures for installing the software.
 - c. Provisions for the replacement of defective software.
 - d. Descriptions of the program's content and objectives, usage in various instructional settings, and suggested related classroom activities.

Installation of Educational Hardware and Software

All computer hardware and peripherals shall be installed by the District.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6170

Use of Technology in Instruction – Page 2

Board Adopted: 09/12/07

All software programs shall be installed on District computers through District level distribution. No programs or applications shall be downloaded onto District computers by staff or students without the approval of the principal.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6172

Student Use of Technology

Board Adopted: 5/9/01

Board Revised: 09/12/07

The Board of Trustees intends that technological resources provided by the District be used in a responsible and proper manner in support of the instructional program and for the advancement of student learning.

The Superintendent shall notify students and parents/guardians about authorized uses of District computers and consequences for unauthorized use and/or unlawful activities.

Online Services and Internet Access

The Superintendent shall ensure that District computers with Internet access have a technology protection measure that blocks or filters Internet access to visual depictions that are obscene, pornographic or harmful to minors and that the operation of such measures is enforced.

The Board desires to protect students from access to harmful matter on the Internet or other online services. The Superintendent shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet. He/she shall also establish regulations to address the safety and security of students when accessing online educational resources.

Disclosure, use and dissemination of personal identification information regarding students is prohibited.

Staff shall supervise students while they are using online services and may ask teacher aides and student aides to assist in this supervision.

Accessing online resources shall be restricted to those students in grades 2 through 8 who will, along with their parent/guardian, have signed and returned the Acceptable Use Agreement specifying user obligations and responsibilities. In that agreement, the student and his/her parent/guardian shall agree to not hold the District responsible and shall agree to indemnify and hold harmless the District and all District personnel for the failure of any technology protection measures, violations of copyright restrictions, users' mistakes, or negligence or any costs incurred by users.

In order to help ensure that the District adapts to changing technologies and circumstances, the Superintendent shall regularly review this policy, the accompanying administrative regulation and other procedures. He/she shall also monitor the District's filtering software to help ensure its effectiveness.

Legal Reference: Education Code

48980	Required Notification at Beginning of Term
51006	Computer Education and Resources
51007	Programs to Strengthen Technological Skills
51870-51874	Education Technology
60044	Prohibited Instructional Materials

Penal Code

313	Harmful Matter
502	Computer Crimes, Remedies
632	Eavesdropping on or Recording Confidential Communications

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6172

Student Use of Technology – Page 1

Board Adopted: 5/9/01
Board Revised: 09/12/07

The principal shall oversee the maintenance of the school's technological resources and may establish guidelines and limits on their use. He/she shall ensure that all students using these resources receive training in their proper and appropriate use.

Online Services and Internet Access

Students in grades 2 through 8 are authorized to use District equipment to access the Internet or online services in accordance with the user obligations and responsibilities specified below. Kindergarten and 1st grade students will not access the Internet or online services except as demonstrated by their teacher.

1. The student is responsible for the proper use of District computer equipment at all times. Students shall keep their passwords, home addresses and telephone numbers private. They shall log-on to their school-managed folders and the Internet only under their own names.
2. Students shall use the District's system responsibly and for educational purposes only.
3. Students shall not access, post, submit, publish or display harmful or inappropriate matter that is threatening, obscene, disruptive or disparaging of others based on their race/ethnicity, national origin, gender, sexual orientation, age, disability, religion or political beliefs.

Harmful matter includes matter taken as a whole, which to the average person, applying contemporary statewide standards, describes in a patently offensive way, sexual conduct and which lacks serious literary, artistic, political or scientific value for minors.

4. Students shall not disclose, use or disseminate personal identification information about themselves or others when on any web site and shall not enter chat rooms or engage in other forms of direct electronic communication.

Personal information includes the student's name, address, telephone number, Social Security number or other individually identifiable information.

5. Students shall not use the system to encourage the use of drugs, alcohol or tobacco, nor shall they promote unethical practices or any activity prohibited by law or Board policy.
6. Copyrighted material shall not be placed on the system without the author's permission.
7. Students shall not download any program or materials onto District computers. Students shall not attempt to harm or destroy District equipment or materials or manipulate the data of any other user including so-called "hacking".
8. Students shall not read any other users' files without permission. They shall not attempt to interfere with or delete, copy or modify other users' files or work.
9. Students shall report any security problem or misuse of the school/District's equipment or services to the teacher or principal.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: **6172**

Student Use of Technology – Page 2

Board Adopted: **5/9/01**

Board Revised: **09/12/07**

The school/District reserves the right to monitor or read any materials in a user's folder to ensure proper use of the system.

The principal shall make all decisions regarding whether or not a student has violated Board policy. The decision of the principal shall be final.

