July 25, 2007

To: Board Members

From: Tom Bishop

Subject: Board Approval, Del Mar Union School District's Uniform Complaint Quarterly Report for April 1 – June 30, 2007

As the Board is aware, the governing boards of school districts in California are now required to review and approve the District's quarterly report of complaints regarding instructional materials, facilities and teacher staffing.

Attached for your approval is the second quarterly report of 2007 prepared for the period of April 1 through June 30, 2007. No complaints have been received for this period.

The San Diego County Office of Education has created a link on their website for school districts to electronically report the required information, and the Del Mar School District has completed the reporting process for the quarter specified here.

FISCAL IMPACT: None

RECOMMENDED: The Superintendent Recommends Approval of the Del Mar Union School District's Uniform Complaint Quarterly Report for April 1, 2007 – June 30, 2007

*7.1

SDCOE Williams Settlement

Quarterly Complaint Summary
ADD a new summary record

District Number : 68056

Quarter to Add: 2007 2nd Qtr Apr-Jun

Please fill in the following table. Enter 0 in any cell that does not apply.

	Number of Complaints for Quarter		
	Received	Resolved	Unresolved
Instructional Materials	0	0	0
Facilities	0	0	0
Teacher Vacancy and Misassignment	0	0	0

Submitted By: Sherry Forte

Title: Executive Assistant to the Superintendent

Add Record

Add Quarter Record

Williams Compliant Summary SDCOE Services

Back to Home Menu

The Complaint Summary Record has been added.

July 25, 2007

To: Board Members

From: Tom Bishop

Subject: Interim 2008/2009 Policy Regarding Additional Enrichment Funding

Last spring the Board of Trustees decided that it would allow sites to purchase enrichment staffing for the 07/08 school year that exceeded the district's regular 07/08 allocation of enrichment positions.

On June 27, 2007 the board directed staff to draft an interim policy only for the 2008/2009 school year that will enable various fundraising entities (DMSEF, PTAs, etc) to make successful fundraising plans for the 07/08 school year.

Staff recommends: 1) that sites be allowed to purchase up to two additional enrichment positions (beyond the district's regular 08/09 enrichment allocation); 2) that the dollar amount for each additional 08/09 certificated position be temporarily established at $68,000 until the 07/08 collective bargaining process is completed, when the board will adjust the $68,000 amount upward to reflect any improved 08/09 compensation or 08/09 health benefit expense; and, 3) that the deadline for fundraiser groups to pay the district's Business Department for additional 08/09 enrichment positions be established as May 15, 2008.

The district's 07/08 Goals & Objectives includes an objective that will enable the Board to study the short and long benefits and drawbacks of allowing sites to purchase staffing that exceeds the district's regular enrichment staffing.

FISCAL IMPACT: N/A

RECOMMENDED: Superintendent recommends that the Board approve the Interim 2008/2009 policy regarding additional enrichment staffing.

July 25, 2007

To: Board Members

From: Tom Bishop

Subject: 2007/2008 DMUSD Goals and Objectives

Last month the board discussed the district's draft 2007/2008 Goals and Objectives. Staff has revised the 2007/2008 objectives to reflect board input and direction, and added three new objectives that reflected board input.

Dates have been added to most objectives so that the board can see when specific objectives will receive staff attention.

Note: Staff reviewed the 07/08 objectives to determine if any objectives were "medium" or "low" priority. Currently, the only objective that seems to be a medium priority is objective #22.

Several of the 2007/2008 objectives may be delayed or postponed during 2007/2008 school year because board priorities can change depending on circumstances. The October DMUSD strategic planning meeting may result in significant new goals or directions from the Board of Trustees.

RECOMMENDED: Superintendent recommends that the Board of Trustees approve the 2007/2008 Goals and Objectives:

2007/2008 GOALS AND OBJECTIVES
DEL MAR UNION SCHOOL DISTRICT

GOAL: IMPROVE DISTRICT FACILITIES

Objective	Priority	Timeline
1. Complete the construction of Ocean Air School.	***High***	
1.1 Work with the Construction Manager to create "punch list" of items that need to contractor attention after the construction is complete.		August/Sept.
1.2 Assign DMUSD staff to complete all required paperwork (DSA, etc) and begin project close-out.		September
1.3 Schedule Dedication ceremony.		September
1.4 Conduct a post-occupancy survey of Ocean Air staff to identify staff satisfaction with the Ocean Air facility.		January '08
1.5 Secure reimbursement from City of San Diego for access to City of San Diego water supply.		September
2. Complete the move-in and occupancy planning process at Ocean Air School so that students and staff experience success on a daily basis throughout the 2007/2008 school year.	***High***	
2.1 Order the classroom and office furniture for Ocean Air School.		July
2.2 Create a plan to move existing furniture, supplies, and equipment from Torrey Hills (and other District locations) to Ocean Air School.		July
2.3 Design August 2007 custodial schedule so that Ocean Air furniture, supplies, and equipment is delivered in a timely manner.		July
3. Identify the permanent location for a merged DMUSD pre-school program that includes the Employee Child Care program (currently housed at 215 9th Street, Del Mar) and the state mandated Special Education Pre-School (currently housed at Sycamore Ridge School).	***High***	

Objective	Priority	Timeline
3.1 Identify funding source that can be used for facility improvements that may be necessary for the merged Pre-School programs.		November
3.2 Establish DMUSD pre-school construction timeline that complies with local, state, and federal licensing requirements.		December (?)
4. Develop strategy to maximize revenue from the District's real estate assets and comply with state/federal requirements.	***High***	July '07-June '08
4.1 Conduct real estate conversations with public benefit corporations that have expressed an interest in purchasing the Shores property.		July
4.2 If real estate conversations with public benefit corporation are not successful, schedule a real estate auction date to dispose of Shores property, and establish minimum auction price.		No date set
4.2.1 Auction Shores property to highest qualified bidder that meets minimum price, as per legal statutes.		No date set
4.3 Study asset exchange proposals to determine if an asset exchange may provide a long-term benefit to DMUSD students.		No date set
4.3.1 Possibly complete an asset exchange, in compliance with state law.		No date set
5. Identify possible future permanent or interim locations for the District administration center.	***High***	September (?)
5.1 Board identifies founding source for construction or modernization of District Administration center.		
5.1.1 Board contracts with architect/engineer to study square footage necessary for District Administration Center that effectively meets the needs of staff and students in Business Services, Personnel, Special Education, Superintendent/Board, Technology, Child Care, Maintenance, Custodial, and Food Service.		October (?)

Objective	Priority	Timeline
5.1.2 Board appoints 15-member "District Administration Center Advisory Committee" to study potential locations for the District Administration Center and make an advisory recommendation to the Board of Trustees.		November (?)
6. ***Apply for Deferred Maintenance funds from the State Allocation Board*** *(routine but important).*	***High***	May, '08
7. ***Inspect all DMUSD facilities for regular and deferred maintenance needs*** *(routine but important)*	***High***	June, '08
GOAL: INFUSE TECHNOLOGY THROUGHOUT THE DISTRICT		
8. ***Provide Ocean Air School with the same data and phone connectivity as other schools; integrate the Ocean Air School servers with all DMUSD technology programs.***	***High***	July/August
9. ***In order to continue with E-Rate discounts, update the 2002/2003 DMUSD Technology Plan and submit it to DMUSD Board for approval.***	***High***	January
10. ***Complete software program and database that will be used to complete the 2008/2009 student enrollment process in a timely and efficient manner.***	***High***	October
11. ***Develop a five-year budget and schedule that provides for regular replacement of DMUSD servers and technology equipment, including computers in technology labs, classrooms, and offices.***	***Medium***	January '08
12. ***Implement the "Infinite Campus" software programs that were piloted by the SDCOE and six SD County school districts (including DMUSD) during 2006/2007.***	***High***	September
13. ***Continue with DMUSD technology practices (repair, replacement, training, badges, telephones, web site maintenance) that promote communication and student achievement.***	***High***	July '07-June '08

GOAL: IMPROVE DISTRICT EDUCATIONAL PROGRAM FOR STUDENTS AND PROVIDE STAFF DEVELOPMENT

Objective	Priority	Timeline
14. Develop a timeline and strategy that will result in a Board adoption of a new long range Strategic Plan that will further enhance the educational programs for students over the next five years.	***High***	May '08
14.1 Share the June 2007 Harris Interactive Survey results with all DMUSD stakeholders.		
15. Support and deepen the Professional Learning Community philosophy and practices in order to maximize student learning and achievement of the state academic standards.	***High***	Aug. '07-June '08
15.1 Begin a District K-6 vertical team process for identifying the essential standards in the core subject areas of English/Language Arts, History/Social Science, Mathematics and Science.		October
15.2 Develop PLC orientation plan for all new certificated staff members.		August
15.3 Develop PLC information for parents that will be posted on the DMUSD web site.		October
15.4 Working with DMCTA, develop an alternative evaluation process for tenured teachers that promotes PLC practices and strategy.		By June '08
15.5 Restructure Board site visitations to include a PLC component and dialogue with staff.		Oct.
15.6 Use the January 2008 District staff development days to strengthen knowledge of PLC formative assessments and intervention strategies.		Oct. '07 -Jan. '08
15.7 On a voluntary basis, pair grade level teams from different sites to work collaborating on selected PLC Wednesdays.		Oct. '07 –May '08
15.8 Implement research-based learning strategies that will support PLC.		October
15.9 Study effectiveness of ALP and consider funding ALP in 07/08.		By June '08

Objective	Priority	Timeline
16. Implement a world language immersion program at one or two sites that will commence in August 2008.	***High***	
16.1 Establish a planning timeline for the Board of Trustees regarding the establishment of a 2008/2009 world language immersion program by January 15, 2008.		By January '08
16.2 Recruit and hire certificated teachers who are fluent in the world language selected by the Board of Trustees.		By January '08
17. Study possible allocations for the remaining 06/07 state block grant funds, with particular emphasis on Physical Education.	***High***	
18. Improve the DMUSD English Language Development program to strengthen compliance with state mandates and guidelines.	***High***	By June '08
18.1 Budget funds to adopt new English language Development materials.		
18.2 Provide ELD training to certificated teachers.		
18.3 Research different staffing methods to provide ELD leadership districtwide.		
19. Seek data from SDUHSD regarding historical performance of DMUSD students in grade 7.	*New*	By January '08
OTHER GOALS: INCLUDING BUSINESS SERVICES, SAFETY, AND PERSONNEL		
20. Review and update the current DMUSD Emergency Preparedness program at all eight sites	***High***	Sept./Oct.
20.1 Consult with SDCOE emergency preparedness experts and have the SDCOE experts review current DMUSD disaster preparedness programs		Sept./Oct.
20.2 Using expertise from SDCOE emergency preparedness experts, complete the revision of the DMUSD emergency preparedness manual.		Sept./Oct.
20.2.1 Distribute revised DMUSD emergency preparedness manuals in late August 2007.		Sept./Oct.

Objective	Priority	Timeline
20.3 Conduct emergency preparedness drills at all seven sites with representatives from San Diego Police and Fire Departments providing input to sites and the District.		By June '08
21. Implement the Board Human Relations Committee, chaired by Board member Katherine White.	***High***	October
21.1 Form the Board Human Relations Committee.		September
21.2 Convene the first meeting of the Board Human Relations Committee.		October
22. Establish a timeline and process to determine if the Board will continue the practice of allowing sites to purchase additional enrichment staffing for the 2009/2010 school year.	***High***	October
22.1 Seek input from the DMSEF and PTA leadership regarding DMSEF and PTA fundraising timelines and impact for the 2009/2010 school year.		November
22.2 Schedule a special board meeting with DMUSD principals so the Board can get direct input from principals regarding impact of fundraising on site instructional programs.		November
23. Schedule a Board item during the summer of 2007 to provide the Board with GASB 45 information and requirements.	***High***	July
23.1 Build the Board's knowledge of its GASB 45 options during 2007/2008 so that the Board complies with GASB 45 requirements during the 08/09 fiscal year		By June '08
24. Implement the Board Budget Committee, chaired by Board Member Steven McDowell.	***High***	October
24.1 Form the Board Budget Committee.		September
24.2 Convene the first meeting of the Board Budget Committee.		October

Objective	Priority	Timeline
25. *Implement position control improvements designed during 06/07 that provide for effective internal communication between the Business Services Department and Personnel Department.*	*High*	September
26. *Study the cost and benefit of providing parents with "on line" payment options for Food Service purchases.*	*Medium*	October
27. *Work with DMCTA to develop an alternative evaluation process for tenured teachers that promotes PLC practices and strategy.*	*High*	By June 2008
28. *Develop and implement a multiple year Intradistrict transfer policy.*	*High*	By March 2008
29. *Establish 2007/2008 timeline for DMUSD Legislative Action Network meetings*	*High*	September
30. *Provide leadership to Schools for Sound Finance (SF2) (Basic Aid Coalition) so that the local property taxes remain in the community that pays local property taxes.*	*High*	July '07 – July '08 (Continuous)

July 25, 2007

To: Board Members

From: Tom Bishop

Subject: Review and Possible Modification of Pilot Paperless Board Packet

About fifteen months ago, the DMUSD Board of Trustees implemented the paperless board packet process. It is appropriate for the board to discuss the benefits and drawbacks of the paperless board packet process, and provide direction to staff regarding the continuation or modification of the paperless board packet process. Does the board want to continue with the paperless board packet process? Does the board want to make any changes in its paperless board packet process?

