

**HESPERIA UNIFIED SCHOOL DISTRICT
Hesperia, California**

ARTICLE 0

**PHILOSOPHY-GOALS-OBJECTIVES
& COMPREHENSIVE PLANS**

SERIES 0000

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Philosophy, Goals, Objectives and Comprehensive Plans

Core Values

As part of its responsibility to establish a guiding vision for the District, the Governing Board shall develop and a set of fundamental principles which describes the District's core values. The Board and District staff shall incorporate this philosophy in all District programs and activities.

Legal Reference:

EDUCATION CODE

51002 Local development of programs based on stated philosophy and goals

51019 Definition of philosophy

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Leadership: Vision, 1996

Philosophy, Goals, Objectives and Comprehensive Plans

Goals For The School District

The Governing Board shall adopt long-term goals for achieving the District's overall vision and maintaining its core values for its schools as well as clear performance standards and benchmarks which can be used to determine if the District is meeting these goals. Goals shall be limited in number so as to be reasonably achievable within established time lines.

The Superintendent may establish short-term, interim objectives and comprehensive plans to ensure adequate, regular progress toward the District's long-term goals.

Legal Reference:

EDUCATION CODE

51002 Local development of programs based on stated philosophy and goals

51020 Definition of goal

51021 Definition of objective

Management Resources:

CSBA PUBLICATIONS

Healthy Food Policy Resource Guide, 2003

Maximizing School Board Leadership: Vision, 1996

WEB SITES

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

Philosophy, Goals, Objectives and Comprehensive Plans

Comprehensive Plans

The Governing Board believes that careful planning is essential to effective implementation of District programs and policies. Comprehensive plans shall identify cohesive strategies for school improvement and provide stability in District operations.

The Superintendent or designee shall develop comprehensive plans for the implementation of the District's core values, vision and goals on specific policy topics and on other areas as required by law. As appropriate, comprehensive plans may describe, but not be limited to, anticipated short- and long-term needs, measurable outcomes, priorities, activities, available resources, timelines, staff responsibilities, and strategies for internal and external communications regarding the plan. Comprehensive plans may be subject to review and approval by the Board.

Committees may be appointed to assist in the development of plans. Comprehensive plans shall be available to the public and shall be reviewed at regular intervals as specified within the plan.

In addition, school-level plans may be developed to meet the unique circumstances of individual school sites provided that they are consistent with law, District core values, vision, Board policies, administrative regulations and District-wide plans. School plans may be subject to review and approval of the Superintendent or designee and/or the Board.

Legal Reference:

EDUCATION CODE

35035 Powers and duties of Superintendent

35291 Rules (power of governing board)

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Leadership: Vision, 1996

WEB SITES

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

POLICY ADOPTED: August 7, 2006

Philosophy, Goals, Objectives and Comprehensive Plans

Non-discrimination In District Programs And Activities

The Governing Board is committed to equal opportunity for all individuals in education. District programs and activities shall be free from discrimination based on gender, sex, race, color, religion, ancestry, national origin, ethnic group identification, marital or parental status, physical or mental disability, sexual orientation or the perception of one or more of such characteristics.

The Board shall promote programs which ensure that discriminatory practices are eliminated in all District activities.

District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act.

The Superintendent or designee shall ensure that the District provides auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, note takers, written materials, taped text, and Braille or large print materials.

Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to the school-sponsored function, program or meeting.

The Superintendent or designee shall notify students, parents/guardians, employees, employee organizations and applicants for admission and employment, and sources of referral for applicants about the District's policy on nondiscrimination. Such notification shall be included in each announcement, bulletin, catalog, application form or other recruitment materials distributed to these groups. (34 CFR 104.8, 106.9)

The Superintendent or designee shall also provide information about related complaint procedures.

In compliance with law, the District's non-discrimination policy shall be published in the individual's primary language to the extent practicable.

Philosophy, Goals, Objectives and Comprehensive Plans

Non-discrimination In District Programs And Activities

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

48985 Notices to parents in language other than English

GOVERNMENT CODE

11000 Definitions

11138 Rules and regulations

12900-12996 Fair Employment and Housing Act

54953.2 Brown Act compliance with Americans with Disabilities Act

PENAL CODE

422.55 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities in Education Act

1681-1688 Discrimination based on sex or blindness, Title IX

2301-2415 Carl D. Perkins Vocational and Applied Technology Act

6311 State plans

6312 Local education agency plans

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

2000h-2000h-6 Title IX

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

36.303 Auxiliary aids and services

CODE OF FEDERAL REGULATIONS, TITLE 34

100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI

104.1-104.39 Section 504 of the Rehabilitation Act of 1973

106.1-106.61 Discrimination on the basis of sex, effectuating Title IX, especially:

106.9 Dissemination of policy

Management Resources:

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

Protecting Students from Harassment and Hate Crime, January, 1999

Notice of Non-Discrimination, January, 1999

Nondiscrimination in Employment Practices in Education, August, 1991

WEB SITES

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

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

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

Safe Schools Coalition: <http://www.casafeschoolscoalition.org>

Philosophy, Goals, Objectives and Comprehensive Plans

School Plans/Site Councils

When required by law or determined to be a useful tool to accomplish District and school goals, school site councils or other school advisory groups shall develop comprehensive school plans designed to enhance student achievement at individual school sites.

Single Plan for Student Achievement

The Superintendent or designee shall assure that a single plan for student achievement has been prepared for each school participating in any of the state and/or federal categorical programs listed in Education Code 41506, 41571, or 64000. (Education Code 41507, 41572, 64001)

Whenever feasible, any other school plan may be incorporated into the single plan for student achievement.

The Board shall review and approve each school's single plan for student achievement at a regularly scheduled meeting. The Board also shall review and approve any subsequent revisions that include material changes affecting the academic programs for students participating in these categorical programs. The Board shall certify that, to the extent allowable under federal law, the plan is consistent with District local improvement plans required as a condition of receiving federal funding. (Education Code 64001)

Legal Reference:

EDUCATION CODE

52-53 Designation of schools

8240-8244 General child care and development programs

8750-8754 Conservation education

18100-18203 School libraries

41500-41573 Categorical education block grants

44500-44508 Peer Assistance and Review Program

44520-44534 New Careers Program

48400-48403 Compulsory continuation education

48430-48438 Continuation education

48660-48667 Community day schools

51745-51749.3 Independent study

51760-51769.5 Work experience education

51870-51874 Educational technology

52053-52055.51 Immediate Intervention/Underperforming Schools Program

52055.600-52055.662 High Priority Schools Grant Program

52176 Advisory committees

52200-52212 Gifted and Talented Education Program

Philosophy, Goals, Objectives and Comprehensive Plans

(Legal Reference) Continued

52300-52346 Regional occupational centers
52500-52525 Adult education
52610-52616.24 Adult education
52800-52887 School-Based Program Coordination Act
54000-54041 Educationally Disadvantaged Youth Programs
54100-54145 Miller-Unruh Basic Reading Act
54425 Advisory committees (compensatory education)
54650-54659 Education Improvement Incentive Program
56000-56885 Special education
64000 Categorical programs included in consolidated application
64001 Single school plan for student achievement, consolidated application programs
REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS
52012 Establishment of school site council
52014-52015 School plans
52890 Qualifications and duties of outreach consultants
MILITARY AND VETERANS CODE
500-520.1 California Cadet Corps
CODE OF REGULATIONS, TITLE 5
3930-3937 Compliance plans
UNITED STATES CODE, TITLE 20
6312-6319 Title I programs; plans
7114 Safe and Drug-Free Schools and Communities; District plan
Management Resources:
CDE PUBLICATIONS
Voluntary Template for the Single Plan for Student Achievement
WEB SITES
California Department of Education, Single Plan for Student Achievement:
<http://www.cde.ca.gov/nclb/sr/le/singleplan.asp>
Center for Comprehensive School Reform and Improvement: <http://www.centerforcsri.org>
U.S. Department of Education: <http://www.ed.gov>