Inappropriate use shall result in a cancellation of the student's user privileges, disciplinary action and/or legal action in accordance with law and Board policy.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6173

Identification of Individuals for Special Education – Page 1

Board Adopted: 5/9/01
Board Revised: 09/12/07

The Superintendent shall develop a method to ensure that all children residing within the District are currently receiving needed special education and related services. In addition, the Superintendent shall consult with appropriate representatives of private school children with disabilities on how to identify, locate and evaluate these children.

The Superintendent shall establish a means whereby parents/guardians, teachers, appropriate professionals and others may request screening for any child they believe to have a disability that significantly interferes with his/her learning. The Superintendent shall identify screening processes to determine when an individual's academic, behavioral or other difficulties may be related to disabilities and shall establish systematic procedures for special education program identification, screening, referral, assessment, planning, implementation, review and triennial assessment.

For assessment purposes, staff shall use appropriate tests to identify specific information about the student's abilities in skill areas. In addition, staff shall use multiple measures, including direct observation, to study the effect of interventions or modifications to the regular instructional program. Staff also may consider the student's personal history, development and adaptive behavior.

The Superintendent shall notify parents/guardians in writing of their rights related to identification, referral, assessment, instructional planning, implementation and review, including the District's procedures for initiating a referral for assessment to identify individuals who need special education services.

Legal Reference:	Education Code	
	44265.5	Professional Preparation for Teachers of Impaired Students
	56000-56001	Special Education Programs
	56026	Individuals With Disabilities
	56026.5	Low Incidence Disability
	56029	Referral for Assessment
	56136	Guidelines for Low Disability Areas
	56300-56303	Identification of Individuals With Disabilities
	56320-56329	Assessment
	56333-56338	Eligibility Criteria
	56339	Attention Deficit and Hyperactivity Disorders
	56340-56347	Instructional Planning and Individualized Education Program
	56350-56352	IEP for Visually Impaired Students
	56381	Reassessment of Students
	56425-56432	Early Education for Individuals With Disabilities
	56441.11	Eligibility Criteria, Children 3 to 5 Years Old
	56445	Transition to Grade School; Reassessment
	56500-56508	Procedural Safeguards

Government Code	
95000-95029	California Early Intervention Services Act

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6173

Identification of Individuals for Special Education – Page 2

Board Adopted: 5/9/01

Board Revised: 09/12/07

Legal Reference: (cont.)

Code of Regulations, Title 5

3021-3029 Identification, Referral and Assessment

3030-3031 Eligibility Criteria

United States Code, Title 20

1232g Family Educational Rights and Privacy Act of 1974

1412 State Eligibility

1415 Procedural Safeguards

Code of Federal Regulations, Title 34

104.35 Evaluation and Placement

104.36 Procedural Safeguards

300.1-300.756 Assistance to States for the Education of Students With Disabilities

Court Decisions

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

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6173

Identification of Individuals for Special Education – Page 1

Board Adopted: 5/9/01

Board Revised: 09/12/07

A student shall be referred for special educational instruction and services only after the resources of the regular education program have been considered and used where appropriate and documented per the Student Study Team.

All referrals from school staff shall include a brief reason for the referral and describe the regular program resources that were considered and/or modified for use with the student, and their effect.

Within 15 days of a referral for assessment, the student's parent/guardian shall receive a notice of parental rights and a written proposed assessment plan explaining the types of assessments to be conducted and stating that no individualized education program (IEP) will result from the assessment without parental consent. The 15-day period does not include days between the student's regular school session or term or days of school vacation in excess of five school days unless, the parent/guardian agrees in writing to an extension.

Upon receiving the proposed assessment plan, the parent/guardian shall have at least 15 days to decide whether or not to consent to the assessment. The assessment may begin as soon as informed parental consent is given.

Informed parental consent means that the parent/guardian:

1. Has been fully informed of all information relevant to the activity for which consent is sought, in his/her native language or other mode of communication.
2. Understands that the granting of consent is voluntary on the part of the parent/guardian and may be revoked at any time.

Personnel assessing the student shall prepare a written report of assessment results which specifies:

1. Whether the student may need special education and related services.
2. The basis for making this determination.
3. Relevant behavior noted while observing the student in an appropriate setting.
4. The relationship of the student's behavior to his/her academic and social functioning.
5. Educationally relevant health, development and medical findings, if any.
6. Where appropriate, a determination concerning the effects of environmental, cultural or economic disadvantage.
7. The need for specialized services, materials and equipment for students with low incidence disabilities, consistent with California Department of Education guidelines.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6173

Identification of Individuals for Special Education – Page 2

Board Adopted: 5/9/01

Board Revised: 09/12/07

The parent/guardian shall receive written notice that:

1. Upon completion of the administration of tests and other assessment materials, an IEP team meeting that includes the parent/guardian or his/her representative shall be scheduled. At this meeting, the team shall determine whether or not the student is a student with disabilities and shall discuss the assessment, the educational recommendations and the reasons for these recommendations. A copy of the assessment report shall be given to the parent/guardian.
2. If the parent/guardian disagrees with an assessment obtained by the District, a parent/guardian has the right to obtain, at public expense, an independent educational assessment of the student from qualified specialists, as defined by District regulations.