Benefits of the paperless board packet:

- ✓ Community has improved access to the board packet/agenda
- ✓ District has saved several thousands of dollars in photocopy paper
- ✓ Savings of district staff labor – less time spent running photocopies and less time assembling 30+ board packets.

RECOMMENDED: Informational Item Only.

July 25, 2007

To: Board Members

Through: Tom Bishop

Subject: Board of Trustees 07/08 Site Visitation Schedule, First Reading

Staff has created a draft site visitation schedule for the Board of Trustees during the 07/08 school year. During 2006/2007, the Board visited campuses in the afternoon, which provided the Board with an opportunity to visit the afternoon schedule, including enrichment.

Staff will work with principals to schedule a morning visitation for the Board (8:30 a.m. to 10:30 a.m.) or an afternoon visitation (12:30 p.m. to 2:45 p.m.) for the Board.

Staff will also work with principals and teachers to provide opportunities for the Board to engage teachers and principals in PLC conversations during the visitations.

His item will be an action item on August 29.

School	Visitation Date
Carmel Del Mar	October 8. 2007
Sage Canyon	November 5, 2007
Ocean Air	December 10, 2007
Del Mar Hills	January 14, 2008
Ashley Falls	February 24, 2008
Torrey Hills	March 3, 2008
Del Mar Heights	April 14, 2008
Sycamore Ridge	May 5, 2008

July 25, 2007

To: Board Members

From: Tom Bishop

Subject: Review, Board Bylaw 3350, Travel Expenses

Several months ago board member, Steven McDowell, asked to have BP 3350, Travel Expenses, placed on the board meeting agenda.

In talking with Member McDowell about BP 3350, he is concerned with out-of-state travel and the overall visibility of travel and conference expense. Member McDowell may have other issues with BP 3350, and he can articulate his concerns at tonight's meeting.

Background: The board approved the current BP 3350 about eighteen months ago, and considerable parts of BP 3350 were drawn from the CSU travel and conference regulations.

Currently there is no prohibition on out-of-state travel expenses but relatively few staff and students travel out-of-state. One reason for relatively low amounts of out-of-state travel by DMUSD staff is that California hosts many national education conferences.

Currently the warrant approval page of the board packet identifies travel and conference expenditures. It is possible that the warrants page of the board packet might be revised to improve the visibility of travel and conference expenditures.

Perhaps the board may wish to appoint Member McDowell and one other board member to study BP 3350 and recommend any possible changes to BP 3350.

FISCAL IMPACT: N/A

RECOMMENDED: For information only.

DEL MAR UNION SCHOOL DISTRICT
BUSINESS AND NON-INSTRUCTIONAL OPERATIONS

BOARD POLICY 3350: TRAVEL EXPENSES

The district shall provide for the payment of the actual and necessary expenses, including travel expenses, of any employee of the district incurred in the course of performing required services for the district, whether within or outside the district. Mileage reimbursement for utilization of employee's own vehicle for traveling on district business shall be at the rate per mile authorized by the Internal Revenue Service as non-taxable reimbursement (in 2005 it is 48 ½ cents per mile). No employee shall receive mileage reimbursement for home to school or school to home travel. Employees shall submit a Mileage Expense Claim (EXHIBIT 1) with each trip detail included.

The Superintendent may authorize an advance of funds for the payment of an employee's actual and necessary expenses as long as the employee files a proper and timely written claim.

The Superintendent may authorize the payment of an employee's actual and necessary expenses as long as the employee files a proper and timely written claim and there are sufficient funds budgeted for such purposes. Prior approval by the Governing Board is required, however, when the cost of any individual travel is in excess of $1,000.00.

IN STATE TRAVEL

In computing the allowance for travel, the following maximum reimbursement may be allowed:

Meals

For travel that is less than 24 hours in duration, a meal allowance may be claimed as follows:

- $9 Breakfast – if travel begins before 7 a.m.
- $20 Dinner – if travel extends past 6 p.m.

Expenses must be incurred more than 25 miles from the employee's normal work location. Employees who travel for less than 24 hours may not claim any lunch allowance except as allowed in the section describing Business Related Meals.

Up to $41 for meals may be reimbursed for each complete 24-hour period. For travel that occurs in the last fractional part of a period of travel of more than 24 hours, meal costs may be claimed, if itemized as follows:

- $9 Breakfast – if travel begins before 7 a.m. and extends past 9 a.m.
- $12 Lunch – if travel extends past 2 p.m.
- $20 Dinner – if travel extends past 6 p.m.
- $41 Total – per 24-hour period

If meals are included in registration fees, subsistence expenses should not be claimed for those meals (e.g., if one lunch is included, reduce the daily subsistence amount by $12). A copy of the conference agenda and registration form should be submitted with the travel expense claim showing conference provided meals.

To receive a full subsistence allowance reimbursement, an employee must be on travel status for a full 24-hour period. Figure a 24-hour period from the time of departure on day #1 to the same time on day #2, and to the same time on each succeeding day. (Note: Time of departure on travel claims may be expressed as one hour earlier than airplane departure time.)

Lodging

If travel extends overnight, actual lodging costs (supported by a receipt) will also be reimbursed. Whenever feasible, employees should obtain lodging at establishments offering discounted rates for State and Local Government employees when such rates are favorable for the area.

When traveling on District business, employees may be entitled to a government room rate, if available. Be sure to request this reduced rate when making reservations.

When the lodging receipt indicates there were two people in the room, a notation should be made on the Travel Expense Claim (EXHIBIT 2) indicating;

1. the room was shared with another District employee and the name of the employee (In this case the full rate will be allowed)
2. the room rate has been reduced to the single rate (because the person who shared the room was not a District employee; or
3. the single rate and double rate are the same price regardless of how many people were in the room. The employee shall check with the hotel and see if they offer two different rates.

Incidentals

An additional $5 for incidentals may be claimed for each 24-hour period. It is recommended, but not mandatory, that the incidental expenses be itemized in accordance with IRS rulings. The term "incidentals" includes, but is not limited to, laundry expenses and tips for services such as waiters and baggage handlers. Employees who travel for less than 24 hours may not claim incidentals.

To report subsistence on the Travel Expense Claim, record each item in the appropriate column and attach original lodging, meals and incidentals receipts to the form.

OUT-OF-STATE TRAVEL

The maximum reimbursement for meals for each complete 24-hour period is limited to $41 for out-of-state travel. Reimbursement of meals for partial days are computed as explained in the section describing In-State Travel. Actual amounts should be reported, with all items of expense and substantiated by an original itemized receipt.

Up to $5 may be claimed for incidentals for every 24-hour period spent on travel status.

Employees will be authorized actual lodging expense if supported by a hotel receipts. When the lodging receipt indicates there were two people in the room a notation should be made on the Travel Expense Claim indicating;

1. the room was shared with another District employee and the name of the employee (In this case the full rate will be allowed)
2. the room rate has been reduced to the single rate (because the person who shared the room was not a District employee; or
3. the single rate and double rate are the same price regardless of how many people were in the room. The employee shall check with the hotel and see if they offer two different rates.

BUSINESS-RELATED MEALS

When it is necessary for employees to conduct official District business during a meal, they may be reimbursed for actual meal expenses substantiated by an original itemized receipt up to the maximums for breakfast, lunch and dinner.

In order to claim reimbursement for a business-related meal, the circumstances surrounding the meal must be beyond the control of the employee and it must be impractical to complete the business during normal working hours. Employees may not claim reimbursement for a business-related meal if they are also claiming subsistence reimbursement.

Claims for meal expense where business is incidental to the meal or when attendance is primarily for public or community relations are specifically prohibited.

The intent of this section is to allow reimbursement of employees for meal expenses in the limited number of instances where they are required to incur such expenses in connection with the conduct of official District business.

Legal Reference:

EDUCATION CODE

44016 Travel expense
44032 Travel expense payment
44033 Automobile allowance
44802 Student teacher's travel expense

DEL MAR UNION SCHOOL DISTRICT

MILEAGE EXPENSE CLAIM

Exhibit 1

Make of Auto: _____

Year of Auto: _____

License No.: _____

Date	Departed from:	Stops	Returned to:	Total Miles

Total Miles: _____

Rate per Mile: _____

TOTAL CLAIM: _____

I hereby certify that the foregoing is an accurate statement of mileage on authroized school business and that liability insurance was in force protecting the school district and members of the Governing Board.

Claimant's Printed Name: _____

Claimant's Signature: _____ **Date:** _____

Supervisor's Approval:

Signature: _____ **Title:** _____ **Date:** _____

Account Number:

Fund	Resource-Sub	Goal	Function	Object-Sub	School

DEL MAR UNION SCHOOL DISTRICT

TRAVEL EXPENSE CLAIM

Claimant:_____ Site Location:_____

The following expenses were incurred when attending the following meeting:

Name of Meeting or Conference:_____

Location of Meeting:_____

From Date and Time:_____ To Date and Time:_____

Date							
Day of Week							
Registration							
Lodging							
Transportation							
Other Itemize							
Cab or Shuttle							
Telephone							
Misc. (specify)							
Breakfast							
Lunch							
Dinner							
Daily Totals							
Total travel Expense							
Travel funds advanced							
Net amount of claim							

Notes:_____

_____

_____

Claimant's Signature:_____ Date:_____

Supervisor's Signature:_____ Date:_____

July 25, 2007

To: Board Members

From: Tom Bishop

Subject: Progress Report on Board Bylaws: AR 9010, Blogs; BB 9124, Attorney; BB 9140, Board Representatives; BB 9320, Meetings and Notices; BB 9323, Meeting Conduct; BB 9326, Board Self-Evaluation.

Vacation schedules since the June 27 Board meeting have impacted efforts to finish work on the 9000 Series Board Bylaws that were carried over from the June 27 board meeting. Hopefully work will be completed on the 9000 series Board Bylaws by the August 29 board meeting.

Various board members have volunteered to work with staff regarding the 9000 series Board Bylaws. Board Members Crawford and White are working with the superintendent on BB 9010. The superintendent will be contacting Board Members Crawford and White in the next few days to arrange a meeting time.

Board President Easton has volunteered to work with Supt. Bishop and Executive Assistant Sherry Forte on BB 9323.

Supt. Bishop is surveying other school districts regarding BB 9124.

Board Members Crawford and McDowell have volunteered to work with Supt. Bishop on BB 9326, Board Self-Evaluation.

The superintendent is asking two board members to work with the superintendent to revise BB 9140, Board Representatives.

FISCAL IMPACT: N/A

RECOMMENDED: For information only,

July 25, 2007

To: Board Members

From: Tom Bishop

Subject: Review of BP/AR1325, Advertising & Promotion

Several months ago the board decided that it wanted to review BP/AR 1325, Advertising and Promotion. Attached is a copy of the current BP/AR 1325 for the board's information.

I believe Board President Easton has volunteered to meet with Tom Bishop and Sherry Forte to discuss current AP/AR 1325. It is advisable to have an additional board member be a part of the team (Annette Easton, Tom Bishop, Sherry Forte and ___?___) to review BP/AR 1325.

Note: BP/AR 1325 was given a major review in 2005 at the request of site principals who felt that the weekly Wednesday folders contained too many advertisements that had little or nothing to do with the mission of the district. The current BP/AR 1325 restricts the distribution of many advertisements/materials that promote a particular product or service.

The superintendent is asking the board to designate an additional member of the board to help the board study current BP/AR 1325.

FISCAL IMPACT: N/A

RECOMMENDED: For information only.

7.8

DEL MAR UNION SCHOOL DISTRICT
COMMUNITY RELATIONS

BOARD POLICY 1325: ADVERTISING AND PROMOTION

The primary function of the school and school personnel is to educate children. However, in order to promote positive relationships between the schools and community organizations, the Governing Board of the Del Mar Union School District desires to cooperate with community organizations, who provide strong support for our schools, by agreeing to publicize services, special events and public meetings of interest to students and parents/guardians that meet specific district guidelines.

The Superintendent or designee shall develop regulations that delineate guidelines for materials sent home to students and for those materials approved for counter distribution.

All distribution of materials will ultimately be at the discretion of the Superintendent or designee according to adopted guidelines. The Superintendent or designee may approve the distribution of materials prepared by organizations which are school-sponsored, further the district's intended purpose, directly benefit the students, support the basic educational mission of the district or be of intrinsic value to the students. Materials shall not promote any particular religious or political interest.

Legal Reference:

EDUCATION CODE
7050-7058 Political activities of school officers and employees
35160 Authority of governing boards
35160.1 Broad authority of school districts
35172 Promotional activities
38130-38138 Civic Center Act
48907 Student exercise of free expression
BUSINESS AND PROFESSIONS CODE
25664 Advertisements encouraging minors to drink
U.S. CONSTITUTION
Amendment 1, Freedom of speech and expression
COURT CASES
DiLoreto v. Downey Unified School District, (1999) 196 F.3d 958
Yeo v. Town of Lexington, (1997) U.S. First Circuit Court of Appeals, No. 96-1623
Hemry v. School Board of Colorado Springs, (D.Col. 1991) 760 F.Supp. 856
Bright v. Los Angeles Unified School District, (1976) 134 Cal. Rptr. 639, 556 P.2d 1090, 18 Cal. 3d 350
Lehman v. Shaker Heights, (1974) 418 U.S. 298

DEL MAR UNION SCHOOL DISTRICT
COMMUNITY RELATIONS

ADMINISTRATIVE REGULATION TO BOARD POLICY 1325:
ADVERTISING AND PROMOTION

Distribution of Materials to Students/School Personnel

Materials may be distributed or posted in district schools only when prior approval has been granted by the Superintendent or his designee.