Philosophy, Goals, Objectives and Comprehensive Plans

School Plans/Site Councils

School Site Councils

When required for participation in any categorical program, each District school shall establish a school site council or advisory committee. (Education Code 41507, 41572, 52852, 64001)

The school site council shall be composed of the following: (Education Code 41507, 41572, 52852)

1. The principal
2. Teachers selected by the school's teachers
3. Other school personnel chosen by the school's other personnel
4. Parents/guardians of students attending the school chosen by other such parents/guardians, or community members chosen by the parents/guardians as representatives
5. In secondary schools, students attending the school chosen by other such students

Half of the school site council membership shall consist of school staff, the majority of whom shall be classroom teachers. For elementary school site councils, the remaining half shall be parents/guardians or parent/guardian representatives. For secondary school site councils, the remaining half shall be equal numbers of parents/guardians (or parent/guardian representatives) and students. (Education Code 41507, 41572, 52852)

A District employee may serve as a parent/guardian representative on the site council of the school his/her child attends, provided the employee does not work at that school. (Education Code 52852)

School site councils may function on behalf of other committees in accordance with law. (Education Code 52055.620, 52176, 52870, 54425; 5 CCR 3932)

Single Plan for Student Achievement

In order for a school to participate in any state or federal categorical program listed in Education Code 41506, 41571, or 64000, the school site council shall approve, annually review, and update a single plan for student achievement. If the school does not have a school site council, a schoolwide advisory group or school support group conforming to the composition requirements of the school site council listed above shall fulfill these responsibilities. (Education Code 41507, 41572, 64001)

The single plan for student achievement shall be aligned with school goals for improving student achievement and shall be based on an analysis of verifiable state data, including the Academic Performance Index (API) and the California English Language Development Test (CELDT), and any other data voluntarily developed by the District to measure student achievement. (Education Code 64001)

Philosophy, Goals, Objectives and Comprehensive Plans

School Plans/Site Councils

The plan shall, at a minimum: (Education Code 64001)

1. Address how funds provided to the school through categorical programs will be used to improve the academic performance of all students to the level of the performance goals established by the API
2. Identify the school's means of evaluating progress toward accomplishing those goals
3. Identify how state and federal law governing these programs will be implemented . Plans developed for the state's Immediate Intervention/Underperforming Schools Program pursuant to Education Code 52054 or the federal Title I schoolwide programs pursuant to 20 USC 6314 shall satisfy the requirement for a single plan for student achievement. (Education Code 64001)

School Plans for Categorical Block Grants

Whenever a school participates in the state's categorical block grant programs for student retention and/or school and library improvement, that school's single plan for student achievement shall include, but need not be limited to: (Education Code 41507, 41572)

1. Curricula, instructional strategies, and materials responsive to the individual educational needs and learning styles of each student that enables all students to do all of the following:
 - a. Make continuous progress and learn at a rate appropriate to their abilities
 - b. Master basic skills in language development and reading, writing, and mathematics
 - c. Develop knowledge and skills in other aspects of the curricula, such as arts and humanities; physical, natural, and social sciences; multicultural education; physical, emotional, and mental health; consumer economics; and career education
 - d. Pursue educational interests and develop esteem for self and others; personal and social responsibility, critical thinking, and independent judgment
2. Consideration of the use of community resources to achieve instructional improvement objectives
3. Consideration of the use of education technology
4. A staff development program for teachers, other school personnel, paraprofessionals, and volunteers

Philosophy, Goals, Objectives and Comprehensive Plans

School Plans/Site Councils

School Plans for Categorical Block Grants (Continued)

5. Provisions for utilization of the student success team process to identify and assess the needs of students who are dropouts or potential dropouts, and to develop programs to meet those needs
6. Procedures for coordinating services from funding sources at the school level to help students participate successfully in the core academic curricula and specialized curricula related to jobs and career opportunities
7. Instructional and auxiliary services to meet the special needs of students who are limited-English-speaking, including instruction in a language they understand; educationally disadvantaged students; gifted and talented students; and students with disabilities
8. Improvement of the classroom and school environments, including improvement of relationships between and among students, school personnel, parents/guardians, and the community, and reduction of the incidence of violence and vandalism among students
9. Improvement of student attendance, including parent/guardian awareness of the importance of regular school attendance
10. The proposed expenditure of block grant funds and the degree to which expenditures meet the plan's criteria
11. Other activities and objectives established by the school site council
12. A process for ongoing evaluation and modification of the plan

The evaluation shall be based on the degree to which the school is meeting the plan's objectives, student achievement, and improved school environment. An improved school environment shall be measured by indicators such as the incidence of absenteeism, suspension and expulsion, dropouts, school violence, vandalism and theft; student attitudes towards the school, self, and others; absenteeism among staff, staff resignations, and requests for transfers; and satisfaction of students, parents/guardians, teachers, administrators, and staff.

In addition, any school receiving state funding for school and library improvement shall incorporate plans pertaining to school libraries into the single plan for student achievement. (Education Code 41572)

Philosophy-Goals-Objectives and Comprehensive Plans

CHARTER SCHOOLS

The Board of Trustees believes that charter schools provide one possible opportunity to implement school-level reform and to support educationally sound innovations which improve student learning. These schools shall operate under the provisions of their charters, federal laws, specified state laws and general oversight of the Board.

The Board of Trustees recognizes that teachers, parents, pupils and community members may petition the Board to approve a charter school, and that the Board shall review such petitions in accordance with the letter and spirit of the law.

By law, charter school petitioners are responsible for developing the charter that will guide the school. The proposed charter must include descriptions of the vision, mission, and goals of the charter school, the governance structure, which will be used, the educational outcomes to be attained by students, the method by which progress in meeting those outcomes will be measured. As needed, the Superintendent or designee may work with charter school petitioners who present petitions which contain the elements required by law and District policy and regulations to establish workable plans for technical assistance or contracted services, which the district may provide to the proposed charter school.

Unlike other alternative education programs which are under the direct control of the District, charter schools may be separate public entities that are governed independently in accordance with charter provisions which have been approved by the Board. All charter schools approved by the board that are not under the direct control of the Board shall be organized as nonprofit public benefit corporations and shall hold the District, its officers, agents and employees harmless from any liability arising from the existence or operation of the charter school.

In determining whether to grant or deny a charter, the Board shall carefully review the proposed charter and any supplementary information, consider public and staff input, and determine whether the charter petition adequately addresses all the provisions required by law.