However, the District shall, without unnecessary delay, either initiate a state due process hearing to show that its assessment is appropriate or pay for an independent educational evaluation. If this hearing results in a decision that the District's assessment is appropriate, the parent/guardian still has the right to obtain an independent education assessment, but not at public expense. The results of an assessment obtained at private expense must be considered by the District and may be presented as evidence at a due process hearing.

Students with disabilities shall be reassessed at least every three years, or more frequently if conditions warrant a reassessment or if requested by the parent/guardian or teacher.

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

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6174

Student Study Teams – Page 1

Board Adopted: 09/12/07

The principal shall:

1. Set Student Study Team meeting times and procedures.
2. Establish a process by which teachers, other staff members or parents/guardians may initiate a student referral.
3. Design provisions for:
 - a. Contacting parents/guardians.
 - b. Observing the student in the problem setting.
 - c. Collecting background information.
 - d. Helping the student and parent/guardian prepare for the meeting.
 - e. Bringing in other school or District resource personnel.

Members of individual Student Study Teams may include:

1. The principal.
2. Resource teacher or other specialists such as the: psychologist, the school counselor, the EL specialist, categorically funded staff, speech and language specialist, reading specialist.
3. One or more of the student's teachers or previous teachers.
4. The student's parents or guardians, and the student if appropriate.
5. Representatives of community or law enforcement agencies, if appropriate.

Team Meetings

Because a positive solution to a student's difficulties often grows out of the student's strengths and potential, the initial study team meeting shall always begin by discussing the student's strengths. His/her problems shall be described as precisely as possible, and a plan for resolving these problems shall be developed.

Strategies and interventions may include, but are limited to:

1. Program changes involving different classes, a different level and/or variety of instructional materials, and/or more time for completing assignments.
2. Contracts for task completion and/or behavior modification.

3. Daily progress reports.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6174

Student Study Teams – Page 2

Board Adopted: 09/12/07

4. Use of after-school tutoring, peer tutoring, cross-age or cross-grade tutoring or buddy system.
5. Reinforcement and modifications at home.
6. Special instructional strategies for students of limited English proficiency.
7. Strategies for improving social skills and peer relationships.
8. Special school projects or programs.
9. Independent study.
10. Modified day.
11. Period-by-period attendance.
12. Inschool suspension.
13. Detention.
14. Saturday school or work program.
15. Leave of absence.
16. Work experience education.
17. Transfer to a different school setting (including opportunity, continuation or alternative education facility, as appropriate).
18. Referral to District resource staff for academic assessment.
19. Referral for health examination.
20. Referral to District psychologist.
21. Referral to community agency or other community resource.
22. Referral of family to community agency.

Whenever the Student Study Team is considering the possibility of transferring a disruptive student to another school, the principal of the school within the District to which the student may be transferred shall be invited to attend the study team meeting before a final decision is made.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: **6174**

Student Study Teams – Page 3

Board Adopted: **09/12/07**

A follow-up meeting shall be scheduled to evaluate the effectiveness of the plan and the extent to which the recommend strategies have been implemented. The plan shall be modified as needed. Subsequent review meetings may be held to monitor the student's progress and reinforce the fact that real change for students takes sustained effort over time.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6175

Identification and Education Under Section 504

Board Adopted: 09/12/07

The Board of Trustees recognizes the need to identify and evaluate children with disabilities in order to provide them with a free, appropriate public education (FAPE). Under Section 504 of the Federal Rehabilitation Act of 1973, individuals with a physical or mental impairment that substantially limits one or more major life activities, including learning, are eligible to receive services and aids designed to meet their needs as adequately as the needs of nondisabled students are met.

The Superintendent shall establish screening and evaluation procedures to be used whenever there is reason to believe that a student has a disability that limits his/her major life activities.

To evaluate the student's eligibility under Section 504, the principal shall convene a Student Study Team of professionals knowledgeable about the student's individual needs and school history, the meaning of evaluation data, and accommodation options. The student's parent/guardian shall be invited to participate on this committee.

If the student is found to have a disability that requires services under Section 504, the school site committee shall develop a written accommodation plan for the student. Upon reviewing the nature of the disability and how it affects the student's education, the committee shall determine what modifications and/or special services and aids are needed. The student shall be educated with nondisabled students to the maximum extent appropriate to the student's individual needs.