Criteria for Distribution of School-Sponsored Flyer

School-sponsored information (PTA, Site Council, etc.): The principal is directly responsible for the content and distribution of individual school-sponsored flyers.

District-sponsored information (Parental Rights, Immunization Requirements, DMSEF, Personnel Bulletins, etc.): The originator is directly responsible for the content and distribution of district-sponsored flyers. The principal is responsible for any clarification necessary.

Criteria for Distribution of Community (Non-School Sponsored) Flyers

Before distribution, the Superintendent or his/her designee shall review all flyers to assure that it complies with the provisions of Board Policy and administrative regulations.

Materials must meet the following criteria in order to be distributed to students:

1. Agency distributing must be non-profit, and be an established entity operating as a business (not an in-home cottage operation).

2. If a fee is involved, scholarships must be provided, and it must be noted on the flyer.

3. A majority of the activities specified must be age-appropriate for K-6 students.

4. The activity must fall within the boundaries of the Del Mar Union School District. In the case of sports teams, at least half of the games must be played within the boundaries of the Del Mar School District.

5. No more than one flyer per month, per organization will be distributed.

6. Non-profit organizations operating outside the Del Mar School District may be authorized if all other criteria are met and they are participating in the DMUSD PTA-sponsored Summer Camp and Activities Fair.

Procedures for Distribution of Materials to Students

If the above guidelines have been met and the flyer has been approved by the Superintendent or his/her designee, the following procedure must be followed when distributing flyers:

1. A copy of the flyer must be brought to the Superintendent or designee for review.

2. An approval form from the Superintendent or designee will be issued to the organization requesting distribution. The authorization must be presented at each school site before the site will distribute the flyer to students.

3. A file copy of the authorization will remain in the district office.

4. All flyers or announcements will be bundled as specified by the Superintendent or designee and delivered to the school sites by 3:00 p.m. on the preceding Friday in order to be included in the weekly envelope the following week.

5. Flyers will not be distributed during the first week of school or during any week which may result in a conflict with the distribution of district materials.

DEL MAR UNION SCHOOL DISTRICT
ADVERTISING AND PROMOTION
Exhibit 1

Helpful Reminders

The district has supported the practice of permitting qualified organizations to distribute flyers through students. On a regular basis, it is not unusual for our district office to receive as many as 10-20 requests per week to distribute flyers. In order to assist the school personnel who perform this service, the district office has implemented guidelines to ensure that flyers are distributed in an orderly and timely manner.

We realize that timelines are often rushed and deadlines are challenging. However, please be reminded of the following requirements:

- An approval sheet must be obtained before dropping off flyers. When you receive your approval sheet from the district office, please make enough copies so that every school will receive a copy of the approval notification for their files.

- Flyers should be delivered to the school sites no later than 3:00 p.m. on the Friday before the week of distribution (usually Wednesdays).

- In order to allow enough time for the flyers to meet the Friday deadline, please give the district office adequate time to issue approval sheets.

- Please provide accurate fax numbers in which to issue approvals (correct area codes, operational fax machines, etc.). Incorrect fax or non-operational fax numbers can cause delays.

Your cooperation is appreciated and will assist us in serving your organization.

Del Mar Union School District
Office of the Superintendent

July 25, 2007

To: Board Members

From: Tom Bishop

Subject: Possible 2007/2008 DMUSD Calendar Change – SDUHSD

On May 3, 2007, the Board of Trustees of the SDUHSD revised the 2007/2008 SDUHSD calendar, including shifting the January 31 & February 1 staff inservice days to January 28 & January 29.

Currently, the 07/08 DMUSD calendar has staff inservice days on January 31 & February 1, which are now regular instructional days for SDUHSD students. Does the Board want to change the 07/08 DMUSD calendar so that the two staff inservice days occur on January 28 & 29?

If the DMUSD Board changes the two staff development days from January 31 & February 1 to January 28 & 29, it is likely that families in both the DMUSD and SHUHSD will use January 28 & 29 for family recreation, and that most families in both school districts will have their children attend school on January 30, 31 and February 1.

Previous DMUSD parent surveys have shows that 95% of DMUSD parents prefer that the school calendars for the DMUSD and SDUHSD be aligned.

Does the Board want to shift January 31 & February 1 inservice days to January 28 & 29 so that the calendar for the week of January 28-February 1 is aligned?

DEL MAR UNION SCHOOL DISTRICT
2007-2008 SCHOOL CALENDAR

School Month	M	T	W	Th	F	Attendance Days		Cumulative Attendance Days		Holidays and Other Information
June/July	25	26	27	28	29	0		0	7/2	First Day of Extended School Yr.
	2	3	*4	5	6	0		0	*7/4	*Independence Day Observed
	9	10	11	12	13	0		0		
	16	17	18	19	20	0		0		
July/Aug	23	24	25	26	27	0		0	7/27	Last Day of Extended School Yr.
	30	31	1	2	3	0		0		
	6	7	8	9	10	0		0		
	13	14	15	16	17	0		0	8/13	School Offices Open
	20	21	√22	√23	√24	0		0	8/22 – 8/24	√Teacher Work Days
1)Aug/Sept	27	28	29	30	31	5		5	**8/27**	**First Day for Students**
	*3	4	5	6	7	4		9	*9/3	*Labor Day Observed
	10	11	12	13	14	5		13		
	17	18	19	20	21	5	(19)	18		
2)Sept/Oct	24	25	26	27	28	5		23		
	1	2	3	4	5	5		28		
	8	9	10	11	12	5		33		
	15	16	17	18	19	5	(20)	38		
3)Oct./Nov	*22*	*23*	*24*	*25*	*26*	5		43	*10/22-10/26*	*Parent Conferences •*
	29	30	31	1	2	5		48		*(minimum days)*
	5	6	7	8	9	5		53		
	*12	13	14	15	16	4	(19)	58	*11/12	*Veteran's Day Observed
4)Nov/Dec	19	20	21	*22	*23	0		58	11/19 - 11/23	Thanksgiving Week
	26	27	28	29	30	5		63		
	3	4	5	6	7	5		68		
	10	11	12	13	14	5		73		
	17	18	19	20	*21	4		77	12/21 - 1/4	Winter Recess
	*24	*25	26	27	28	0	(19)	77		
5)Dec/Jan	*31	*1	2	3	4	0		77		
	7	8	9	10	11	5		82		
	14	15	16	17	18	5		87		
	*21	22	23	24	25	4	(14)	91	*1/21	*Martin Luther King Day Obs.
6)Jan/Feb	28	29	30	†31	†1	3		94	1/31-2/1	†Staff Inservice
	4	5	6	7	8	5		99		
	11	12	13	14	*15	4		103	*2/15-*2/18	*Presidents' Days Observed
	*18	19	20	21	22	4	(16)	107		
7)Feb/March	*25*	*26*	*27*	*28*	*29*	5		112	*2/25-2/29*	*Parent Conferences •*
	3	4	5	6	7	5		117		*(minimum days)*
	10	11	12	13	14	5		122		
	17	18	19	20	21	5	(20)	127		
8) Mar/April	24	25	26	27	28	5		132		
	31	1	2	3	4	5		137		
	7	8	9	10	11	0		137	4/7 – 4/11	Spring Break
	14	15	16	17	18	5	(15)	142		
9)April/May	21	22	23	24	25	5		147		
	28	29	30	1	2	5		152		
	5	6	7	8	9	5		157		
	12	13	14	15	16	5	(20)	162		
10)May/June	19	20	21	22	23	5		166		
	*26	27	28	29	30	4		171	*5/26	*Memorial Day Observed
	2	3	4	5	6	5		176	**6/12**	**Last Day – Students**
	9	10	11	**12**	√13	4	(18)	**180**	√6/13	Last Day – Teachers
	†16	17	18	19	20					

Total Attendance Days ------ 180
√ Teacher Work Days: 8/22/07, 8/23/07, 8/24/07, 6/13/08
† Teacher Inservice days: 1/31/08, 2/1/08, 6/16/08

Contracted Teacher Workdays ------ **184**
Dates of legal holidays *
Dark Shading Denotes No School for Students
Italics Denotes Minimum Days for Students

Approved by the Board of Trustees: Regular Board Meeting of January 17, 2007

SAN DIEGUITO UNION HIGH SCHOOL DISTRICT
Instructional Calendar 2007-08
August 27, 2007 through June 12, 2008

Calendar revised 5-3-07:

9/14/07 - students in school; 1/28 & 1/29/08 - staff inservice days (no students); 6/12/08 - last day of school; quarter/term/semester ending dates revised

School Month		M	T	W	T	F	Student Days	Cumulative Student Days	Holiday Legal-Local		Student Holidays/Recesses
	Aug	[20]	[21]	[22]	[23]	24	0	0			8/20-23 Teacher Inservice Days
	Aug	27 >	28	29	30	31	5	5			8/27 First Day of School
1	Sep	**3**	4	5	6	7	4	9	1		9/3 Labor Day
	Sep	10	11	12	13	14	5	14			
	Sep	17	18	19	20	21	5 (19)	19			
	Sep	24	25	26	27	28	5	24			
2	Oct	1	2	3	4	5	5	29			
	Oct	8	9	10	11	12	5	34			
	Oct	15	16	17	18	19	5 (20)	39			
	Oct	22	23	24	25	26	5	44			
3	Oct	29	30 #	31	1	2	5	49			10/30 1st Quarter Ends (46 days)
	Nov	5	6	7	8	9	5	54			
	Nov	**12**	13	14	15	16	4 (19)	58	1		11/12 Veterans Day
	Nov	**19**	**20**	**21**	**22**	**23**	0	58	1	1	11/19-23 Fall Break
4	Nov	26	27	28	29	30	5	63			
	Dec	3	4	5	6	7	5	68			
	Dec	10	11	12	13	14	5 (15)	73			12/14 P-1 cut off date
	Dec	17	18	19	20	**21**	4	77			
5	Dec	**24**	**25**	**26**	**27**	**28**	0	77	1	4	12/21-1/4 Winter Break
	Dec	**31**	**1**	**2**	**3**	**4**	0	77	1	4	
	Jan	7	8	9	10	11	5	82			
	Jan	14	15	16	17	18	5	87			1/21 M.L. King Jr. Day
	Jan	**21**	22	23	24	25 #	4 (18)	91	1		1/25 1st Semester/Term Ends (45 days)
	Jan	[28]	[29]	30	31	1	3	94			1/28-29 Staff Inservice
6	Feb	4	5	6	7	8	5	99			
	Feb	11	12	13	14	**15**	4	103	1		2/15 Lincoln Day
	Feb	**18**	19	20	21	22	4 (16)	107	1		2/18 Washington Day
	Feb	25	26	27	28	29	5	112			
7	Mar	3	4	5	6	7	5	117			
	Mar	10	11	12	13	14	5	122			
	Mar	17	18	19	20	21	5 (20)	127		5	
	Mar	24	25	26	27	28	5	132			3/21 P-2 cut off date
8	Mar	31	1	2	3	4 #	5	137			4/4 3rd Quarter Ends (46 days)
	Apr	**7**	**8**	**9**	**10**	**11**	0	137			4/7-11 Spring Break
	Apr	14	15	16	17	18	5 (15)	142			
	Apr	21	22	23	24	25	5	147			
9	Apr	28	29	30	1	2	5	152			
	May	5	6	7	8	9	5	157			
	May	12	13	14	15	16	5 (20)	162			
	May	19	20	21	22	23	5	167			
10	May	**26**	27	28	29	30	4	171	1		5/26 Memorial Day
	Jun	2	3	4	5	6	5	176			
	Jun	9	10	11	12 #	13	4 (18)	180			6/12 Last day of school (43 days)
	Jun	16	17	18	19	20					
	Jun	23	24	25	26	27	5	5			
	Jun	30	1	2	3	**4**	4	9	1		7/4 Independence Day
	Jul	7	8	9	10	11	5	14			
	Jul	14	15	16	17	18	5	19			
	Jul	21	22	23	24	25	5	24			
	Jul	28	29	30	31	1	5	29			
	Aug	4	5	6	7	8	5	34			
	Aug	11	12	13	14	15	5	39			
	Aug	18	19	20	21	22	5				
	Aug	25	26	27	28	29	5				

[ ] Holidays/Breaks/Inservice - No School

6/2/05 Board Approved
5/4/06 Board Approved Revision
5/3/07 Board Approved Revision

July 25, 2007

To: Board Members

From: Tom Bishop

Subject: NCCSE Equalization Agreement for 08/09

On June 18, 2007, the Board of Governors of the North Coast Consortium for Special Education (NCCSE) unanimously approved a new equalization plan that will require six NCCSE school districts (Encinitas, Bonsall, Cardiff, Rancho Santa Fe, Fallbrook Union High School District, and Vista) to re-allocate a portion of their NCCSE state special education funds to eight NCCSE school districts (Carlsbad, Del Mar, Fallbrook Elementary, San Marcos, Oceanside, Solana Beach, Vallecitos and SDUHSD).

The June 18th agreement was the product of more than a year of negotiations by representatives from the fourteen NCCSE school districts. The eight school districts that stand to benefit from the June 18th agreement all currently receive less than the state average of $422 per special education pupil spending, while the six school districts all currently receive state special education revenue in excess of the $422 per pupil spending.