The Board shall ensure that any charter granted by the Board contains adequate processes and measures for holding the school accountable for fulfilling the terms of its charter. These shall include, but not be limited to, fiscal accountability systems as well as multiple measures for evaluating the educational program. In accordance with law and the charter provisions, charters shall provide regular reports to the Board to assist the Board in its fulfilling oversight responsibility.

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CHARTER SCHOOLS

The district shall not require any student to attend a charter school and shall not require any district employee to work at a charter school.
(Education Code 47605)

Legal Reference:

EDUCATION CODE

33054 Waivers
41365 Charter school revolving loan fund
44237 Criminal record summary
44830.1 Certificated employees, conviction of a violent or serious felony
45122.1 Classified employees, conviction of a violent or serious felony
46201 Instructional minutes
47600-47616.5 Charter Schools Act of 1992, as amended
48000 Minimum age of admission (kindergarten)
48010 Minimum age of admission (first grade)
48011 Minimum age of admission from kindergarten or other school
51745-51749.3 Independent study
54032 Limited English or low-achieving pupils
56026 Special Education
56145-56146 Special education services in charter schools
60600-60652 Assessment of academic achievement, including:
60605 Academic content and performance standards; assessments
60640-60647 Standardized Testing and Reporting Program

GOVERNMENT CODE

3540-3549.3 Educational Employment Relations Act
54950-54962 The Ralph M. Brown Act
6258 Joint powers agreement, charter schools

PENAL CODE

667.5 Definition of violent felony
1192.7 Definition of serious felony

CODE OF REGULATIONS, TITLE 5

11700.1-11705 Independent Study
11960-11969 Charter schools

ATTORNEY GENERAL OPINIONS

80 Ops.Cal.Atty.Gen. 52 (1997)
78 Ops.Cal.Atty.Gen. 297 (1995)

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>
CDE: <http://www.cde.ca.gov>
Education Commission of the States: <http://www.ecs.org>
NSBA: <http://www.nsba.org>

POLICY ADOPTED: December 5, 2005

Philosophy-Goals-Objectives and Comprehensive Plans

CHARTER SCHOOLS

Petition Signatures and Other Supporting Information

A petition to the Board of education to approve a charter school shall include the following information:

- The name, address and phone number of each applicant, together with a statement that meets the requirements of Education Code Section 47605, signed by each applicant formally applying to the Board for approval of the charter school.
- A thorough description of the education, work experience, credentials, degrees and certifications of the individuals comprising, or proposed to comprise, the directors, administrators and managers of the proposed charter school.
- The By-laws, articles of incorporation and other management documents, as applicable, governing, or proposed to govern, the charter school. The information in this section should specify that the charter school will be subject to the Brown Act, the Public Records Act, as well as the Conflict of Interest provisions which also apply to members of the Board of Education. The Board of Education will give preference to proposals which specify that the charter school will be operated as, or be operated by, a nonprofit public benefit corporation.
- A list of consultants whom the charter school has engaged, or proposes to engage, for the purpose of developing, operating and evaluating the charter school, together with a thorough description of the qualifications of such consultants.
- Existing entities, whether for profit or non-profit, which act as charter school operators or developers shall be required to provide complete information concerning their organizational and operational structure as well as their finances. Entities which operate multiple schools shall be required to provide information on organization, finances and student achievement of existing schools.

To be considered by the Governing Board, a charter school petition must be signed by one of the following: (Education Code 47605)

A number of parents/guardians equivalent to at least one-half of the number of students that the charter school estimates will enroll in the charter school for its first year of operation

1. A number of teachers equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the school during its first year of operation
2. The proposed charter shall be attached to the petition at the time the petition is submitted for review by the signers.

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CHARTER SCHOOLS

If the charter petition calls for an existing public school to be converted to a charter school, the petition must be signed by at least 50 percent of the permanent status teachers currently employed at the school. (Education code 47605)

In circulating a petition, the petitioners shall include a prominent statement explaining that a signature means that the parent/guardian is meaningfully interested in having his/her child attend the charter school or, in the case of a teacher's signature, that the teacher is meaningfully interested in teaching at the charter school. The proposed charter shall be attached to the petition. (Education Code 47605)

Components of Charter Petition

In reviewing Charter Petitions, The Board shall be guided by the Criteria set forth in 5 CAL. Admin. Code § 119767.5. A charter petition shall include descriptions of the conditions described in Education code 47605(d) as well as descriptions of all of the following: (Education Code 47605, 47611.5)

1. The educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an "educated person" in the 21st century and how learning best occurs. The goals identified in that program shall include the objective of enabling students to become self-motivated, competent and lifelong learners. If the proposed school will serve high school students, the petition shall describe how the charter school will inform parents/guardians about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable, and courses approved by the University of California or the California State University as creditable under the "A-G" admissions criteria may be considered to meet college entrance requirements.
2. The measurable student outcomes identified for use by the charter school. "Student outcomes" means the extent to which all students of the school demonstrate that they have attained the skills, knowledge and attitudes specified as goals in the school's educational program.
3. The method by which student progress in meeting those student outcomes is to be measured. This description should include how the charter school shall meet all statewide standards and conduct the pupil assessments required pursuant to Education Code Section 60605 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in noncharter public schools.

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CHARTER SCHOOLS

4. A signed statement affirming that the school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any person on the basis of ethnicity, national origin, gender, sexual orientation or gender identity/expression or disability as set forth in Section 47605(d)(1) of the Code.
5. A summary of the administrative structure and organization of the school. The summary should specifically include school district liaison, special education and other basic elements of school operation. This section should also detail the proposed academic calendar including: Days of instruction, hours of operation, expectations for pupil attendance and annual instructional minutes for each grade level to be served.
6. The governance structure of the school, including but not limited to the process to be followed by the school to ensure parent/guardian involvement.
7. The qualifications to be met by individuals to be employed by the school.
8. The procedures that the school will follow to ensure the health and safety of students and staff. These procedures shall include the requirement that each school employee furnish the school with a criminal record summary as described in Education Code 44237. These procedures are to address any plans for TB screening, student supervision, safety training for staff, as well as requirements regarding immunization and scoliosis screening.
9. The means by which the school will achieve a racial and ethnic balance among its students that is reflective of the general population residing within the district's territorial jurisdiction.
10. Admission requirements if applicable.
11. The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the Board.
12. The procedures by which students can be suspended or expelled.
13. The manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System or federal social security.
14. The public school attendance alternatives for students residing within the district that chooses not to attend charter schools.

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15. A description of the rights of any district employee upon leaving district employment to work in a charter school, and of any rights of return to the district after employment at a charter school.
16. The procedures to be followed by the charter school and the Board to resolve disputes relating to charter provisions.
17. A declaration as to whether or not the charter school shall be deemed the exclusive public school employer of the school's employees for purposes of collective bargaining under Government Code 3540-3549.3.
18. The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the school, including plans for disposing of any net assets and for the maintenance and transfer of student records. The Board expresses a preference for procedures which include a provision whereby residual assets of the charter school will accrue to the benefit of the district.