The Student Study Team shall provide the parent/guardian with a written copy of the accommodation plan and notice of procedural safeguards guaranteed by law.

Legal Reference:	Education Code	
	49423.5	Specialized Physical Health Care Services
	Code of Regulations, Title 5	
	3051.12	Health and Nursing Services
	United States Code, Title 20	
	1232g	Family Educational Rights and Privacy Act of 1974
	1400-1487	Individuals With Disabilities Education Act
	United States Code, Title 29	
	701-795a	Rehabilitation Act
	794	Rehabilitation Act of 1973, Section 504
	Code of Federal Regulations, Title 34	
	104.1-104.61	Nondiscrimination on the Basis of Handicap, Especially
	104.1	Purpose to Effectuate Section 504 of the Rehabilitation Act of 1973
	104.3	Definitions
	104.33	Free Appropriate Public Education
	104.35	Evaluation and Placement
	104.36	Procedural Safeguards

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6175

Identification and Education Under Section 504 – Page 1

Board Adopted: 09/12/07

Eligibility

A disabled student eligible for services under Section 504 is one who (a) has a physical or mental impairment that substantially limits one or more major life activities, including learning, (b) has a record of such an impairment, or (c) is regarded as having such an impairment.

Major life activities are functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working. Examples of students with such impairments include, but are not limited to:

1. Students with a normal ability to learn but who have a mobility impaired.
2. Students with a normal ability to learn academically but who require occupational or physical therapy in order to function physically.
3. Students with emotional disabilities manifested by behavioral problems which result in exclusion from classes or school.

Indications of a possible disability that significantly interferes with learning include, but are not limited to:

1. Medical conditions such as severe asthma or heart disease.
2. Temporary medical condition due to illness or accident.
3. Poor or failing grades over a lengthy period of time.

Referral and Identification Procedures

1. Any student may be referred by a parent/guardian, teacher, other certificated school employee or community agency for consideration of eligibility as a disabled student under Section 504. This referral should be made to the school site principal.
2. The Student Study Team shall promptly consider the referral and determine whether an evaluation under this procedure is appropriate. This determination shall be based on a review of the student's school records (including academic, social and behavioral records) and the student's needs. Students requiring evaluation shall be referred to appropriate evaluation specialists.
3. If request for evaluation is denied, the Student Study Team shall inform the parents/guardians of this decision and of their procedural rights as described below.

Accommodation Plan

1. When a student is identified as disabled within the meaning of Section 504, the Student Study Team shall determine what services are necessary to ensure that the student's individual education needs are met as adequately as the needs of nondisabled students.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6175

Identification and Education Under Section 504 – Page 2

Board Adopted: 09/12/07

2. In making this determination, the Student Study Team shall consider all significant factors relating to the learning process for the student, including his/her adaptive behavior and cultural and language background. The evaluation may include, but is not limited to, classroom and playground observation, performance-based testing, academic assessment information, and data offered by the parent/guardian.
3. The parents/guardians shall be invited to participate in the Student Study Team meeting where services for the student will be determined and shall be given an opportunity to examine all relevant records.
4. The Student Study Team shall develop a written plan describing the disability and specifying the services needed by the student. A copy of this plan shall be kept in the student's cumulative file. The student's teacher and any other staff who provide services to the student shall be informed of the services necessary for the student, to the extent that they need to be informed in order to provide for the student in the school setting.
5. If the Student Study Team determines that no services are necessary for the student, the record of the committee's meeting shall reflect the identification of the student as a disabled person under Section 504 and shall state the basis for the decision that no special services are presently needed.
6. The disabled student shall be placed in the regular educational environment unless the District demonstrates that a more restrictive placement is required in order to meet the student's needs. The disabled student shall be educated with those who are not disabled to the maximum extent appropriate to his/her individual needs.
7. The parents/guardians shall be notified in writing of the final decision concerning services to be provided, if any, and of the Section 504 procedural safeguards, including the right to an impartial hearing to challenge the decision.
8. The District shall complete the identification, evaluation and placement process within a reasonable time frame.
9. The student's plan shall include a schedule for periodic review of the student's needs and indicate that this review may occur sooner at the request of the parent/guardian or school staff.

Review of the Student's Progress

1. The Student Study Team shall monitor the progress of the disabled student and the effectiveness of the student's plan. The committee shall periodically determine whether the services are appropriate and necessary and whether the disabled student's needs are being met as adequately as the needs of nondisabled students.
2. A reevaluation of the student's needs will be conducted before any subsequent significant change in placement.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6175

Identification and Education Under Section 504 – Page 3

Board Adopted: 09/12/07

Procedural Safeguards

Parents/guardians shall be notified in writing of all District decisions regarding the identification, evaluation or educational placement of students with disabilities or suspected disabilities. Notifications shall include a statement of their rights to:

1. Examine relevant records.
2. Have an impartial hearing with an opportunity for participation by the parents/guardians and their counsel.
3. Have a review procedure.