During the negotiations, the district representatives decided to spread the equalization payments of the six districts to the eight districts over an eight to ten year period so that the six districts will not have an immediate loss of revenue.

According to the June 18th plan, the DMUSD will receive $114,791 from the six school districts spread over eight years, which will begin on July 1, 2008. The DMUSD anticipates that the DMUSD will receive $14,348 annually in new special education revenue from NCCSE starting July 1, 2008 and will conclude on June 30, 2016.

If any member of the board wants additional information about the June 18, 2007 equalization agreement, additional documentation is available through Tom Bishop or Trish Snider.

RECOMMENDED: For information only.

School districts to redistribute special ed money

Officials strike deal aimed at equalizing funding

STACY BRANDT
STAFF WRITER

North County Times June 20, 2007

NORTH COUNTY — After years of getting different amounts of state money to pay for special education classes, 14 local school districts recently agreed to a deal that will reallocate some of those dollars.

The money, which will come from six districts, will be spread among eight other districts over the next eight to 10 years, said Joe Schwartzberg, director of the North Coastal Consortium for Special Education. The county agency represents the bloc of 14 school districts in coastal North County involved in the deal.

"We're trying to redistribute some of the money so that everybody has a level playing field," Schwartzberg said Tuesday.

The largest district that has agreed to pay into the consortium is Vista Unified, which will give $1.8 million over eight years because of the amount of money it has received for its large special education program.

The districts got together decades ago to pool money and resources to provide better services to students in special education classes, which provide extra help and unique programs to mentally and physically disabled students.

For decades, special education funding was based on the number of educators helping the students. Under this system, districts received different reimbursements based on the amount they spent. Districts that

➤ SPECIAL, A-5

➤ SPECIAL

Continued from A-1

spent more money got more from the state.

In 1998, the state changed the way it pays for special education, focusing instead on daily attendance for all students in each district. However, annual cost of living increases were still based on the reimbursement formula from decades earlier.

"It's all based on what happened 20 years ago when the rates were set," said Pam Hayden, chief financial officer for Vista Unified.

The district has agreed to pay the consortium $230,665 a year for the next eight years, which will largely come from the money it uses to fund special education classes, Hayden said.

Because the Vista district will have less money in its $196 million budget for special education classes in the future, Hayden said school administrators are hoping to help move these students forward to the point they can join their mainstream classmates.

"We either have to lower our special education expenses, or we have to use more general fund operating dollars to cover the increasing encroachment," she said.

The Encinitas, Bonsall, Cardiff and Rancho Santa Fe elementary districts as well as the Fallbrook Union High School District also will give money to the consortium as part of the deal, according to the agreement. Requests for information on what those districts will have to pay had not been answered by late Tuesday afternoon.

That money will be split up among the eight other districts in the consortium: Oceanside, Carlsbad and San Marcos unified school districts; Del Mar, Fallbrook, Solana Beach and Vallecitos elementary districts; and the San Dieguito Union High School District.

Superintendents from each of the 14 districts put together the deal during meetings over the last few months, Schwartzberg said.

The imbalance has grown more important recently as growth slows and districts throughout North County are starting to lose students. Much of the money that went into the consortium to pay for regional classes was based on growth in enrollment.

"When we all quit growing, there was no (money) to put into this little pot, but we still had the need for regional classes," Hayden said.

When the state changed the way it pays for special education programs in 1998, it provided some money to help even out the districts' special education funding, trying to help the districts that were receiving less than most, Hayden said.

However, after a few years, the state stopped giving out the "equalization" money, leaving it up to districts to deal with the discrepancy.

"Both (state and federal) governments have just sort of dumped it on the school districts and said, 'It's your problem,' " said Gary Hamels, assistant superintendent of business services for the San Marcos Unified School District.

Over the next decade, the San Marcos district will receive roughly $1 million under the agreement.

The money, which will all go toward paying for special education, won't have a significant effect on the district's $131 million budget, Hamels said.

It's important for the district to assess the funding situation every several years to make sure it's fair, he said.

"You kind of have to look at it every so many years to see if things are getting out of line, which they were," he said.

July 25, 20007

To: Board Members

From: Tom Bishop

Subject: 1st Reading, Board Policies/Administrative Regulations • Section 6000 – Instruction

In the continuing review of Board Policy, *Section 6000 – Instruction* is presented this evening for a first reading and Board review.

For the initial presentation, ***additions to current policy are identified by language in bold italics,*** and ~~deletions to current policy are identified by~~ ~~strikethroughs~~. Some of the current policies in this section are not available electronically since they are old, so many policies will contain only language in ***bold italics***, without reference to previous language.

This Board policy section will return next month for a 2nd reading and Board approval.

RECOMMENDED: For Information Only.

DEL MAR UNION SCHOOL DISTRICT
ARTICLE 6
INSTRUCTION
(Series 6000)

NOTE: The CSBA comprehensive index/table of contents is widely used by districts throughout the state. It provides a standard index system designed to accommodate future policies/regulations and at the same time provides a table of contents for this manual. This manual contains only those Board policies (BP), administrative regulations (AR) and exhibits (E) specified in the right-hand column.

				CODE	
0.	**Concepts and Roles**			**6000**	**BP**
	A.	Goals and Objectives		6010	BP
		1.	Academic Standards	6011	BP
	B.	Parent Involvement		6020	BP•AR
1.	**Elementary and Secondary**				
	A.	Schedules			
		1.	School Calendar	6111	BP
		2.	School Day	6112	BP•AR
		3.	Ceremonies and Observances	6115	BP•AR
		4.	Classroom Interruptions	6116	BP•AR
	B.	Curriculum			
		1.	Curriculum Development and Evaluation	6141	BP
			a. Recognition of Religious Beliefs and Customs	6141.2	BP•AR
			b. Multicultural Education	6141.6	BP
		2.	Subject Fields		
			a. Service Learning	6142.4	BP
			b. Environmental Education	6142.5	BP
			c. Visual and Performing Arts Education	6142.6	BP
			d. Physical Education	6142.7	BP•AR
			e. Comprehensive Health Education	6142.8	BP
			f. Core Curriculum		
			(1) Reading/Language Arts Instruction	6142.91	BP•AR
			(2) Mathematics Instruction	6142.92	BP
			(3) Science Instruction	6142.93	BP
		3.	Courses of Study	6143	BP•AR
		4.	Controversial Issues	6144	BP•AR
	C.	Instructional Arrangements			
		1.	Class Size	6151	BP
		2.	Class Assignment	6152	BP
		3.	School-Sponsored Trips	6153	BP•AR•E
		4.	Homework/Makeup Work	6154	BP•AR
		5.	Individualized Education Program (IEP)	6159	BP•AR
			a. Procedural Safeguards and Complaints for Special Education	6159.1	BP
			b. Appointment of Surrogate Parent for Special Education Students	6159.3	BP•AR
	D.	Instructional Services and Resources			
		1.	Equipment, Books and Materials	6161	BP
			a. Selection and Evaluation of Instructional Materials	6161.1	BP•AR
			(1) Supplementary Instructional Materials	6161.11	BP
			b. Damaged or Lost Instructional Materials	6161.2	BP
			c. Toxic Art Supplies	6161.3	BP

DEL MAR UNION SCHOOL DISTRICT
ARTICLE 6
INSTRUCTION
(Series 6000)
-continued-

			CODE	
	2.	Instructional Resources for Teachers		
		a. Student Assessment	6162.5	BP
		(1) Standardized Testing and Reporting Program	6162.51	BP•AR
		(2) Test Integrity/Test Preparation	6162.54	BP
		b Use of Copyrighted Materials	6162.6	BP•AR
		c. Use of Technology in Instruction	6162.7	BP•AR
		d. Research	6162.8	BP•AR
		e. Library Media Centers	6163.1	BP
		f. Animals at School	6163.2	BP•AR
	3.	Instructional Resources for Students		
		a. Student Use of Technology	6163.4	BP•AR
	4.	Individual Services and Counseling		
		a. Guidance/Counseling Services	6164.2	BP
		b. Identification of Individuals for Special Education	6164.4	BP
		c. Student Study Teams	6164.5	BP
		d. Identification and Education Under Section 504	6164.6	BP•AR
E.	Curriculum Extensions/Specialized Programs			
	1.	Title I Programs	6171	BP•AR
	2.	Gifted and Talented Student Program	6172	BP•AR
	3.	Education for Homeless Children	6173	BP•AR
	4.	Education for Foster Youth	6173.1	BP•AR
	5.	Education for English Language Learners	6174	BP•AR
	6.	Summer School	6177	BP
	7.	Supplemental Instruction	6179	BP•AR
F.	Program Adaptations/Alternative Arrangements			
		a. Home and Hospital Instruction	6183	BP•AR
G.	Evaluation of the Instructional Program		6190	BP

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6000: CONCEPTS AND ROLES

The Governing Board 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.

In order to offer a curriculum that enables students to meet these goals, the Board shall establish curriculum priorities and guidelines for the district. These priorities shall be based on student needs as determined by demographics, data related to student achievement within the district, and the recommendations of staff, parents/guardians and community members.

The Superintendent or designee 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. ***Approve the state academic standards for student achievement for each grade level.***

2. ***Approve the curriculum development process.***

3. ***Adopt the district curriculum and courses of study to be offered.***

4. ***Approve and allocate funds for instructional materials and resource.***

5. ***Establish promotion requirements.***

6. ***Provide a continuing program of staff development for certificated staff on curriculum issues, effective instructional strategies and instructional materials.***

7. ***Review and evaluate the instructional program on the basis of program quality reviews and frequent reports by the Superintendent or designee.***

8. ***Serve as the principal advocate to the community for the instructional program provided to all students.***

The Superintendent or designee shall:

1. ***Review research related to curriculum issues.***

2. ***Ensure the articulation of the curriculum between grade levels.***

3. ***Determine the general methods of instruction to be used***

4. ***Assign teachers and schedule appropriate classes for each grade level***

5. ***Direct the purchase of instructional materials and equipment***

6. ***Evaluate and report to the Board on student achievement as demonstrated through formal and informal student assessments***

Comparability in Instruction

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

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/comparability of services

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6010 (~~was BP 6001 EDUCATIONAL GOALS~~):
GOALS AND OBJECTIVES

The Governing Board hereby declares the following educational goals for the district:

1. To provide the skills, attitudes and knowledge that will enable each student to:

   a. Become a responsible participating citizen

   b. Become an independent, self-directed learner

   c. Assume responsibility for one's own well being

   d. Develop appreciation and respect for the worth, dignity and rights of all individuals

   e. Improve the quality of one's own life through application of the natural sciences, mathematics and social sciences

   f. Think critically and creatively

   g. Communicate effectively

   h. Respect and care for one's body and learn the skills of games and individual and group sports

2. To cooperate with the home in helping each student to:

   a. Develop a positive self-image and be self-sufficient and responsible for one's own actions

   b. Develop a set of values and ethics by which one directs and evaluates his or her behavior

~~3. To provide each student with an appreciation for famous people and their works, especially founding fathers-mothers, national heroes-heroines, great writers, artists, musicians, scientists and statesmen, worldwide.~~

Legal Reference:

EDUCATION CODE
51000-51007 Legislative intent for education program, especially:
51004 Education goals
51006 Computer education and resources
51007 Programs to strengthen technological skills
51041 Evaluation of educational program
52336-52336.5 Career preparatory programs
UNITED STATES CODE, TITLE 20
2301 et seq. Carl D. Perkins Vocational and Applied Technology Act
5801-6084 National Education Reform, Goals 2001
6101-6251 School-to-Work Opportunities Act of 1994
6751-6777 Enhancing Education Through Technology Act, No Child Left Behind Act, Title II, Part D

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6011: ACADEMIC STANDARDS

The Governing Board recognizes that content and performance standards are necessary to clarify for students, parents/guardians and staff what students are expected to know and be able to do at each grade level and in each area of study. The Board shall adopt high standards for student achievement that meet or exceed statewide standards and challenge all students to reach their full potential.

District standards shall be the California State Standards.

Staff shall continually assess students' progress toward meeting the standards and shall offer remedial assistance in accordance with Board policy. The standards shall also provide a basis for evaluating the instructional program, making decisions about curriculum and assessment, and, as required by law, evaluating teacher performance.

While desiring standards to be specific and comprehensive, the Board does not intend that these standards be so extensive as to describe everything that will be taught in the classroom. Staff shall have sufficient time and flexibility to provide instruction that supplements the standards. Staff shall also have flexibility to determine the best instructional methods to use in preparing students to meet the standards.

Legal Reference:
EDUCATION CODE
44662 Evaluation of certificated employees
51003 Statewide academic standards
60605-60605.5 Adoption of statewide academically rigorous content and performance standards

Management Resources:
WEB SITES
CDE: http://www.cde.ca.gov

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6020: PARENT INVOLVEMENT

The Governing Board recognizes that parents/guardians are their children's first and most influential teachers and that sustained parent involvement in the education of their children contributes greatly to student achievement and a positive school environment. The Superintendent or designee shall work with staff and parents/guardians to develop meaningful opportunities at all grade levels for parents/guardians to be involved in district and school activities; advisory, decision-making, and advocacy roles; and activities to support learning at home.