Charter school petitioners shall provide information to the Board regarding the proposed operation and potential effects of the school, including but not limited to: (Education Code 47605)

1. The facilities to be used by the school, including where the school intends to locate including the address and a description of the charter school facility or facilities, located within the geographic boundaries of the district, together with such documentation sufficient to provide reasonable evidence that the charter school facility is safe, habitable, and well-suited for its educational purpose, and meets any applicable zoning, planning and/or safety requirements, and that the applicant has secured or has reasonable assurance of securing the facility for use by the charter school.
2. The manner in which administrative services of the school are to be provided.
3. Potential civil liability effects, if any, upon the school and district, including an attorney's opinion or a narrative from the charter school applicant providing a thorough description of the potential civil liability, if any, of the charter school and the district.
4. A description of the proposed charter school's building maintenance, replacement, and expansion policies, including related financial projections. Current financial statements for the charter school, including a detailed balance sheet and statements of income and expense shall be included in cases of renewal applications.

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5. Financial statements using standard accounting principles applicable to public school districts, that include a detailed, complete, and fully annotated operational budget with estimates of charter school revenues and expenditures, cash-flows, and reserve positions, for the first three years of operation, including startup costs and the precise salary and benefits paid and to be paid to the persons or positions.
6. The manner, format and content by which the charter school proposes to regularly report to the district concerning implementation of the approved charter, measurable student progress, as well as the current and projected financial viability of the school.

Location of Charter School

Any charter petition submitted to the board on or after July 1, 2002, unless otherwise exempted by law, shall identify a single charter school that will operate within the geographic boundaries of the district. A charter school may propose to operate at multiple sites within the district as long as each location is identified in the petition. (Education code 47605.1)

A charter school that is unable to locate within the district's jurisdictional boundaries may establish one site outside district boundaries but within the county, if: (Education Code 47605, 47605.1)

1. The Board is notified prior to approval of the petition.
2. The County Superintendent of Schools and Superintendent of Public Instruction are notified before the charter school begins operations.
3. The school has attempted to locate a single site or facility to house the entire program but such a facility or site is unavailable in the area in which the school chooses to locate, or the site is needed for temporary use during a construction or expansion project.

A charter school may establish a resource center, meeting space or other satellite facility located in an adjacent county if both of the following conditions are met: (Education code 47605.1)

1. The facility is used exclusively for the educational support of students who are enrolled in nonclassroom-based independent study of the charter school.
2. The charter school provides its primary educational services in, and a majority of the students it serves are residents of, the county in which the school is authorized.

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All charter schools shall be subject to these requirements by July 1, 2005, or upon the expiration of a charter that is in existence on June 30, 2009, whichever is later.

Until this date, any charter school that provided educational services before July 1, 2002, shall be subject to these requirements only for new educational services or school sites it establishes or acquires. (Education Code 47605.1)

Charter Approval/Denial

Upon receipt of a petition or preliminary application the district shall date stamp the cover page of the submitted materials. A complete charter school petition shall include all of the information referenced in the Charter Schools Act by which the Board of Education may evaluate the application. While a charter school petition may be submitted at any time during the year, petitioners are encouraged not to submit a petition during a period when a regular Board of Education meeting is not scheduled within the next 30 days. In addition, petitioners seeking approval to commence charter school operation at the start of the next school year are encouraged to initiate the process not later than the prior December 15th. In the case of petitions received after that date, the Board of Education reserves the right to consider approval on the basis of a one year delay in the commencement of charter school operation.

Within 30 days of receiving a petition to establish a charter school, the Board shall hold a public hearing to determine the level of support for the petition by teachers, other employees of the district and parents/guardians. (Education Code 47605) Notice of the hearing will be provided to each bargaining unit representing the employees of the district.

Within 60 days of receiving a petition, or within 90 days with the consent of the petitioners and the Board, the Board shall either grant or deny the request to establish a charter school. (Education Code 47605)

It shall be the responsibility of the petitioners to provide written notice of the Board's approval and a copy of the charter to the County Superintendent of Schools, the California Department of Education and the State Board of Education. (Education Code 47605)

Monitoring and Supervision

District oversight of, and supervisorial assistance provided to, the charter school shall be limited to that required by law. However, additional services may be provided by the district subject to mutual agreement.

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1. The relationship between the charter school and the district, as well as any services to be provided by the district, will be described in a Memorandum of Understanding or Operating Agreement. The provisions of this written agreement will be discussed concurrently with consideration of charter approval, provided that the charter presented for approval contains all of the elements required by law, Board Policy and District Regulations.
2. The Superintendent or designee shall inspect, not less often than annually, documents on file at the charter school which shall verify that all teachers at the school hold a certificate, permit or other document equivalent to that which teachers in other public schools would be required to hold, and that those teachers at the school instructing students in college preparatory subject areas such as mathematics, science, social science and language arts meet the same requirements imposed under state law on teachers in other public schools instructing such college preparatory subjects.
3. The Superintendent or designee shall examine, not less than annually, the audit report of the charter school, and shall, not less than annually, examine the general operation of the charter school. The Superintendent will promptly report to the Board any instance in which the charter school has committed any of the violations listed in the Education Code section 47607(b) below:

Revisions

Material revisions to a charter may be made only with Board approval and shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605. (Education Code 47607)

If, after receiving approval of its petition, a charter school proposes to establish operations at one or more additional sites within the district's boundaries, the charter school shall request a material revision to its charter and shall notify the Board of those additional locations. The Board shall consider approval of the additional locations at an open meeting. (Education code 47605)

Applications to renew or materially modify the charter shall include all the same information, be processed in the same way, be subject to approval or denial on the same basis, as proposals for new charter schools, except that any renewal approval shall be for a period of five years from the expiration date of the charter and a material modification when approved shall not affect the expiration date of the charter as originally approved.

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Renewals

A charter school seeking renewal of the charter shall submit a written request to the Board at least 120 days before the term of the charter is due to expire but no earlier than the final year of the charter.

At least 90 days before the term of the charter is due to expire, the Board shall conduct a public hearing to receive input on whether or not to extend the charter.

At least 60 days before the expiration date, the Board shall either grant or deny the request for renewal.

Renewals shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605. (Education Code 47607)

In addition, beginning on January 1, 2005, or after a charter school has been in operation for four years, whichever is later, a charter school shall meet at least one of the following criteria prior to receiving a charter renewal: (Education Code 47607)

1. The charter school attains its Academic Performance Index (API) growth target in the prior year or in two of the last three years, or in the aggregate for the prior three years.
2. The charter school ranks in deciles 4-10 on the API in the prior year or in two of the last three years.
3. The charter school ranks in deciles 4-10 on the API for a demographically comparable school in the prior year or in two of the last three years.
4. The Board determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school students would otherwise have been required to attend, as well as the academic performance of district schools, taking into account the composition of the student population that is served at the charter school.
 - a. The Board's determination shall be based on documented, clear and convincing data; student achievement data from the Standardized Testing and Reporting Program, and any other available assessments, for demographically similar student populations in comparison schools; and information submitted by the charter school. The board shall submit to the Superintendent of Public Instruction copies of supporting documentation and a written summary of the basis for its determination.

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- b. A charter renewal may not be granted to a charter school prior to 30 days after the school submits related materials.
5. The charter school qualifies for an alternative accountability system pursuant to Education Code 52052(h).