Notifications shall also set forth the procedures for requesting a hearing, the name, address and telephone number of the person with whom the request should be made, and the fact that reimbursement for attorney's fees is available only as authorized by law.

The Superintendent shall maintain a list of impartial hearing officers who are qualified and willing to conduct Section 504 hearings. To ensure impartiality, such officers shall not be employed by or under contract with the District in any capacity other than that of hearing officer and shall not have any professional or personal involvement that would affect their impartiality or objectivity in the matter.

If a parent/guardian disagrees with the identification, evaluation or educational placement of a student with disabilities under Section 504, he/she may initiate the following procedures:

1. Within 30 days of receiving the student's accommodation plan, set forth in writing his/her disagreement and request that the school principal and school site committee review the plan in an attempt to resolve the disagreement. This review shall be held within 14 days of receiving the parent/guardian's request, and the parent/guardian shall be invited to attend the meeting at which the review is conducted.
2. If disagreement continues, request in writing that the Superintendent review the plan. This review shall be held within 14 days of receiving the parent/guardian's request, and the parent/guardian shall be invited to meet with the Superintendent to discuss the review.
3. If disagreement continues, request in writing a Section 504 due process hearing. The request shall include:
 - a. The specific nature of the decision with which the parent/guardian disagrees.
 - b. The specific relief the parent/guardian seeks.
 - c. Any other information the parent/guardian believes pertinent.

Within 20 days of receiving the parent/guardian's request, the Superintendent shall select an impartial

hearing officer. This 20 days may be extended for good cause or by mutual agreement of the parties.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6175

Identification and Education Under Section 504 – Page 4

Board Adopted: 09/12/07

Within 45 days of the selection of a hearing officer, the Section 504 due process hearing shall be conducted and a written decision mailed to all parties. This 45 days may be extended for good cause or by mutual agreement of the parties. The Superintendent shall represent the District at this hearing.

Any party to the hearing shall be afforded the right to:

1. Be accompanied and advised by counsel and by individuals with special knowledge or training related to the problems of students who are qualified as disabled under Section 504.
2. Present written and oral evidence.
3. Question and cross-examine witnesses.
4. Receive written findings by the hearing officer.

If desired, either party may seek a review of the hearing officer's decision by a federal court of competent jurisdiction.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6176

Title I Programs – Page 1

Board Adopted: 09/12/07

Parental Involvement

To ensure that parents/guardians are consulted and participate in the planning, design, implementation and evaluation of Title I programs, the District may:

1. Invite all parents/guardians of eligible children to attend an annual meeting in order to inform them about the school's participation in Title I and their right to be involved.
2. Offer additional meetings for parents/guardians at convenient times, for which related transportation, child care and/or home visits may be provided.
3. Involve parents/guardians in an organized, ongoing and timely way in the planning, review and improvement of the Title I program and parental involvement policies.
4. Provide the parents/guardians of participating students all of the following:
 - a. Timely information about the Title I program.
 - b. School performance profiles and individual student assessment results, with an interpretation of these results.
 - c. A description and explanation of the school curriculum, forms of assessment used to measure student progress, and expected proficiency levels.
 - d. Opportunities to meet regularly with other parents/guardians to formulate suggestions, share experiences and participate in decisions related to their children's education.
 - e. Timely responses to the suggestions of parents/guardians.
5. Submit to the Superintendent any negative comments by parents/guardians related to the schoolwide program plan.
6. Jointly develop with the parents/guardians of participating students a school-parent compact that outlines how parents/guardians, staff and students will work as partners and share responsibility for improved student achievement. This compact shall describe:
 - a. The school's responsibility for high-quality curriculum, instruction and learning environment.
 - b. Parental responsibilities for supporting their children's learning, such as monitoring attendance and homework completion, volunteering in the classroom and participating in decisions related to their children's education and use of extracurricular time.
 - c. Channels of ongoing communication between teachers and parents/guardians, including parent-teacher conferences, progress reports, reasonable access to staff, and opportunities to volunteer and observe classroom activities.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6176

Title I Programs – Page 2

Board Adopted: 09/12/07

7. Help parents/guardians understand the national education goals, state content standards, state student performance standards, and related state responsibilities. Also help them understand how to participate in decisions related to their children's education, monitor student progress, and work with educators to improve their children's performance.
8. Provide materials and training that will help parents work with their children to improve their achievement.
9. Educate teachers and other staff in the value of parental involvement and ways to reach and work with parents/guardians as equal partners.
10. Insofar as feasible, coordinate and integrate parental involvement programs and activities with other programs.
11. Encourage community-based organizations and businesses to participate in parent involvement activities and work with parents/guardians and the school.
12. Conduct other activities as feasible to help parents/guardians learn about child development and child rearing issues.
13. Insofar as possible, provide full opportunities for the participation of parents with limited English proficiency or with disabilities, and provide program-related information and school profiles in the language used in the home.
14. Provide other reasonable support for parental involvement activities as requested by parents/guardians.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6177