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

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

Title I Schools

Each year the Superintendent or designee shall identify specific objectives of the district's parent involvement program for schools that receive Title I funding. He/she shall ensure that parents/guardians are consulted and participate in the planning, design, implementation, and evaluation of the parent involvement program. (Education Code 11503)

The Superintendent or designee shall ensure that the district's parent involvement strategies are jointly developed with and agreed upon by parents/guardians of students participating in Title I programs. Those strategies shall establish expectations for parent involvement and describe how the district will carry out each activity listed in 20 USC 6318. (20 USC 6318)

The Superintendent or designee shall consult with parents/guardians of participating students in the planning and implementation of parent involvement programs, activities, and regulations. He/she also shall involve parents/guardians of participating students in decisions regarding how the district's Title I funds will be allotted for parent involvement activities. (20 USC 6318)

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

Non-Title I Schools

The Superintendent or designee shall develop and implement strategies applicable to each school that does not receive federal Title I funds to encourage the involvement and support of parents/guardians in the education of their children, including, but not limited to,

strategies describing how the district and schools will address the purposes and goals described in Education Code 11502. (Education Code 11504)

Legal Reference:

EDUCATION CODE
11500-11506 Programs to encourage parent involvement
48985 Notices in languages other than English
51101 Parent rights and responsibilities
64001 Single plan for student achievement
LABOR CODE
230.8 Time off to visit child's school
UNITED STATES CODE, TITLE 20
6311 Parental notice of teacher qualifications and student achievement
6312 Local educational agency plan
6314 Schoolwide programs
6316 School improvement
6318 Parent involvement
CODE OF FEDERAL REGULATIONS, TITLE 28
35.104 Definitions, auxiliary aids and services
35.160 Communications

Management Resources:

CSBA PUBLICATIONS
Parent Involvement: Development of Effective and Legally Compliant Policies, Governance and Policy Services Policy Briefs, August 2006
STATE BOARD OF EDUCATION POLICIES
89-01 Parent Involvement in the Education of Their Children, rev. 1994
U.S. DEPARTMENT OF EDUCATION NON-REGULATORY GUIDANCE
Parental Involvement: Title I, Part A, April 23, 2004
WEB SITES
CSBA: http://www.csba.org
California Department of Education, Family, School, Community Partnerships: http://www.cde.ca.gov/ls/pf
California Parent Center: http://parent.sdsu.edu
California State PTA: http://www.capta.org
National Coalition for Parent Involvement in Education: http://www.ncpie.org
National PTA: http://www.pta.org
No Child Left Behind: http://www.ed.gov/nclb
Parent Information and Resource Centers: http://www.pirc-info.net
Parents as Teachers National Center: http://www.parentsasteachers.org
U.S. Department of Education: http://www.ed.gov

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

ADMINISTRATIVE REGULATION TO BOARD POLICY 6020: PARENT INVOLVEMENT

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

1. ***Involve parents/guardians of participating students in the joint development of the Title I local educational agency (LEA) plan pursuant to 20 USC 6312 and the process of school review and improvement pursuant to 20 USC 6316 (20 USC 6318)***

The Superintendent or designee may:

a. ***Establish a district-level committee including parent/guardian representatives from each school site to review and comment on the LEA plan in accordance with the review schedule established by the Governing Board***

b. ***Invite input on the LEA plan from other district committees and school site councils***

c. ***Communicate with parents/guardians through the district newsletter, web site, or other methods regarding the LEA plan and the opportunity to provide input***

d. ***Provide copies of working drafts of the LEA plan to parents/guardians in an understandable and uniform format and, to the extent practicable, in a language the parents/guardians can understand***

e. ***Ensure that there is an opportunity at a public Board meeting for public comment on the LEA plan prior to the Board's approval of the plan or revisions to the plan***

f. ***Ensure that school-level policies on parent involvement address the role of school site councils and other parents/guardians as appropriate in the development and review of school plans***

2. ***Provide coordination, technical assistance, and other support necessary to assist Title I schools in planning and implementing effective parent involvement activities to improve student academic achievement and school performance (20 USC 6318)***

The Superintendent or designee may:

a. ***Assign person(s) in the district office to serve as a liaison to the schools regarding Title I parent involvement issues***

b. ***Provide training for the principal or designee of each participating school regarding Title I requirements for parent involvement, leadership strategies, and communication skills to assist him/her in facilitating the planning and implementation of parent involvement activities***

c. Provide ongoing district-level workshops to assist school site staff and parents/guardians in planning and implementing improvement strategies, and seek input from parents/guardians in developing the workshops

d. Provide information to schools about the indicators and assessment tools that will be used to monitor progress

3. Build the capacity of schools and parents/guardians for strong parent involvement (20 USC 6318)

The Superintendent or designee shall: (20 USC 6318)

a. Assist parents/guardians in understanding such topics as the state's academic content standards and academic achievement standards, state and local academic assessments, the requirements of Title I, and how to monitor a child's progress and work with educators to improve the achievement of their children.

b. Provide materials and training to help parents/guardians work with their children to improve their children's achievement, such as literacy training and using technology, as appropriate, to foster parent involvement.

c. Educate teachers, student services personnel, principals, and other staff, with the assistance of parents/guardians, in the value and utility of parent/guardian contributions and in how to reach out to, communicate with, and work with parents/guardians as equal partners, implement and coordinate parent/guardian programs, and build ties between parents/guardians and the schools.

d. To the extent feasible and appropriate, coordinate and integrate parent involvement programs and activities with Head Start, Reading First, Early Reading First, Even Start, Home Instruction Programs for Preschool Youngsters, Parents as Teachers Program, public preschool, and other programs, and conduct other activities, such as parent resource centers, that encourage and support parents/guardians in more fully participating in their children's education.

e. Ensure that information related to school and parent/guardian programs, meetings, and other activities is sent to the parents/guardians of participating students in a format and, to the extent practicable, in a language the parents/guardians can understand.

f. Provide other such reasonable support for parent involvement activities as parents/guardians may request.

g. Inform parents/guardians and parent organizations of the existence and purpose of parent information and resource centers in the state that provide training, information, and support to parents/guardians of participating students.

In addition, the Superintendent or designee may:

a. Involve parents/guardians in the development of training for teachers, principals, and other educators to improve the effectiveness of such training.

b. Provide necessary literacy training, using Title I funds if the district has exhausted all other reasonably available sources of funding for such training.

c. *Pay reasonable and necessary expenses associated with parent involvement activities, including transportation and childcare costs, to enable parents/guardians to participate in school-related meetings and training sessions.*

d. *Train parents/guardians to enhance the involvement of other parents/guardians.*

e. *Arrange school meetings at a variety of times or, when parents/guardians are unable to attend such conferences, conduct in-home conferences between parents/guardians and teachers or other educators who work directly with participating students.*

f. *Adopt and implement model approaches to improving parent involvement.*

g. *Establish a district-wide parent advisory council to provide advice on all matters related to parent involvement in Title I programs.*

h. *Develop appropriate roles for community-based organizations and businesses in parent involvement activities.*

i. *Make referrals to community agencies and organizations that offer literacy training, parent education programs, and/or other services that help to improve the conditions of parents/guardians and families.*

j. *Provide a master calendar of district activities and district meetings.*

k. *Provide information about opportunities for parent involvement through the district newsletter, web site, or other written or electronic means.*

l. *Engage parent-teacher organizations to actively seek out and involve parents/guardians through regular communication updates and information sessions.*

m. *To the extent practicable, provide translation services at school sites and at meetings involving parents/guardians as needed.*

n. *Provide training and information to members of district and school site councils and advisory committees to help them fulfill their functions.*

o. *Regularly evaluate the effectiveness of staff development activities related to parent involvement.*

p. *Include expectations for parent/guardian outreach and involvement in staff job descriptions and evaluations.*

4. *Coordinate and integrate Title I parent involvement strategies with other existing district programs.*

The Superintendent or designee may:

a. *Identify overlapping or similar program requirements.*

b. *Involve district and school site representatives from other programs to assist in identifying specific population needs.*

c. Schedule joint meetings with representatives from related programs and share data and information across programs.

d. Develop a cohesive, coordinated plan focused on student needs and shared goals.

5. Conduct, with involvement of parents/guardians, an annual evaluation of the content and effectiveness of the parent involvement policy in improving the academic quality of the schools served by Title I (20 USC 6318).

The Superintendent or designee shall:

a. Ensure that the evaluation include the identification of barriers to greater participation in parent involvement activities, with particular attention to parents/guardians who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background (20 USC 6318).

b. Use the evaluation results to design strategies for more effective parent involvement and, if necessary, to recommend changes in the parent involvement policy (20 USC 6318).

c. Assess the district's progress in meeting annual objectives for the parent involvement program, notify parents/guardians of this review and assessment through regular school communications mechanisms, and provide a copy to parents/guardians upon their request (Education Code 11503).

The Superintendent or designee may:

a. Use a variety of methods, such as focus groups, surveys, and workshops, to evaluate the satisfaction of parents/guardians and staff with the quality and frequency of district communications.

b. Gather and monitor data regarding the number of parents/guardians participating in district activities and the types of activities in which they are engaged.

c. Recommend to the Board measures to evaluate the impact of the district's parent involvement efforts on student achievement.

6. Involve parents/guardians in the activities of schools served by Title I (20 USC 6318)

The Superintendent or designee may:

a. Include information about school activities in district communications to parents/guardians.

b. To the extent practicable, assist schools with translation services or other accommodations needed to encourage participation of parents/guardians with special needs.

c. Establish processes to encourage parent/guardian input regarding their expectations and concerns for their children.

The district's Board policy and administrative regulation containing parent involvement strategies shall be incorporated into the LEA plan and distributed to parents/guardians of students participating in Title I programs. (20 USC 6318)

School-Level Policies for Title I Schools

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

1. *Convene an annual meeting, at a convenient time, to which all parents/guardians of participating students shall be invited and encouraged to attend, in order to inform parents/guardians of their school's participation in Title I and to explain Title I requirements and the right of parents/guardians to be involved.*

2. *Offer a flexible number of meetings, such as meetings in the morning or evening, for which related transportation, childcare, and/or home visits may be provided as such services relate to parent involvement.*

3. *Involve parents/guardians in an organized, ongoing, and timely way in the planning, review, and improvement of Title I programs, including the planning, review, and improvement of the school's parent involvement policy and, if applicable, the joint development of the plan for schoolwide programs pursuant to 20 USC 6314*

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

4. *Provide the parents/guardians of participating students all of the following:*

   a. *Timely information about Title I programs.*

   b. *A description and explanation of the school's curriculum, forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet.*

   c. *If requested by parents/guardians, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions related to their children's education, and, as soon as practicably possible, responses to the suggestions of parents/guardians.*

5. *If the schoolwide program plan is not satisfactory to the parents/guardians of participating students, submit any parent/guardian comments when the school makes the plan available to the district.*

6. *Jointly develop with the parents/guardians of participating students a school-parent compact that outlines how parents/guardians, the entire school staff, and students will share responsibility for improved student academic achievement and the means by which the school and parents/guardians will build a partnership to help students achieve state standards*

This compact shall address:

a. *The school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables participating students to achieve the state's student academic achievement standards.*
b. *Ways in which parents/guardians will be responsible for supporting their children's learning, such as monitoring attendance, homework completion, and television viewing; volunteering in the classroom; and participating, as appropriate, in decisions related to their children's education and the positive use of extracurricular time.*

c. *The importance of communication between teachers and parents/guardians on an ongoing basis through, at a minimum:*

   (1) Parent-teacher conferences in elementary schools, at least annually, during which the compact shall be discussed as it relates to the student's achievement.

   (2) Frequent reports to parents/guardians on their children's progress.

   (3) Reasonable access to staff, opportunities to volunteer and participate in their child's classroom, and observation of classroom activities.

7. *Build the capacity of the school and parents/guardians for strong parent involvement by implementing the activities described in items #3a-f in the section "District Strategies for Title I Schools" above.*

8. *To the extent practicable, provide full opportunities for the participation of parents/guardians with limited English proficiency, parents/guardians with disabilities, and parents/guardians of migrant children, including providing information and school reports required under 20 USC 6311(h) in a format and language such parents/guardians can understand.*

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

Each school's parent involvement policy shall be made available to the local community and distributed to parents/guardians of participating students in an understandable and uniform format and, to the extent practicable, provided in a language the parents/guardians can understand. (20 USC 6318)

Each school receiving Title I funds shall annually evaluate the effectiveness of its parent involvement policy. Such evaluation may be conducted during the process of reviewing the school's single plan for student achievement in accordance with Education Code 64001.

The principal or designee, jointly with parents/guardians of participating students, shall periodically update the school's policy to meet the changing needs of parents/guardians and the school. (20 USC 6318)

District Strategies for Non-Title I Schools

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

1. ***Engage parents/guardians positively in their children's education by helping them develop skills to use at home that support their children's academic efforts at school and their children's development as responsible members of society (Education Code 11502, 11504)***

The Superintendent or designee may:

   a. ***Provide or make referrals to literacy training and/or parent education programs designed to improve the skills of parents/guardians and enhance their ability to support their children's education.***

   b. ***Provide information, in parent handbooks and through other appropriate means, regarding academic expectations and resources to assist with the subject matter.***

   c. ***Provide parents/guardians with information about students' class assignments and homework assignments.***

2. ***Inform parents/guardians that they can directly affect the success of their children's learning, by providing them with techniques and strategies that they may use to improve their children's academic success and to assist their children in learning at home (Education Code 11502, 11504)***

The Superintendent or designee may:

   a. ***Provide parents/guardians with information regarding ways to create an effective study environment at home and to encourage good study habits.***

   b. ***Encourage parents/guardians to monitor their children's school attendance, homework completion, and television viewing.***

   c. ***Encourage parents/guardians to volunteer in their child's classroom and to participate in school advisory committees.***

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

The Superintendent or designee may:

   a. ***Ensure that teachers provide frequent reports to parents/guardians on their children's progress and hold parent-teacher conferences at least once per year with parents/guardians of elementary school students.***

   b. ***Provide opportunities for parents/guardians to observe classroom activities and to volunteer in their child's classroom.***

c. Provide information about parent involvement opportunities through district, school, and/or class newsletters, the district's web site, and other written or electronic communications.

d. To the extent practicable, provide notices and information to parents/guardians in a format and language they can understand.

e. Develop mechanisms to encourage parent/guardian input on district and school issues.

f. Identify barriers to parent/guardian participation in school activities, including parents/guardians who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background.

g. Encourage greater parent/guardian participation by adjusting meeting schedules to accommodate parent/guardian needs and, to the extent practicable, by providing translation or interpreter services, transportation, and/or childcare.