Each renewal shall be for a period of five years. (Education Code 47607)

Revocations

The Board may revoke a charter whenever it finds that the charter school has done any of the following: (Education Code 47607)

1. Committed a material violation of any of the conditions, standards or procedures set forth in the charter
2. Failed to meet or pursue any of the student outcomes identified in the charter
3. Failed to meet generally accepted accounting principles or engaged in fiscal mismanagement
4. Violated any provision of law

Prior to revocation, the Board shall notify the charter school of any violation and give the school a reasonable opportunity to correct the violation unless the Board determines, in writing, that the violation constitutes a severe and imminent threat to the health or safety of the students. (Education Code 47607)

Requirements for Charter Schools

In providing general oversight of a charter school, The Board shall determine whether the school meets the legal requirements applicable to charter schools. Each charter school shall:

1. Be nonsectarian in its programs, admission policies, employment practices and all other operations. (Education Code 47605)
2. Not charge tuition. (Education Code 47605)
3. Not discriminate against any student on the basis of ethnicity, national origin, gender or disability. (Education Code 47605)

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4. Adhere to all laws establishing minimum age for public school attendance. (Education Code 47610)
5. Serve students who are California residents and who, if over 19 years of age, are continuously enrolled in a public school and making satisfactory progress: toward a high school diploma as defined in 5 CCR 11965. (Education Code 47612)
6. Serve students with disabilities in the same manner as such students are served in other public schools. (Education Code 47646, 56145)
7. Admit all students who wish to attend the school, according to the following criteria and procedures:
 - a. Admission to the charter school shall not be determined according to the student's place of residence, or that of his/her parents/guardians within this state, except that any existing public school converting partially or entirely to a charter school shall adopt and maintain a policy giving admission preference to students who reside within the school's former attendance areas. (Education Code 47605) However, if a charter school will be physically located in a public elementary school attendance area in which 50 percent or more of the student enrollment is eligible for free or reduced price meals, it may also establish an admissions preference for students who are currently enrolled in the public elementary school and for students who reside in the public school attendance area. (Education Code 47605.3)
 - b. If the number of students who wish to attend the charter school exceeds the school's capacity, attendance shall be determined by a public random drawing, except that preferences shall be extended to students currently attending the charter school and students who reside in the district, except as provided for in education Code 47614.5. In the event of a drawing, the board shall make reasonable efforts to accommodate the growth of the charter school and shall not take any action to impede the charter school from expanding enrollment to meet student demand. (Education Code 47605)
 - c. Other admissions preferences permitted by the Board on an individual school basis as consistent with law.
8. Require its teachers to hold a commission on Teacher Credentialing certificate, permit or other document equivalent to that which a teacher in other public schools would be required to hold. (Education Code 47605)

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9. Require its teachers of core academic subjects to satisfy requirements for “highly qualified teachers” as defined by the State Board of Education. (20 USC 6319)
10. Not hire any person, in either a certificated or classified position, who has been convicted of a violent or serious felony except as otherwise provided by law. (Education Code 44830.1, 45122.1)
11. Meet the requirements of Education Code 47611 regarding the State Teachers’ Retirement System. (Education Code 47610)
12. Meet the requirements of Government Code 3540-3549.3 related to collective bargaining in public education employment. (Education Code 47611.5)
13. If applicable, meet federal requirements for qualifications of paraprofessionals working in programs supported by Title I funds. (20 USC 6319)
14. Meet all statewide standards and conduct the student assessments required by Education Code 60605 and any other statewide standards or student assessments applicable to noncharter public schools. (Education Code 47605, 47612.5)
15. Offer, at a minimum, the same number of instructional minutes set forth in Education Code 46201 for the appropriate grade levels. (Education Code 47612.5)
16. Meet the requirements of Education Code 51745-51749.3 if it provides independent study, except that it may be allowed to offer courses required for graduation solely through independent study as an exception to Education Code 51745(e). (Education Code 47612.5, 51747.3/ 5 CCR 11705)
17. Identify and report to the Superintendent of Public Instruction any portion of its average daily attendance that is generated through nonclassroom-based instruction, including but not limited to independent study, home study, work study, and distance and computer-based education. (Education Code 47612.5, 47634.2)
18. On a regular basis, consult with parents/guardians and teachers regarding the school’s educational programs. (Education Code 47605)
19. Maintain written contemporaneous records that document all student attendance and make these records available for audit and inspection. (Education Code 47612.5)
20. Promptly respond to all reasonable inquiries from the district, the county office of education or the Superintendent of Public Instruction, including but not limited to inquiries regarding its financial records. (Education Code 47604.

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21. Fully support the following district policies and resolutions which address the core value beliefs of the district and the provision of equitable educational opportunities for all students.

Finances

The charter school shall annually prepare and submit financial reports to the Board and the County Superintendent of Schools in accordance with the following reporting cycle:

For the current fiscal year:

1. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code 47605(g) will satisfy this requirement. (Education Code 47604.33)
2. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. (Education Code 47604.33)
3. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31. (Education Code 47604.33)

For the prior fiscal year:

4. By September 15, a final unaudited report for the full prior year. The report submitted to the Board shall include an annual statement of all the charter school's receipts and expenditures for the preceding fiscal year. (Education Code 42100, 47604.33)
5. By December 15, a copy of the charter school's annual, independent financial audit report for the preceding fiscal year, unless the charter school's audit is encompassed in the district's audit. The audit report shall also be submitted to the state Controller and the California Department of Education. (Education Code 47605)

Administrative and Other District Services

The district may charge for the actual costs of supervisory oversight of a charter school not to exceed one percent of the charter school's revenue. If the district is able to provide substantially rent-free facilities to the charter school, the district may charge actual costs up to three percent of the charter school's revenue for supervisory oversight. (Education Code 47613)

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The charter school may separately purchase administrative or other services from the district or any other source. (Education Code 47613)

At the request of a charter school, the Superintendent or designee shall create and submit any reports required by the State Teachers' Retirement System and the Public Employees' Retirement System on behalf of the charter school. The charter school may be charged for the actual costs of the reporting services, but shall not be required to purchase payroll processing services from the district as a condition for creating and submitting these reports. (Education Code 47611.3)

Waivers

If a charter school submits to the district an application for a waiver of any state Education Code provisions, the Board shall hold a public hearing on the waiver request no later than 90 days following receipt of the request. (Education Code 33054)

The Superintendent or designee shall subsequently prepare a summary of the public hearing to be forwarded with the waiver request to the State Board of Education. If the Board recommends against approval of the waiver request, it shall report the reasons for its disapproval in written documentation that shall be forwarded to the State Board of Education. (Education Code 33054)

Accountability

For each charter school under its authority, the Superintendent shall: (Education Code 47604.32, 47604.33)

1. Identify at least one staff member as a contact person for the charter school.
2. Visit the charter school at least annually.
3. Ensure that the charter school complies with all reports required of charter schools by law.
4. Monitor the fiscal condition of the charter school based on any financial information obtained from the charter school, including but not limited to the reports listed above in "Requirements for Charter Schools."
5. Provide timely notification to the California Department of Education if a renewal of the charter is granted or denied, the charter is revoked, or the charter school will cease operation for any reason.

The Board and the Superintendent or designee may inspect or observe any part of the charter school at any time. (Education Code 47607)

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The Board shall monitor each charter school to determine whether it makes “adequate yearly progress” as defined by the State Board of Education and federal Title I accountability requirements. If a charter school fails to make adequate yearly progress for two or more consecutive years, the Board shall take action for program improvement in accordance with law, Board policy and administrative regulations.