Gifted and Talented Student Program

Board Adopted: 5/9/01

Board Revised: 09/12/07

The Board of Trustees believes that all students deserve an education that challenges them to meet their full potential. The Board shall provide gifted and talented students opportunities for learning commensurate with their particular abilities and talents.

Meeting the everyday academic needs of the District's gifted and talented students shall be planned and organized as an integrated, differentiated learning experience within the regular school day. These programs may be augmented or supplemented with other differentiated activities related to the core curriculum using such strategies as independent study, acceleration, and enrichment such as the District's summer program.

The Superintendent shall ensure the full participation of eligible students regardless of their ethnic, cultural, linguistic or economic background.

Staff development shall be provided to support teachers of gifted and talented students in understanding the unique learning styles and abilities of these students and in developing appropriate instructional strategies.

The District shall regularly evaluate the effectiveness of meeting the needs of gifted and talented students.

Program planning, implementation and evaluation shall involve the District GATE Advisory Committee.

Legal Reference:	Education Code	
	48800-48802	Enrollment of Gifted Students in Community College
	51740	Instruction by Correspondence
	51745-51749.3	Independent Study Programs
	52200-52212	Gifted and Talented Pupil Program
	76001	Enrollment in Community College
	Code of Regulations, Title 5	
	1633	Instruction by Correspondence
	3820-3870	Gifted and Talented Pupil Program

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6178

Education for English Language Learners

Board Adopted: 09/12/07

The Board of Trustees intends to provide English learners with the District's core curriculum and English Language proficiency as rapidly and effectively as possible. The program shall be based on sound instructional theory and shall be adequately supported so that English language learners can achieve results at the same, or higher academic level as their English proficient peers.

All EL students are being taught by a CTEL certified/credentialed teacher in the core curriculum areas.

To ensure that the District is using sound methods that effectively serve the needs of English language learners, the Superintendent shall annually examine program results, including reports of the students' academic achievement and their progress towards proficiency in English. The school will compile data on programs for English language learners in order to help determine program effectiveness.

The Superintendent shall maintain procedures which provide for the identification, assessment and placement of English language learners and for their redesignation based on criteria and specified in the District's English Learners Master Plan. The Superintendent shall recommend program revisions as necessary to support student success.

Legal Reference:	Education Code	
	300-340	English Language Education for Immigrant Children
	33308.5	CDE Guidelines Not Binding
	44253.5-44253.10	Certification for Bilingual-Cross-Cultural Competence
	48985	Notices to Parents in Language Other Than English
	52130-52135	Impacted Languages Act of 1984
	52160-52178	Bilingual Bicultural Act Especially:
	52164.6	Reclassification Criteria
	52169	Requirements for Establishment of Program
	52171	Evaluations of Student Progress
	52171.6	Annual Report to Legislature
	52177	Administration of Article
	52180-52186	Bilingual Teacher Training Assistance Program
	54000-54041	Programs for Disadvantaged Children
	62001-62005.5	Evaluation and Sunsetting of Programs
	Code of Regulations, Title 5	
	4320	Determination of Funding to Support Program to Overcome the Linguistic Difficulties of English Learners
	11300-11316	English Language Learner Education
	United States Code, Title 20	
	1701-1705	Equal Educational Opportunities Act
	Court Decisions	
	<i>Valeria G. v. Wilson</i> (July, 1998) C-98-2252-CAL	
	<i>Teresa P. et al. v. Berkeley Unified School District et al.</i> (1989) 724 F.Supp. 698	
	<i>Casteneda v. Pickard</i> (5 th Cir. 1981) 648 F.2d 989	

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6178

Education for English Language Learners

Board Adopted: 09/12/07

Identification and Assessment

Upon enrollment, each student's primary language shall be determined. Within 30 days of their initial enrollment, students who are identified as having a primary language other than English shall be assessed for English proficiency in comprehension, speaking, reading, and writing. Within 90 days of initial enrollment, students identified as having limited English proficiency shall be further assessed for primary language proficiency in comprehension, speaking, reading and writing. Students in grades K-2 may be assessed only in aural comprehension and speaking. The Superintendent or designee shall develop criteria for determining student needs on the basis of these assessments.