4. Train teachers and administrators to communicate effectively with parents/guardians (Education Code 11502, 11504)

The Superintendent or designee may:

a. Provide staff development to assist staff in strengthening two-way communications with parents/guardians, including parents/guardians who have limited English proficiency or limited literacy.

b. Invite input from parents/guardians regarding the content of staff development activities pertaining to home-school communications.

5. Integrate parent involvement programs into school plans for academic accountability

The Superintendent or designee may:

a. Include parent involvement strategies in school reform or school improvement initiatives.

b. Involve parents/guardians in school planning processes.

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6111: SCHOOL CALENDAR

The Superintendent or designee shall recommend to the Governing Board a calendar for each school that will meet the requirements of law as well as the needs of the community, students and the work year as negotiated for all personnel.

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

The district shall offer 180 days of instruction per school year.

Staff development days shall not be counted as instructional days.

Notifications of the schedule of minimum days shall be sent to all parents/guardians at the beginning of the school year. If any minimum days are added to the schedule, the Superintendent or designee shall notify parents/guardians of the affected students as soon as possible and at least 30 days before the scheduled minimum day. (Education Code 48980)

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

Legal Reference:

EDUCATION CODE
37200-37202 School calendar
37220-37223 Holidays
37252-37253.5 Summer school
37300-37307 Year-Round School Demonstration Project
37600-37672 Continuous school programs: year-round schools, especially:
37618 School calendar
37700-37707 Four-day week
41422 Schools not maintained for 175 days
44579-44579.5 Instructional Time and Staff Development Reform Program
46200-46205 Incentives for longer instructional day and year
46206 Waiver
48980 Notice at beginning of term
ELECTIONS CODE
12283 School closures, election days

Management Resources:

WEB SITES
CDE: http://www.cde.ca.gov
Secretary of State's Office: http://www.ss.ca.gov

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6112: SCHOOL DAY

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

The Superintendent or designee shall determine daily schedules giving consideration to grade level expectancies, curricular demands, availability of school facilities, the age and attention span of students, and legal requirements.

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

Legal Reference:

EDUCATION CODE
8970-8974 Early primary program, including extended-day kindergarten
37202 Equal time in all schools
37670 Year-round schools
46010 Total days of attendance
46100 Length of school day
46110-46119 Kindergarten and elementary schools (day of attendance)
46140-46147 Junior high school and high school (day of attendance)
46160-46162 Alternative schedule - junior high and high school
46170 Minimum day - continuation schools
46180 Opportunity schools (minimum day)
46190-46192 Adult school (day of attendance)
46200-46206 Incentives for longer instructional day and year
52326 Minimum school day for regional occupational center and programs

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION CORRESPONDENCE
Kindergarten Information, June 7, 2002
U.S. DEPARTMENT OF EDUCATION PUBLICATIONS
The Uses of Time for Teaching and Learning, October 1996
Extending Learning Time for Disadvantaged Students, August 1995
NATIONAL EDUCATION COMMISSION ON TIME AND LEARNING PUBLICATIONS
Prisoners of Time, April 1994
WEB SITES
U.S. Department of Education: http://www.ed.gov

Board Policy/Administrative Regulation 6112: Presented to the Board of Trustees for a 1st Reading: April 25, 2007

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

ADMINISTRATIVE REGULATION TO BOARD POLICY 6112: SCHOOL DAY

Kindergarten

The minimum school day for kindergarten students shall be 180 minutes, excluding noon intermissions but including recesses. (Education Code 46115, 46117)

The maximum school day for kindergarten students shall be four hours (240 minutes) excluding recesses. (Education Code 46111)

The maximum school day for kindergarten students may be longer than four hours under the following circumstances:

1. ***The kindergarten school day may exceed four hours if the district has established an early primary program pursuant to Education Code 8970-8974 and meets the following conditions: (Education Code 8973)***

   a. ***The Governing Board declares that the extended-day kindergarten program does not exceed the length of the primary school day.***

   b. ***The extended-day kindergarten program includes ample opportunity for both active and quiet activities within an integrated, experiential and developmentally appropriate educational program.***

Elementary Schools

The minimum school day for students in elementary schools shall be:

1. ***230 minutes for students in grades 1 through 3 (Education Code 46112)***

2. ***240 minutes for students in grades 4 through 8 6 (Education Code 46113)***

For students in grades 1 through 6, the minimum school day excludes both noon intermissions and recesses. (Education Code 46115)

The above minimum days do not apply to situations in grades 1 through 3 in which the Board has prescribed a shorter school day because of lack of school facilities requiring double sessions. (Education Code 46112, 46113)

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6115: CEREMONIES AND OBSERVANCES

The Governing Board 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, 319 U.S. 624 (1943)

Management Resources:

WEB SITES
CDE: http://www.cde.ca.gov

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

ADMINISTRATIVE REGULATION TO BOARD POLICY 6115:
CEREMONIES AND OBSERVANCES

Holidays

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

New Year's Day	*January 1*
Dr. Martin Luther King, Jr. Day	*Third Monday in January or the Monday or Friday of the week in which January 15 occurs*
Lincoln Day	*The Monday or Friday of the week in which February 12 occurs (or aligns with the Washington Day Holiday Observance)*
Washington Day	*Third Monday in February*
Memorial Day	*Last Monday in May*
Independence Day	*July 4*
Labor Day	*First Monday in September*
Veteran's Day	*November 11*
Thanksgiving Day	*That Thursday in November designated by the President*
Christmas Day	*December 25*

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

Commemorative Exercises

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

Dr. Martin Luther King, Jr. Day	***The Friday before the day schools are closed for this holiday***
Lincoln's Birthday	***The school day before the day schools are closed for this holiday***
Susan B. Anthony Day	***February 15 "Schools shall include exercised and instruction on the political and economic status of women in the United States and the contributions of Susan B. Anthony thereto." [Section 37221 (c)]***
George Washington's Birthday	***The Friday preceding the third Monday in February***
Black American Day	***March 5 Anniversary of the death of Crispus Attucks "Schools shall include exercises and instruction on the development of black people in the United States." [Section 37221 (d)]***
Conservation, Bird, and Arbor Day	***March 7 Anniversary of the birthday of Luther Burbank. "Schools shall include exercises and instruction on the economic value of birds and trees, and the promotion of a spirit of protection toward them, and as to the economic value of natural resources, and the desirability of their conservation." [Section 37221 (b)]***
Cesar Chavez Day	***March 31 "Schools shall include exercises commemorating and drawing attention to the history of the farm labor movement in the United States and particularly the role therein of Cesar Chavez." [Section 37220.5 (b)] State Board of Education.***
Staff Appreciation Week	***Second Week in May "Schools are encouraged to observe and conduct suitable commemorative exercises."***

Constitution Day	***September 17*** ***Anniversary of the adoption of the Constitution of the United States.*** ***"Schools shall include exercises and instruction in the purpose, meaning, and importance of the Constitution of the United States, including the Bill of Rights." [Section 37221 (a)]***

Patriotic Exercises

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

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

Display of Flag

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

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

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

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

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6116 (was BP 6007): CLASSROOM INTERRUPTIONS

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

Legal Reference:
EDUCATION CODE
32212 Classroom interruptions

Management Resources:
DMUSD Board Policy 1250.1 Learning Environment Disruptions

Board Policy/Administrative Regulation 6116 (was BP 6007 Approved by the Board of Trustees June 12, 1996): Presented to the Board of Trustees for a 1st Reading: April 25, 2007

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

ADMINISTRATIVE REGULATION TO BOARD POLICY 6116:
CLASSROOM INTERRUPTIONS

The principal or designee shall keep announcements made through intercom or public address systems to a minimum and limit announcements to specific times during the day. Announcements that apply only to teachers are best 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. All appointments must be approved by the site principal.

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6141: CURRICULUM DEVELOPMENT AND EVALUATION

The Governing Board accepts responsibility for establishing what students should learn. The Board shall adopt a district curriculum, which reflects district philosophy, responds to student needs and abilities, and is consistent with the requirements of law. Insofar as possible, this curriculum shall also reflect the desires of the community and the needs of society as a whole.

The Board considers curriculum improvement to be a top priority for the district. Curriculum development and evaluation will therefore be an ongoing process in the district, routinely supported by planned allocations of resources and staff time.

The Board may establish a curriculum review cycle for comparing each area of the curriculum against state model curriculum standards and Board policy.

The Superintendent or designee shall establish procedures, which ensure that the curriculum development and evaluation process includes input from teachers, administrators, students and parents/guardians from all grade levels, disciplines, schools, special programs and categories of students. The selection and evaluation of instructional materials shall be coordinated with the curriculum development and evaluation process.

The Superintendent or designee shall keep the Board informed about student interest and achievement in each area of the curriculum. The Superintendent or designee also shall facilitate the Board's efforts to discuss its findings with district staff and students before adopting the district curriculum.

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
51225.3 Requirements for high school graduation
51500-51540 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
52300-52414 Vocational education
54000-54041 Programs for disadvantaged pupils
54100-54145 Miller-Unruh Act of 1965
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

Management Resources:

CDE PROGRAM ADVISORIES
123.87 Curriculum Review, Improvement and Implementation, CIL:87/8-9

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6141.2 (was BP 6020):
RECOGNITION OF RELIGIOUS BELIEFS AND CUSTOMS

The Board of Trustees recognizes that students' education would be incomplete without an understanding of the role of religion in ~~history~~ ***society.*** ~~It is both proper and important for teachers to~~ ***As appropriate for a particular unit of study, teachers may*** objectively discuss the influences of various religions, using religious works and symbols to illustrate their relationship with ~~society~~ ***culture,*** 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~~ ***diversity of religions and customs*** 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~~ ***shall not promote or denigrate the beliefs or customs of any particular religion or sect, nor should a preference be shown for one religious viewpoint over another.*** Staff ***members*** shall be highly sensitive to ~~its~~ ***their*** 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 ***during class time. As part of their official duties, staff shall not lead students in prayer or other religious activities. However, staff shall not prohibit or discourage any student from praying or otherwise expressing his/her religious belief as long as this does not disrupt the classroom.***

Students may express their beliefs about religion in their homework, artwork and other ~~written and oral reports~~ ***class work*** 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~~ While teaching about religious holidays is a permissible part of the educational program, celebrating religious holidays is not allowed in the public schools. School-sponsored programs shall not be, nor have the effect of being, religiously oriented or a religious celebration. ***School and classroom decorations may express seasonal themes that are not religious in nature.***

~~School employees are permitted to teach about religious holidays but are not permitted to celebrate religious holidays during school hours. Teaching about a religious holiday is permissible if the teaching furthers the District curriculum/standards in various content areas. School employees may not endorse, advance, or inhibit a specific religion.~~

~~Schools and classroom decorations may express seasonal and cultural themes.~~

Music, art, literature or drama programs having religious themes are permitted as part of the curriculum for school-sponsored activities and programs if presented in an objective manner and as a traditional part of the cultural and religious heritage.

The use of religious symbols that are part of a religious holiday is permitted as a teaching aid or resource provided that such symbols are displayed as an example of cultural and religious heritage of the holiday and are temporary in nature.

Legal Reference:

EDUCATION CODE
38130-38138 Civic Center Act
46014 Absences for religious purposes
51511 Religious matters properly included in courses of study
51938 Right of parent/guardian to excuse from sexual health instruction
UNITED STATES CODE, TITLE 20
4071-4074 Equal Access Act
6061 School prayer
7904 School prayer
COURT DECISIONS
Lassonde v. Pleasanton Unified School District, (2003, 9th Cir.) 320 F.3d 979
Cole v. Oroville Union High School District, (2000, 9th Cir.) 228 F.3d 1092
Lemon v. Kurtzman, (1971) 403 U.S. 602

Management Resources:

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS
Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools, February 2003
Religion in the Public Schools: A Joint Statement of Current Law, April 1995
WEB SITES
California Department of Education: http://www.cde.ca.gov
U.S. Department of Education: http://www.ed.gov
CSBA: http://www.csba.org

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

ADMINISTRATIVE REGULATION TO BOARD POLICY 6141.2 (was BP 6020): RECOGNITION OF RELIGIOUS BELIEFS AND CUSTOMS

~~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. (Education Code 51240)~~

~~Alternate activities shall be provided for students who are so excused.~~

Staff shall make every effort to avoid scheduling examinations, school-sponsored trips, special laboratories, picture-taking days and class parties, ***to minimize conflicts with major*** ~~on established~~ religious holidays ***of all faiths***.