Miscellaneous

1. The Board of Education may appoint a representative to serve on the board of directors of the charter school’s public, non profit, public benefit corporation, and the corporation shall confer upon the board's appointee all rights and responsibilities exercised by any other director of the corporation. If the representative is a member of the Board of Education or a District employee, the position on the Charter School’s Board of Directors shall be non-voting.
2. A charter school shall promptly respond to all reasonable inquiries from the district.

Definitions

In-district students are those charter school students who are entitled to attend a district school. Students eligible to attend district schools based on an inter-district attendance agreement or parent employment shall be considered students of the district where they reside.)5 CCR 11969.2)

An eligible charter school operating in the district is one that is either currently providing public education to in-district students or has identified at least 80 in-district students who are meaningfully interested in enrolling in the charter school for the following year, regardless of whether the district is or is proposed to be the chartering entity and whether the charter school has a facility inside the district’s boundaries. (Education Code 47614; 5 CCR 11969.2)

Contiguous facilities are contained on the school site or immediately adjacent to the school site. If the charter school’s students cannot be accommodated on any single district school site, contiguous facilities also include facilities located at more than one site, provided that the district minimizes the number of sites assigned and considers student safety. (5 CCR 11969.2)

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Reasonably equivalent conditions shall be determined on the basis of: (5 CCR 11969.3)

1. A comparison group of district schools with similar grade levels, selected in accordance with 5 CCR 11969.3.
2. Capacity, including equivalency of the ratio of teaching stations to average daily attendance, allocation of specialized classroom space and access to non-teaching station space.
3. Condition of facilities, including:
 - a. School site size
 - b. Condition of interior and exterior surfaces
 - c. Condition of mechanical, plumbing, electrical and fire alarm systems
 - d. Conformity of mechanical, plumbing, electrical and fire alarm systems to applicable codes
 - e. Availability and condition of technology infrastructure.
 - f. Suitability of the facility as a learning environment, including but not limited to lighting, noise mitigation, and size for intended use.
 - g. The manner in which the facility is furnished and equipped.

Provision of Facilities by District

As of November 8, 2003, or on the first day of July following the passage of a local school bond measure, any charter school operating in the district shall be entitled to receive district facilities sufficient for the charter school to accommodate all of its in-district students in conditions reasonably equivalent to those in other district schools. Facilities provided to charter schools shall be contiguous and shall be furnished and equipped as necessary to conduct classroom-based instruction. Facilities, furnishings and equipment provided to a charter school by the district shall remain the property of the district. (Education Code 47614; 5 CCR 11969.2, 11969.4)

If a charter school was established through the conversion from an existing public school, the condition of the facility previously used by the district shall be considered to be reasonably equivalent for the first year the charter school uses the facility. (5 CCR 11969.3)

Procedures for requesting facilities shall include the following steps: (5 CCR 11969.9)

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1. The charter school shall submit a written facilities request to the Governing Board in accordance with the timelines specified in 5 CCR 11969.9.

In submitting a facilities request, the charter school shall use a form available through the California Department of Education. The charter school shall distribute, or otherwise make available for review, the written request to interested parties, including but not limited to parents/guardians and school staff.

2. The Board shall review the charter school's projections of in-district and total average daily attendance and in-district and total classroom average daily attendance, and shall provide the charter school a reasonable opportunity to respond to any concerns raised by the district.
3. The Board shall prepare a preliminary proposal regarding the space to be allocated to the charter school and the pro rata share amount, and shall provide the charter school a reasonable opportunity to review and comment on the proposal.
4. The Board shall provide a final notification of the space offered to the charter school by April 1 proceeding the fiscal year for which facilities are requested. The notification shall identify:
 - a. The teaching station and nonteaching station space offered for the exclusive use of the charter school and that to be shared with district-operated programs.
 - b. Arrangements for sharing any shared space.
 - c. The assumptions of in-district classroom average daily attendance upon which the allocation is based, and a written explanation of the reasons for any differences than those submitted by the charter school.
 - d. The pro rata share amount.
 - e. The payment schedule for the pro rata amount, which shall take into account the timing of revenues from the state and from local property taxes.
5. The charter school shall provide written notification to the Board, by May 1 or within 30 days after the district notification, whichever is later, whether or not it intends to occupy the offered space.

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The district and charter school shall negotiate an agreement regarding the use of and payment for the space. The agreement shall contain the information included in item #4 above. (5 CCR 11969.9)

The agreement also shall provide that the charter school shall maintain liability insurance naming the district as an additional insured in order to indemnify the district for damage and losses for which the charter school is liable, and that the charter school shall comply with Board policies regarding the operations and maintenance of school facilities, furnishings and equipment.

The space allocated to the charter school shall be furnished, equipped and available for occupancy at least seven days prior to the first day of instruction of the charter school. (5 CCR 11969.9)

The district may charge the charter school a pro rata share of its facilities costs that the district pays with unrestricted general fund revenues. (Education Code 47615; 5 CCR 11969.7)

Each year, any charter school desiring district facilities shall provide the district with a reasonable projection of its average daily classroom attendance by in-district students for the following year, and the district shall allocate facilities on the basis of this projection. If the charter school generates less average daily attendance than projected, the charter school shall reimburse the district for the over-allocated space at rates set by the State Board of Education. (Education Code 47614; 5 CCR 11969.8)

The ongoing operations and maintenance of facilities, furnishings and equipment shall be the responsibility of the charter school. The district shall be responsible for projects eligible to be included in the district's deferred maintenance plan and the replacement of district-provided furnishings and equipment in accordance with district schedules and practices. (5 CCR 11969.4)

Space allocated for use by the charter school shall not be sublet or used for purposes other than those that are consistent with Board policies and district practices without permission of the Superintendent or designee. (5 CCR 11969.5)

Funding for New Construction

Applications for facilities funding for new construction pursuant to Education Code 17078.50-17078.62 may be submitted by either: (Education Code 17078.53)

1. The district on behalf of a charter school that is physically located within the geographical boundaries of the district.
2. A charter school on its own behalf, if the charter school has provided written notification of its intent to both the Board and Superintendent at least 30 days prior to submitting the preliminary application.

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Any project applying for such funding shall: (Education Code 17078.54)

1. Meet all the requirements for public school construction, including Field Act, plan approvals, toxic substance review, site selection and site approval that apply to noncharter school projects.
2. Fund only new construction to be physically located within the geographical jurisdiction of the district.

If a charter school ceases to use any facilities funded through this program, the facility may be used for other purposes in accordance with the priorities established in Education Code 17078.62.