The Superintendent or designee shall send a notification of the results of English proficiency assessments to all parents/guardians of students who are assessed, whether the student is designated fluent English proficient or limited English proficient. Parents/guardians also shall be notified of the results of any reassessments.

Once students have been assessed, parents/guardians shall receive information about the program and their opportunities for parental involvement.

The District shall continue to provide additional and appropriate educational services to English learners for the purposes of overcoming language barriers until the English learners have:

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

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6179

Supplemental Instruction – Page 1

Board Adopted: 09/12/07

The Board of Trustees shall provide supplemental instructional programs to motivate and support students to overcome academic deficiencies, attain grade-level academic standards, or enhance critical skills.

Supplemental instructional programs may be offered outside the regular school day. Such programs may be offered during the summer, before school, during school, after school, and or on Saturday.

The Board shall offer direct, systematic and intensive supplemental instruction for students in grades 2 through 8 who have been retained or recommended for retention.

As funding, facilities and staffing permit, supplemental instruction may be offered to:

1. Students in grades 2 through 6 who have been identified as being at risk of retention.
2. Students in grades 2 through 6 who have been identified as having a deficiency in mathematics, reading or written expression based on the results of the Standardized Testing and Reporting Program.
3. Students in grades kindergarten through 8 who seek enrichment in mathematics, science or other core academic areas designated by the Superintendent of Public Instruction.
4. Students in grades kindergarten through 4 who need or desire intensive reading opportunities that meet the standards specified in Education Code 44259 and 53027 for a research-based comprehensive reading program.
5. Students in grades 7 and 8 who need or desire intensive opportunities to practice skills in algebra and prealgebra in accordance with standards specified in Education Code 53092.
6. Students in grades kindergarten through 8, including English language learners, who need or desire intensive English language and literacy instruction.

Legal Reference:	Education Code	
	420-428	Intensive English Language and Literacy Grants
	37200-37202	School Calendar
	37223	Weekend Classes
	37252-27253.5	Supplemental Instruction
	42239-42239.2	Supplemental Instruction, Apportionments
	44259	Comprehensive Reading Program
	46100	Length of School Day
	48070-48070.5	Promotion and Retention
	51210	Courses of Study, Elementary Schools
	51220	Courses of Study, Secondary Schools
	53025-53031	Intensive Reading Instruction
	53091-53094	Intensive Algebra Instruction
	60640-60648	Standardized Testing and Reporting Program

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6179

Supplemental Instruction – Page 2

Board Adopted: 09/12/07

Legal Reference: Education Code (cont.)
60850-60856 High School Exit Examination
99223 Algebra Academies Professional Development Institutes

Code of Regulations, Title 5
11470-11472 Summer School

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6179

Supplemental Instruction

Board Adopted: 09/12/07

Eligibility Based on Retention or Academic Deficiencies

Students in grades 2 through 8 who have been retained or recommended for retention shall be eligible for supplementary instruction under the following circumstances:

1. With parental consent, the Superintendent may require a student who has been retained or recommended for retention to participate in the supplemental instructional program.
2. For the purposes of identifying students as eligible for supplemental instruction, a student shall be considered to be enrolled in a grade immediately upon completion of the preceding grade.
3. Students who are enrolled in grades 5 or 8 and during the prior school year who have been retained or recommended for retention shall be eligible for summer school instruction.

To the extent that the District provides supplemental instruction to students in grades 2 through 5 who are at risk of retention or have deficiencies in mathematics, reading or written expression, those students also shall be subject to the provisions set forth in items #2 and #3 above.

The Superintendent shall seek the active involvement of parents/guardians and classroom teachers in the development and implementation of supplemental instructional programs.

An intensive remedial program in reading or writing expression shall, as needed, include instruction in phoneme awareness, systematic explicit phonics and decoding, work attack skills, spelling and vocabulary, explicit instruction of reading comprehension, writing, and study skills.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6183

Home and Hospital Instruction – Page 1

Board Adopted: 5/9/01

Board Revised: 09/12/07

A student with a temporary disability which makes school attendance impossible or inadvisable shall receive individual instruction in the student's home or in a hospital or other residential health facility, excluding state hospitals. This instruction applies to students incurring a physical, mental or emotional disability after which they can reasonably be expected to return to regular day classes or an alternative education program without special intervention. It does not apply to students identified as individuals with exceptional needs.

Home or hospital instruction shall be provided only by teachers with valid California teaching credentials who consent to the assignment.

The District shall offer at least one hour of instruction for every day of instruction offered by the District in the regular education program. No student shall be credited with more than five days of attendance per calendar week or credited with more than the total number of calendar days that regular classes are offered by the District in any fiscal year.

Insofar as possible, the teacher providing home or hospital instruction shall consult with the student's current classroom teacher(s) so as to provide a continuity of instruction that enables the student to stay abreast with the regular school program.