Programs, *and* Exhibits ~~, and Classroom Decorations~~

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 or designee shall ensure that school-sponsored programs are presented in an objective manner, consistent with Board policy.***

2. ***The principal or designee shall be kept informed of the program's development and shall participate in the planning process.***

~~1. The principal or designee shall participate in planning the program or exhibit and shall be kept informed of its development.~~

~~2.~~ *3* Program planners shall take into consideration the diverse religious faiths represented in the community, student body and staff, and shall ~~develop~~ ***promote*** a balance that reflects the diversity in the community. Special school events, assemblies, concerts and programs must be designed to further the Board-approved curriculum and may not focus on any one religion or religious observance. Religious music may be included in school events, but the music must be included because of its educational value. Special school events must not promote any particular religion or become a forum for religious devotion.

The use of religious symbols is permissible as a teaching aide or resource. Religious symbols may be displayed on a temporary basis provided that the symbols that are displayed are examples of the cultural and religious heritage of the holiday. Symbols of religious holidays which have acquired secular meaning, such as Christmas trees and dreidels are permissible if these symbols are displayed on a short term basis (48 hours or less) and must further the Board–approved secular curriculum. ~~***that has been approved by the Board of Trustees.***~~

In designing holiday programs, staff may include religious music/drama, but the music/drama must be included only because of its secular educational value. Holiday programs must not promote or denigrate any religion, serve as a religious celebration, or become a forum for religious devotion. Students who participate in holiday concerts may not be required to wear specialized attire that suggests or advocates any religion or holiday celebration.

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6141.6: MULTICULTURAL EDUCATION

To foster intercultural understanding, communication and respect in an increasingly diverse society, curriculum and instruction at all grade levels shall reflect the perspectives and experiences of various cultural, ethnic, racial and social groups. The Governing Board desires that multicultural education be integrated across the curriculum into as many subjects as possible rather than providing isolated lessons on different cultures.

The district's comprehensive multicultural education program shall recognize the contributions of different groups of people to the history, life and culture of the local community, California, the United States and the world. It may include, but not be limited to, instruction about the languages, cultural characteristics, significant events and individuals, and social, political and economic conditions of various ethnic groups.

While recognizing the unique aspects of different cultures and peoples, multicultural education shall also emphasize commonalities and challenge the stereotypes and biases that inhibit intergroup respect and understanding. Multicultural education also shall be designed to contribute to the personal development of students through greater self-understanding, positive self-concept and pride in one's ethnic identity.

Legal Reference:
EDUCATION CODE
44560 Inservice preparation in ethnic backgrounds
60040 Portrayal of cultural and racial diversity
Management Resources:
WEB SITES
California Arts Project: www.ucop.edu/tcap

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6142.4: SERVICE LEARNING

The Governing Board recognizes that service learning can help students learn the grade level academic standards, develop skills, career awareness and promote self-esteem. Service experiences also can motivate students by letting them apply what they are studying to local needs and problems and by showing them that they can make a meaningful contribution to their school and/or community.

Integrated Service Learning

The Board supports the integration of service learning activities within the curriculum so as to enhance learning in all subject areas. The Board encourages staff to collaborate with local public and nonprofit agencies in order to develop service learning activities that meet the core academic standards and also fit in with current community efforts to meet social welfare, educational, environmental or public safety needs.

Notifications

Parents/guardians shall receive information about the community service learning opportunities offered by the district and their benefits for both the community and the student. The district shall ask parents/guardians to acknowledge this information before students participate in off-campus service activities.

Legal Reference:

EDUCATION CODE
35160 Authority of governing boards
35160.1 Broad authority of school districts
51210 Areas of study, grades 1 to 6
51220 Areas of study, grades 7 to 12
51745 Independent study
UNITED STATES CODE, TITLE 42
12501-12682 National and Community Service Trust Act of 1993
COURT DECISIONS
F.2d 989 (3rd. Cir. 1993), cert. denied, 114 S.Ct. 85 (1993)
Steirer et al v. Bethlehem Area School District, 789 F.Supp. 1337 (E.D. Pa 1992) 987

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6142.5: ENVIRONMENTAL EDUCATION

The Governing Board 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

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6142.6: VISUAL AND PERFORMING ARTS EDUCATION

The Governing Board recognizes that by studying visual and performing arts, students learn to develop initiative, discipline, perceptual abilities and critical and creative thinking skills that extend to all areas of life. The Board believes that a comprehensive arts education program should be an integral part of the basic education offered to all students in all grades. The Board encourages all teachers to use the arts to facilitate learning in the subjects they teach.

The district's arts education program shall include opportunities to continually improve artistic skills, create and/or perform original works, acquire an appreciation of arts from many eras and cultures and develop an intellectual basis for making aesthetic judgments.

The Board supports collaboration with community arts agencies through the Local Arts Education Partnership Program and is committed to providing the necessary time, staff and financial resources in order to fulfill the district's part in this school-community arts agency partnership.

The Board acknowledges the importance of ongoing professional development for teachers in arts education. The Superintendent or designee shall ensure that certificated staff have opportunities to become knowledgeable about curriculum developments in the arts and strategies for delivering a comprehensive arts program to students.

Legal Reference:

EDUCATION CODE
8810-8819.5 Arts education
8820-8830 Arts work visual and performing arts educational program
8950-8958 California summer school of the arts
51204 Course of study designed for students' needs
51225.3 Graduation requirements
58800-58805 Specialized secondary programs
99200-99205 Subject matter projects

Management Resources:

CDE PUBLICATIONS
The Visual and Performing Arts Framework for California Public Schools: Kindergarten Through Grade Twelve, 1996
Literature for the Visual and Performing Arts, Kindergarten Through Grade Twelve
Prelude to Performance Assessments in the Arts, K-12, 1994
The Arts: Partnerships as a Catalyst for Educational Reform, 1994
Arts Work: A Call for Arts Education for All California Students, 1997
WEB SITES:
CDE: http://www.cde.ca.gov
TCAP: http://www.ucop.edu/tcap
California Arts Council: http://www.cac.ca.gov

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6142.7: PHYSICAL EDUCATION

PHYSICAL EDUCATION

The Governing Board recognized the positive benefits of physical activity for student health and academic achievement. The Board desires to provide a physical education program that gives students the opportunities to engage in healthful levels of vigorous physical activity that promotes and develops the student's physical, mental, emotional, and social well being. In addition, the physical education program builds interest and proficiency in movement skills and encourages students' lifelong fitness through physical activity. Besides promoting high levels of personal achievement and a positive self-image, physical education activities should teach students how to cooperate in the achievement of common goals.

1. The Board shall approve the components of the fitness-based physical education program to develop muscular strength, cardiovascular endurance, and flexibility. The program will include a variety of age appropriate physical activities that focus on the development of basic skills and cooperative play.

2. The Superintendent or designee shall develop effective implementation strategies district-wide to achieve mandated P.E. requirements reflected in State Standards.

3. Appropriate alternative activities shall be provided for students with a physical disability or medically diagnosed health limitations that may restrict excessive physical activities.

4. Physical education staff shall appropriately limit the amount or type of physical exercise required of students during air pollution episodes, hot weather or other inclement conditions.

5. The Superintendent or designee may grant temporary exemption from physical education if the student is ill or injured, unless a modified program to meet his or her needs can be provided.

Legal References on next page

Legal Reference:

EDUCATION CODE
33350 CDE responsibilities re: physical education
49066 Grades; physical education class
51210 Course of study, grades 1-6
51220 Course of study, grades 7-12
51222 Physical education
51223 Physical education, elementary schools
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
1041-1046 Physical performance test
3051.5 Adapted physical education for individuals with exceptional needs
10060 Criteria for high school physical education programs
UNITED STATES CODE, TITLE 29
794 Rehabilitation Act of 1973, Section 504
ATTORNEY GENERAL OPUNIONS
53 Ops.Cal.Atty.Gen. 230 (1970)

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

ADMINISTRATIVE REGULATION TO BOARD POLICY 6142.7:
PHYSICAL EDUCATION

Instruction in physical education shall be provided for a total period of time of not less than 200 minutes each 10 school days. (Education Code 51210, 51223)

Physical Performance Testing

During the month of February, March, April or May, students in Grade 5 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 the entire test shall undergo as much of the test as their physical condition will permit. (Education Code 60800)

Students and their parents/guardians shall be provided with their individual results after completing the physical performance testing. The test results may be provided orally as the student completes the testing. (Education Code 60800)

Each student's scores on the physical performance test shall be included in his/her cumulative record. (5 CCR 1044)

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6142.8: COMPREHENSIVE HEALTH EDUCATION

The Governing Board believes that health education should foster the knowledge, skills and behaviors that students need in order to lead healthy, productive lives. The district's health education program shall teach personal responsibility for one's own lifelong health, respect for and promotion of the health of others, the process of growth and development, and informed use of health-related information, products and services.

Goals for the district's health education program shall be designed to promote student wellness and shall be developed in accordance with Board policy. Such goals shall include, but not be limited to, goals for nutrition education and physical activity.

The Board intends for health education to be part of a coordinated school health system that links district, school, and community programs and services to promote the health and well being of students.

Legal Reference:

EDUCATION CODE
233.5 Duty concerning instruction of students
8850.5 Family relationships and parenting education
35183.5 Sun protection
49413 First aid training
49430-49436 Pupil Nutrition, Health and Achievement Act of 2001
49490-49493 School breakfast and lunch programs
49500-49505 School meals
51202 Instruction in personal and public health and safety
51203 Instruction on alcohol, narcotics and dangerous drugs
51210 Areas of study
51220.5 Parenting skills; areas of instruction
51260-51269 Drug education
51265 Gang violence and drug and alcohol abuse prevention inservice
51513 Personal beliefs
51890-51891 Comprehensive health education programs
51913 District health education plan
51920 Inservice training, health education
51930-51939 Comprehensive sexual health and HIV/AIDS prevention education
CALIFORNIA CODE OF REGULATIONS, TITLE 5
11800-11801 District health education plan

Management Resources:

CSBA PUBLICATIONS
Healthy Food Policy Resource Guide, 2003
CDE PUBLICATIONS
Health Framework for California Public Schools: Kindergarten Through Grade Twelve, 2003
CDHS PUBLICATIONS
Jump Start Teens, 1997
Playing the Policy Game, 1999
School Idea and Resource Mini Kit, 2000
WEB SITES
CSBA: http://www.csba.org
CDE: http://www.cde.ca.gov
CDHS, School Health Connections: http://www.mch.dhs.ca.gov/programs/shc/shc.htm
California Project LEAN (Leaders Encouraging Activity and Nutrition): http://www.californiaprojectlean.org
California Healthy Kids Resource Center: http://www.californiahealthykids.org
Centers for Disease Control and Prevention: http://www.cdc.gov
National Hearing Conservation Association: http://www.hearingconservation.org

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6142.91: READING/LANGUAGE ARTS INSTRUCTION

The Governing Board recognizes that reading and other language arts constitute the basic foundation for learning in other disciplines. Students should develop an appreciation for literature and for reading as a means to acquire knowledge. They also should develop oral and written language skills that enable them to effectively communicate with others.

The Board desires to offer a comprehensive, balanced reading/language arts program that ensures that all students have the skills necessary to read fluently and for meaning. The program shall integrate reading, writing, speaking and listening activities in order to build strong communication skills.

For each grade level, the Board shall adopt the California State Standards for English/Language Arts, which includes reading, speaking and writing, including spelling and grammar.

Teachers are encouraged to use a variety of instructional strategies to accommodate the needs of beginning readers and the varying abilities of more advanced readers. The Superintendent or designee shall provide professional development opportunities to ensure that teachers are knowledgeable about how students develop language skills, are able to analyze students' developing literacy and are able to draw from a variety of instructional strategies and materials.

The Superintendent or designee shall ensure that the district's reading/language arts program offers sufficient access to reading materials of varying levels of difficulty, including fiction and nonfiction works, so that students are continually reading at an appropriate level. In addition, technology should be available to support all areas of literacy.

Grades K-3

The goal of the district's early literacy program shall be to ensure that students are able to read fluently and at grade level by the end of third grade. To reach this goal, the Superintendent or designee shall design a balanced and comprehensive reading/language arts program with the following components:

1. ***Explicit skill development for beginning readers that includes phonemic awareness, phonics and decoding skills, and sufficient practice and repetition of these skills.***

2. ***A strong literature, language and comprehension program that includes a balance of oral and written language.***

3. ***Ongoing assessment of individual skills.***
4. ***An early intervention program that provides assistance to children at risk of reading failure.***

Teachers will participate in training activities designed to assist them in implementing a comprehensive K-3 reading program.

Grades 4-6

The Board recognizes that reading/language arts instruction is an integral component of the curriculum at all grade levels. Continuous progress in fluency and comprehension shall be the goal of reading/language arts instruction in grades 4-6.

The program in these grades shall promote reading for subject matter comprehension, developing understanding of progressively more advanced reading material, analyzing and discussing a variety of reading materials, increasing the frequency of reading, developing more complex writing skills with attention to composition and vocabulary, and developing other communications skills.

When students in these grades do not have fully developed reading/language arts skills, resources shall be made available to assist them in reaching a reading level sufficient to meet the demands of grade-level material. Staff at all grade levels and in every subject shall take responsibility for supporting and expanding the literacy skills of all students.

Supplementary Reading Instruction

To assist those students who are experiencing difficulty learning to read and to increase the reading skills and reading enjoyment of all students, the Board may offer elementary students in grades K-6 increased instructional opportunities outside the regular school day.