Zoning Ordinances

Upon a two-thirds vote, the Board may render a city or county ordinance inapplicable to a charter school facility only if the facility is physically located within the district's geographical jurisdiction. (Government Code 53097.3)

Legal Reference:

EDUCATION CODE

17070.10-17080 Leroy F. Greene School Facilities Act of 1998, including:
17078.50-17078.62 Charter schools facility funding; state bond proceeds
17280-17317 Field Act

47600-47616.5 Charter Schools Act of 1992, as amended

GOVERNMENT CODE

53094 Authority to render zoning ordinance inapplicable

53097.3 Charter school ordinances

CODE OF REGULATIONS, TITLE 5

11969.1-11969.9 Charter school facilities

ATTORNEY GENERAL OPINIONS

80 Ops.Ca; .Atty.Gen. (1997)

Management Resources:

WEB SITES

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

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

Office of Public School Construction: <http://www.opsc.dgs.ca.gov>

Coalition for Adequate School Housing: <http://www.cashnet.org>

REGULATION ADOPTED: December 5, 2005

Philosophy, Goals, Objectives and Comprehensive Plans

Comprehensive Safety Plan

The Governing Board recognizes that students and staff have the right to a safe and secure campus where they are free from physical and psychological harm. The Board is fully committed to maximizing school safety and to creating a positive learning environment that teaches strategies for violence prevention and emphasizes high expectations for student conduct, responsible behavior, and respect for others.

The school site council at each District school shall write and develop a comprehensive school safety plan relevant to the needs and resources of that particular school. (Education Code 32281) The school safety plan shall take into account the school's staffing, available resources and building design, as well as other factors unique to the site.

Each school shall review and update its safety plan by March 1 of each year. New school campuses shall develop a safety plan within one year of initiating operations. (Education Code 32286) (cf. 0510 - School Accountability Report Card)

Each school shall forward the safety plan to the Board for approval. (Education Code 32288) The Board shall review the comprehensive District-wide and/or school safety plan(s) in order to ensure compliance with state law, Board policy and administrative regulation.

The Board shall approve the plan at a regularly scheduled meeting and the adoption of the plan shall not be a consent item. At a minimum, the Board shall discuss both of the following: (Education Code 35294.22)

1. How the safety plan addresses the needs of each school and students within that school
2. How the school site council or safety planning committee, when writing the plan, considered the "three essential components" described in Education Code 35294.21, including assuring each student a safe physical environment; assuring each student a safe, respectful, accepting, and emotionally nurturing environment; and developing each student's resiliency skills

The Superintendent or designee shall ensure that an updated file of all safety-related plans and materials is readily available for inspection by the public. (Education Code 32282)

By October 15 of each year, the Superintendent or designee shall notify the California Department of Education of any schools that have not complied with the requirements of Education Code 32281. (Education Code 32288)

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Comprehensive Safety Plan

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of sex discrimination
32260-32262 Interagency School Safety Demonstration Act of 1985
32270 School safety cadre
32280-32289 School safety plans
32290 Safety devices
35147 School site councils and advisory committees
35183 School dress code; uniforms
35291 Rules
35291.5 School-adopted discipline rules
35294.10-35294.15 School Safety and Violence Prevention Act
35294.20-35294.25 Double Your Cash program
41510-41514 School Safety Consolidated Competitive Grant
48900-48927 Suspension and expulsion
48950 Speech and other communication
67381 Violent crime

PENAL CODE

11164-11174.3 Child Abuse and Neglect Reporting Act

CALIFORNIA CONSTITUTION

Article 1, Section 28(c) Right to Safe Schools

UNITED STATES CODE, TITLE 20

7101-7165 Safe and Drug Free Schools and Communities, especially:

7114 Application for local educational agencies

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

Management Resources:

CSBA PUBLICATIONS

911! A Manual for Schools and the Media During a Campus Crisis, 2001

Protecting Our Schools: Governing Board Strategies to Combat School Violence, 1999

CDE PUBLICATIONS

Safe Schools: A Planning Guide for Action, 2002

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Practical Information on Crisis Planning: A Guide for Schools and Communities, May 2003

Early Warning, Timely Response: A Guide to Safe Schools, August 1998

WEB SITES

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

American Red Cross: <http://www.redcross.org>

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/ls/ss>

California Office of Emergency Services: <http://www.oes.ca.gov>

California Seismic Safety Commission: <http://www.seismic.ca.gov>

Federal Bureau of Investigation: <http://www.fbi.gov>

National Alliance for Safe Schools: <http://www.safeschools.org>

National School Safety Center: <http://www.nssc1.org>

U.S. Department of Education, Safe Schools:

<http://www.ed.gov/about/offices/list/osep/osep/gtss.html>

POLICY ADOPTED: January 22, 2007

Philosophy, Goals, Objectives and Comprehensive Plans

Comprehensive Safety Plan

Development and Review of School Site Safety Plan

In writing and developing the comprehensive school safety plan, the school site council shall consult with local law enforcement as well as other school site councils and safety committees, when practical. (Education Code 32281, 32282)

In addition, the school site council may consult with other local agencies as appropriate, including health care and emergency service providers.

The school site council may delegate the responsibility for writing and developing a school safety plan to a school safety planning committee. This committee shall be composed of the following members: (Education Code 32281)

1. The principal or designee
2. One teacher who is a representative of the recognized certificated employee organization
3. One parent/guardian whose child attends the school
4. One classified employee who is a representative of the recognized classified employee organization
5. Other members, if desired

Before adopting its comprehensive school safety plan, the school site council or school safety planning committee shall hold a public meeting at the school in order to allow members of the public the opportunity to express an opinion about the school safety plan. (Education Code 32288)

The school site council or safety planning committee shall notify, in writing, the following persons and entities of the public meeting: (Education Code 32288)

1. The local mayor
2. A representative of the local school employee organization
3. A representative of each parent organization at the school site, including the parent teacher association and parent teacher clubs
4. A representative of each teacher organization at the school site

Philosophy, Goals, Objectives and Comprehensive Plans

Comprehensive Safety Plan

Development and Review of School Site Safety Plan (Continued)

5. A representative of the student body government
6. All persons who have indicated that they want to be notified

In addition, the school site council or safety planning committee may notify, in writing, the following entities of the public meeting: (Education Code 32288)

1. A representative of the local churches
2. Local civic leaders
3. Local business organizations

The school site council or safety planning committee may consider incorporating into the plan the following "three essential components" and/or the strategies recommended in Education Code 35294.21:

1. Assuring each student a safe physical environment
2. Assuring each student a safe, respectful, accepting, and emotionally nurturing environment
3. Developing each student's resiliency skills

Content of the Safety Plan

The District-wide and/or school site safety plan shall include an assessment of the current status of school crime committed on campus(es) and at school-related functions. (Education Code 32282)

The plan also shall identify appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety and shall include the development of all of the following: (Education Code 32282)

1. Child abuse reporting procedures consistent with Penal Code 11164
2. Routine and emergency disaster procedures including, but not limited to:

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Comprehensive Safety Plan

Content of the Safety Plan (Continued)

- a. Adaptations for students with disabilities in accordance with the Americans with Disabilities Act
- b. An earthquake emergency procedure system in accordance with Education Code 32282
- c. A procedure to allow a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare
3. Policies pursuant to Education Code 48915(c) and other school-designated serious acts which would lead to suspension, expulsion, or mandatory expulsion recommendations
4. Procedures to notify teachers of dangerous students pursuant to Education Code 49079
5. A discrimination and harassment policy consistent with the prohibition against discrimination pursuant to Education Code 200-262.4
6. If the school has adopted a dress code prohibiting students from wearing "gang-related apparel," the provisions of that dress code and the definition of "gang-related apparel"
7. Procedures for safe ingress and egress of students, parents/guardians, and employees to and from school
8. A safe and orderly school environment conducive to learning
9. The rules and procedures on school discipline adopted pursuant to Education Code 35291 and 35291.5
10. Hate crime reporting procedures pursuant to Penal Code 628-628.6