The Superintendent may require verification through any reasonable means that the student requires home instruction. In addition, this verification shall also state that the disabling condition will not expose the teacher to a contagious disease that can be transmitted through casual contact. Home or hospital instruction shall not be denied to students with Hepatitis B, herpes or HIV/AIDS, as long as the home or hospital practices current preventive protocol as determined by the U.S. Centers for Disease Control.

Nondistrict Students

A student of another district who is temporarily disabled and confined to a hospital or health facility within this District shall be eligible to receive individual instruction in this District.

In such circumstances, it is the responsibility of the parent/guardian to notify the District of the student's presence in a qualifying hospital.

Upon receiving such notification, the Superintendent shall:

1. Within five working days of the notification, determine whether the student is able to receive individualized instruction and, if so, when it shall begin. Instruction shall begin no later than five working days after the Superintendent has determined that the student is able to receive individualized instruction.
2. Within five working days of the beginning of the individualized instruction, the Superintendent shall provide written notification to the District in which the student was previously enrolled stating that the student shall not be counted by that District for purposes of computing average daily attendance, effective the date on which individualized instruction began.

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6183

Home and Hospital Instruction – Page 2

Board Adopted: 5/9/01
Board Revised: 09/12/07

Alternatively, the Superintendent may enter into an agreement with the District in which the student was previously enrolled to have the District provide the individualized instruction.

Parental Notifications

During the school year, the Superintendent shall notify parents/guardians that:

1. Individual instruction is available for temporarily disabled students.
2. If a student becomes temporarily disabled, it is the parent/guardian's responsibility to notify the receiving district of the student's presence in a qualifying hospital.

Legal Reference:	Education Code	
	44865	Qualifications for Home Teachers
	45031	Home Teachers
	48200	Minimum School Day
	48206.3	Pupils With Temporary Disabilities; Individual Instruction; Definitions; Computing Average Daily Attendance
	48206.5	Continuation of Individual Instruction Programs for Students With Temp. Disabilities
	48207	Pupils With Temporary Disabilities in Hospitals Out-Side of School District; Compliance With Residency Requirements
	48208	Presence of Pupils With Temporary Disabilities in Qualifying Hospitals; Notice by Parents or Guardians; Commencement of Individualized Instruction
	48980	Required Notification of Rights and Availability of Nutrition and Individualized Instruction Programs
	51800-51802	Employment of Home Teachers
	Code of Regulations, Title 5	
	421	Method of Verification
	423	Prolonged Illness

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Policy No.: 6190

Evaluation of the Instructional Program

Board Adopted: 5/9/01
Board Revised: 09/12/07

The Board of Trustees recognizes that it is accountable to the students, parents/guardians and community for conducting a continual evaluation of the curriculum and instructional program.

The Superintendent shall review the effectiveness of District programs in meeting desired outcomes. He/she shall provide the Board and the community with regular reports on student progress toward Board-established standards of expected achievement at each grade level in each area of study. Based on these evaluations, the Board shall take appropriate actions to maintain the effectiveness of programs and, as needed, to improve the quality of education that District students receive.

Categorical Program Monitoring (CPM)

The Superintendent shall cooperate with the California Department of Education in the conduct of Categorical Program Monitoring to ensure that all District categorical programs comply with federal and state laws and regulations. The Superintendent shall notify the Board of the results of these reviews.

Evaluation of Consolidated Programs

The Superintendent shall conduct annual evaluations to determine whether the District's consolidated programs are supportive of the core curriculum and are effective in meeting the needs of the students they are intended to serve. As a basis for this evaluation, the Superintendent shall recommend specific, measurable criteria that shall be used at each school and at the District level. These criteria shall include, but not necessarily be limited to, progress toward goals contained in the school plan and progress of the total student population and each numerically significant subgroup toward growth targets on the statewide Academic Performance Index.

Evaluation of the program shall be presented annually to the Board.

Legal Reference:	Education Code	
	33400-33407	Educational Evaluations (by CDE)
	35178.4	Notice of Loss of Accreditation Status
	44662	Evaluation and Assessment Guidelines
	51041	Education Program, Evaluation and Revisions
	51226	Model Curriculum Standards
	54650-54659	Education Improvement Incentive Program
	62005.5	Failure to Comply With Purposes of Funds
	64000-64001	Consolidated Application Process
	Code of Regulations, Title 5	
	3930-3937	Program Requirements
	3942	Continuity of Funding

LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT

INSTRUCTION

Regulation No.: 6190

Evaluation of the Instructional Program

Board Adopted: 5/9/01

Board Revised: 09/12/07

School Improvement Program (SIP)

The District shall provide an annual evaluation which indicates the extent to which the school has accomplished or made significant progress toward achieving its improvement goals as detailed in the school plan.