Among the strategies for providing a safe environment, the school safety plan may also include:

1. Development of a positive school climate that promotes respect for diversity, personal and social responsibility, effective interpersonal and communication skills, self-esteem, anger management, and conflict resolution

Philosophy, Goals, Objectives and Comprehensive Plans

Comprehensive Safety Plan

Content of the Safety Plan (Continued)

2. Disciplinary policies and procedures that contain prevention strategies, such as strategies to prevent bullying and hazing, as well as behavioral expectations and consequences for violations
3. Curriculum that emphasizes prevention and alternatives to violence, such as multicultural education, character/values education, media analysis skills, conflict resolution, and community service learning
4. Parent involvement strategies, including strategies to help ensure parent/guardian support and reinforcement of the school's rules and increase the number of adults on campus
5. Prevention and intervention strategies related to the sale or use of drugs and alcohol which shall reflect expectations for drug-free schools and support for recovering students
6. Collaborative relationships among the city, county, community agencies, local law enforcement, the judicial system and the schools that lead to the development of a set of common goals and community strategies for violence prevention instruction
7. Procedures for responding to the release of a pesticide or other toxic substance from properties located within one-quarter mile of the school
8. Procedures for receiving verification from law enforcement that a violent crime has occurred on school grounds and for promptly notifying parents/guardians and employees of that crime
9. Assessment of the school's physical environment, including a risk management analysis and development of ground security measures such as procedures for the closing of campuses to outsiders, securing the campus perimeter, protecting buildings against vandalism, and providing for a law enforcement presence on campus
10. Crisis prevention and intervention strategies, which may include the following:
 - a. Identification of possible crises that may occur, determination of necessary tasks that need to be addressed, and development of procedures relative to each crisis, including the involvement of law enforcement and other public safety agencies as appropriate
 - b. Assignment of staff members responsible for each identified task and procedure

Philosophy, Goals, Objectives and Comprehensive Plans

Comprehensive Safety Plan

Content of the Safety Plan (Continued)

- c. Development of an evacuation plan based on an assessment of buildings and grounds and opportunities for students and staff to practice the evacuation plan
 - d. Coordination of communication to schools, Governing Board members, parents/guardians, and the media
 - e. Development of a method for the reporting of violent incidents
 - f. Development of follow-up procedures that may be required after a crisis has occurred, such as counseling
11. Staff training in violence prevention and intervention techniques, including preparation to implement the elements of the safety plan

Philosophy, Goals, Objectives and Comprehensive Plans

Accountability

The Governing Board has a responsibility to continually re-examine District programs and practices to determine their effectiveness in serving all students. Review and evaluation procedures shall provide a mechanism for ensuring accountability to parents/guardians and the community.

To enable the Board to fulfill these responsibilities, the Superintendent or designee shall identify and/or develop appropriate measures to ensure accountability. These measures shall be integrated and consistent with the state's accountability system and may include, but not be limited to, measures to evaluate student achievement, parent/guardian involvement and other District goals.

The Superintendent or designee shall regularly report to the Board regarding progress toward the District's vision/direction and goals and the implementation of comprehensive plans.

Ongoing District processes, such as the Board's evaluation of the Superintendent, policy reviews, curriculum adoption, budget adoption and staff development program, shall also be used to support District progress towards achieving the vision/direction.

Opportunities for feedback from students, parents/guardians, staff and community members shall be made available as part of the District's review and evaluation process.

Evaluation results may be used as a basis for implementing programmatic changes, determining the need for additional support or assistance, awarding incentives or rewards, and establishing other performance-based consequences.

Evaluation results shall be reported to parents/guardians and the community.

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

Philosophy, Goals, Objectives and Comprehensive Plans

Accountability

Legal Reference:

EDUCATION CODE

33127-33129 Standards and criteria for fiscal accountability

33400-33407 CDE evaluation of District programs

44660-44665 Evaluation of certificated employees

51041 Evaluation of the educational program

52050-52058 Public Schools Accountability Act

CODE OF REGULATIONS, TITLE 5

15440-15463 Standards and criteria for fiscal accountability

Management Resources:

CSBA PUBLICATIONS

Making Changes That Improve Student Achievement: A School Board's Guide to Reform and Restructuring, 1997

Maximizing School Board Leadership, Vol. 1-8, 1996-97

WEB SITES

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

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

Philosophy, Goals, Objectives and Comprehensive Plans

School Accountability Report Card

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

Such report cards shall be designed to inform parents/guardians and the community about the conditions, needs and progress at each school and to help provide data by which parents/guardians can make meaningful comparisons between schools. The Board believes that the process of developing the report cards gives school staff opportunities to review achievements, identify areas for improvement, enlist local support, and establish a vision for the future.

The Superintendent or designee shall maintain a process for developing annual report cards for each school site with input from all segments of the school community. The Superintendent or designee shall develop strategies for communicating the information contained in the cards to all stakeholders, including opportunities for staff and the community to discuss their content.

Notification

The Board shall publicize the issuance of school accountability report cards and notify parents/guardians that a paper copy will be provided upon request. (Education Code 35256)

The Superintendent or designee shall ensure that the information contained in the school accountability report card is accessible on the Internet and that the information is updated annually. (Education Code 35258)

Legal Reference:

EDUCATION CODE

- 1240 County superintendent, general duties
- 17002 Definition, including good repair
- 17014 Plan for building maintenance
- 17032.5 Portable classroom maintenance
- 17070.15 School Facilities Act; definitions
- 17089 Portable classroom maintenance
- 33126 School Accountability Report Card
- 33126.1 School Accountability Report Card model template
- 33126.15 School Accountability Report Card template
- 33126.2 Secretary of Education school accountability report card study
- 35256 School Accountability Report Card
- 35256.1 Information required in the School Accountability Report Card
- 35258 Internet access to the School Accountability Report Card

Philosophy, Goals, Objectives and Comprehensive Plans

School Accountability Report Card

Legal Reference: (Continued)

41409 Calculation of statewide averages
41409.3 Salary information required in the School Accountability Report Card
46112 Minimum school day for grades 1, 2 and 3
46113 Minimum school day for grades 4 through 8
46117 Minimum kindergarten school day
46141 Minimum school day (high school)
51225.3 Requirements for graduation
52052 Academic performance index
52053 Immediate intervention/underperforming schools program
52056 Meeting growth targets
60119 Textbook sufficiency
60600-60618 General provisions
60640-60648 Standardized testing and reporting program
60800 Physical fitness testing
60850 High school exit examination
60851 High school exit examination
CALIFORNIA CONSTITUTION
Article 16, Section 8.5(e) Allocations to State School Fund
UNITED STATES CODE, TITLE 20
6311 State plans
Management Resources:
U.S. DEPARTMENT OF EDUCATION GUIDANCE
Report Cards, September 12, 2003
WEB SITES
CSBA, SARC Select: <http://www.csba.org/ds/SARC.htm>
California Department of Education, School Accountability Report Card:
<http://www.cde.ca.gov/ta/ac/sa>
U.S. Department of Education, No Child Left Behind Act: <http://www.nclb.gov>

POLICY ADOPTED: November 13, 2006