Legal Reference:

EDUCATION CODE
42239.1 Funding for intensive reading programs in grades K-4
44277 Professional growth requirements; professional development in reading
44755-44759.7 Teacher reading instruction development program
44830 Employment of certificated persons
44831 Certification qualifications
51210 Areas of study, grades 1 through 6
51220 Areas of study, grades 7 through 12
53000-53006 Comprehensive reading leadership program
53025-53031 Intensive reading program for grades K-4
53050-53057 Governor's reading award program
53075 Public involvement reading campaign
60200.4 Fundamental skills
60350-60352 Core reading program instructional materials
99220-99221 California Reading Professional Development Institutes
CODE OF REGULATIONS, TITLE 5
9535 Purchase of nonadopted core reading program instructional materials

Management Resources:

CSBA PUBLICATIONS
Every Student Can Read, Every Student Will Read, Report of the CSBA Reading Task Force, May 1995
CDE PROGRAM ADVISORIES
1028.93 Continuing Implementation of the English-Language Arts Framework, CIL: 93/94-02
Teaching Reading: A Balanced, Comprehensive Approach to Teaching Reading in Prekindergarten Through Grade Three, 1996
CDE PUBLICATIONS
Every Child a Reader, 1995
English-Language Arts Framework for California Public Schools, 1999
WEB SITES
CDE : http://www.cde.ca.gov

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

ADMINISTRATIVE REGULATION TO BOARD POLICY 6142.91: READING/LANGUAGE ARTS INSTRUCTION

Professional Development in Reading Instruction

The Superintendent or designee shall provide professional development in reading instruction for teachers of grades K-3, which addresses the subject matter, specified in Education Code 44757.

Professional development in reading instruction for teachers of grades 4-6 who teach in self-contained classes shall include the subject matter specified in Education Code 44759.

To the extent feasible, all certificated teachers participating in the program at the applicable grade levels shall receive this training, which also shall be available to school site administrators. The training shall not cause a reduction in student instructional time. (Education Code 44757, 44759)

The Superintendent or designee may use current and/or former employees as instructors to provide this training as long as content and other program requirements are met. (Education Code 44757.2, 44759.2)

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6142.92: MATHEMATICS INSTRUCTION

The Governing Board desires to offer a rigorous mathematics program that provides a strong foundation in basic mathematical skills and prepares students to apply mathematics in real life. The Superintendent or designee shall develop grade-level curricula that offer a balanced instructional program, including but not limited to:

1. ***Basic mathematical skills: quantification, basic facts, sorting and classification, and computational skills including addition, subtraction, multiplication, division, fractions, decimals, squares and square roots***

2. ***Conceptual understanding: knowledge and application of facts and definitions, identification of principles, understanding of relationships among mathematical concepts, recognition and application of signs, symbols and terms***

3. ***Problem solving: use of mathematical concepts, skills, tools and reasoning strategies to formulate and solve problems in a variety of situations***

The mathematics program shall develop such knowledge and skills in the subject areas of numbers, measurement, geometry, functions, statistics and probability, logic, algebra and discrete mathematics. Students should know, understand and demonstrate concepts through their application to classroom and real-life situations.

The Board shall approve the state academic standards in mathematical skills, concepts and problem-solving ability for each grade level. Students at risk of failing to meet performance standards shall receive additional assistance and intervention.

The Superintendent or designee shall ensure that certificated staff have opportunities to participate in professional development activities designed to increase their knowledge and skills in effective mathematics teaching practices.

Students shall have access to sufficient instructional materials, including manipulatives and technology, to support a balanced mathematics program.

Legal Reference:
EDUCATION CODE
51210 Areas of study, grades 1 through 6
51220 Areas of study, grades 7 through 12

Management Resources:
CDE PUBLICATIONS
Improving Mathematics Achievement for All California Students: The Report of the California Mathematics Task Force, 1995
Mathematics Framework for California Public Schools, 1992

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6142.93: SCIENCE INSTRUCTION

The Governing Board believes that science education should focus on giving students an understanding of key scientific concepts and a capacity for scientific ways of thinking. Students should become familiar with the natural world and the interrelation of science, mathematics and technology. As part of their science instruction, students should learn how to apply scientific knowledge and ways of thinking for individual and social purposes.

As a matter of principle, teachers are professionally bound to limit their teaching to content that meets the criteria of scientific fact, hypothesis and theory as these terms are used in natural sciences. A scientific fact is an understanding based on confirmable observations and is subject to test and rejection. A scientific hypothesis is an attempt to frame a question as a testable proposition. A scientific theory organizes and explains a range of natural phenomena on the basis of facts and hypotheses. Scientific theories are constantly subject to testing, modification and refutation as new evidence and new ideas emerge.

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

Legal Reference:

EDUCATION CODE
51210 Areas of study, grades 1 through 6
51220 Areas of study, grades 7 through 12

Management Resources:

CDE PUBLICATIONS
Science Framework for California Public Schools, 1990
SBE POLICIES
Policy Statement on the Teaching of Natural Sciences, January 13, 1989

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6143: COURSE OF STUDY

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

The Superintendent or designee shall establish processes for ensuring the articulation of content across grade levels within the district and shall work with representatives of appropriate area districts 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
33319.3 Driver education; CDE materials on road rage
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 1-6
51220-51228 Course of study for grades 7-12
51241 Exemption from physical education
51911-51921 Comprehensive health educational plans
51934 Instruction on AIDS and AIDS prevention
51940 Curriculum for brain and spinal cord injury prevention
66204 Certification of high school courses as meeting university admission criteria
GOVERNMENT CODE
3543.2 Scope of representation
HEALTH AND SAFETY CODE
11032 Definition of dangerous drugs
CODE OF REGULATIONS, TITLE 5
10020 Driver education
10060 Physical education program
UNITED STATES CODE, TITLE 20
6101-6251 School-to-Work Opportunities Act of 1994

Management Resources:

WEB SITES
CDE: http:// www.cde.ca.gov
University of California, College Prep Online Courses and Services: http://www.uccp.org

Board Policy/Administrative Regulation 6143 (was BP 6005 Approved by the Board of Trustees June 12, 1996): Presented to the Board of Trustees for a 1st Reading: April 25, 2007

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

ADMINISTRATIVE REGULATION TO BOARD POLICY 6143:
COURSE OF STUDY

Grades 1-6

Course of study for grades 1 through 6 shall include 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 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 development of the American economic system, including the role of the entrepreneur and labor.*

   c. *The relations of persons to their human and natural environments.*

   d. *Eastern and western cultures and civilizations.*

   e. *Contemporary issues.*

   f. *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.***

   The adopted course of study shall provide instruction at the appropriate grade levels and subject areas in:

   a. ***Fire prevention.***

   b. ***The protection and conservation of resources, including the necessity for the protection of our environment.***

   c. ***The effects of alcohol, narcotics, drugs, and tobacco upon the human body.***

7. ***Physical education, with emphasis on physical activities conducive to health and vigor of body and mind.***

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6144: CONTROVERSIAL ISSUES

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

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

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
51933 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

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

ADMINISTRATIVE REGULATION TO BOARD POLICY 6144:
CONTROVERSIAL ISSUES

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

1. ***The issue is related to the adopted curriculum 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 adopted 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, disability, occupation or socio-economic status.***

9. ***The oral or written presentation does not violate state or federal law.***

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

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6151 (was BP 6015): CLASS SIZE

The Governing Board recognizes that the number of students in a class may affect the extent to which teachers can identify and respond to individual student needs.

In accordance with negotiated employee agreements and state law, and upon the recommendation of the Superintendent or designee, the Board shall establish upper and lower class size limits appropriate for the subject or grade level taught and conducive to the effective use of teaching staff.

The Superintendent or designee shall regularly prepare reports that will enable the Board to evaluate the effectiveness of the class size reduction program and its impact on student achievement and on the attainment of the district's goals. These reports shall also include an analysis of the impact of class size reduction on staffing and school facilities needs.

Class Size Reduction in Grades K-3

The Board believes that small class size is beneficial to students in the elementary grades as they acquire the basic skills that serve as the foundation for their subsequent learning. The Superintendent or designee shall ensure that classes in primary grades designated by the Board are reduced to 20 or fewer students per teacher in accordance with law.

Full-time mainstreamed special education students (in the regular classroom at least 50% of the day), shall be included in determining class size for purposes of the class size reduction program.

In accordance with law, the Superintendent or designee shall ensure that the teachers of classes in the class size reduction program receive training designed to help them maximize the educational advantages of class size reduction.

If it becomes necessary to consider reducing or eliminating certain grade levels or schools from participation in the class size reduction program, the Superintendent or designee shall prepare a report analyzing the potential impact of the program's elimination, including the effects on the district's budget, facilities, staffing and collective bargaining agreement, as well as the potential impact on student achievement and learning. He/she shall present recommendations to the Board in accordance with the priorities specified in law.

Legal Reference:

EDUCATION CODE
17042 Rules for determining area of adequate school construction; exceptions
17042.7 Formula for calculation
33050 Nonwaivable provisions
35160 Authority of the board
41375 Legislative intent encouraging reduction in class size
41376 Minimum class size standards
41378 Apportionments and allowances, kindergarten classes
42280 Necessary small schools
46205 Computation for early-late programs
51225.3 Graduation requirements
52120-52128 Class Size Reduction Program
52080-52090 Morgan-Hart Class Size Reduction Act of 1989
GOVERNMENT CODE
3543.2 Scope of representation
CODE OF REGULATIONS, TITLE 5
15103 Definitions
15130-15133 Class size reduction program K-3
15140-15141 Class size reduction in two courses in grade 9

Management Resources:

CDE PROGRAM ADVISORIES
1007.96 Class Size Reduction and the Relationship to Individuals with Disabilities
0921.90 Implementing Class Size Reduction under the Morgan-Hart Class Size Reduction Act of 1989: CIL: 90/91-01
WEB SITES
CDE: http://www.cde.ca.gov

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6152: CLASS ASSIGNMENT

When assigning students to specific classrooms, the Superintendent or designee 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, ethnic and language balance***
3. ***Academic balance of advanced, proficient, and below proficient learners.***
4. ***Balance of students with social or emotional problems***
5. ***Strengths and teaching style of individual teachers***
6. ***Student interests, readiness, behavior and motivation***

The Superintendent or designee may accept from parents/guardians any student information, which would be helpful in making placement decisions. However, parents/guardians who provide such information shall be informed that requests for a specific teacher will not be accepted.

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

Legal Reference:
EDUCATION CODE
35020 Duties of employees fixed by governing board

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6153(was BP 6011 FIELD TRIPS): SCHOOL-SPONSORED TRIPS

The Governing Board 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.

If the Board allocates funds for school-sponsored trips, individual schools may be provided with budgetary allocations so that they can plan ahead. 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 prior approval of the Board. Other trips may be approved by the Superintendent or designee.

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.

The ratio of adults to students on school-sponsored trips shall be at least one to 10. If the trip involves water activities, this ratio shall be revised to ensure closer supervision of elementary grade students, appropriate to their ages.

Study Trips

In advance of a study trip, teachers shall determine educational objectives, which relate directly to the grade level academic standards. 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

Board Policy/Administrative Regulation/Exhibit 6153 (was BP 6011 Approved by the Board of Trustees June 12, 1996): Presented to the Board of Trustees for a 1st Reading: April 25, 2007

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

ADMINISTRATIVE REGULATION TO BOARD POLICY 6153: SCHOOL-SPONSORED TRIPS

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

Students must have written parental permission in order to participate in trips requiring transportation. (Education Code 35350) Transportation will be provided by district approved bus companies. Parents are prohibited from transporting any student, other than their own child, on a school sponsored trip,. The district shall provide an alternative educational experience for students whose parents/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. (Education Code 32040, 32041)***

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. (Education Code 32043)***

   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. (Education Code 32043)***

3. ***Before trips of more than one day, the principal or designee 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 or designee 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 Governing Board 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 18 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.***

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. (Education Code 35330)

Trip Approval

1. ***Teachers planning a trip shall make a request in writing to the principal at least 10 working 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 grade level academic standards 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 on trips unless planned and approved in advance.***

2. ***When wading in the ocean, bay, river or other body of water as part of a planned, supervised outdoor education activity, teachers shall instruct both chaperones and students of the real and potential risks inherent in such activities and the precautions necessary for their safety.***

3. a. ***Parents/guardians must provide written permission for the student to swim and must indicate the student's swimming ability.***

4. b. ***Swimming facilities, including backyard pools, must be inspected by the principal and teacher before the trip is scheduled.***

5. c. ***Owners of private pools must provide a certificate of insurance, designating the district as an additional insured, for not less than $500,000 in liability coverage.***

6. d. ***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.***

7. e. ***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.***

8. f. ***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.***

9. g. ***Emergency procedures shall be included with written instructions to adult chaperones and staff.***

10. h. ***Staff and chaperones assigned to supervise students must wear swim suits and know how to swim.***

11. i. ***The principal may require students to wear flotation devices, depending upon their age and swimming ability.***

12. j. ***A buddy-system or other means of surveillance shall be arranged in advance and strictly enforced during swimming activities.***

EXHIBIT 1

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.

3.

_____ _____
(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 *DEL MAR UNION 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)

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6154: HOMEWORK/MAKEUP WORK

The Governing Board recognizes that homework contributes toward building responsibility, self-discipline and life-long learning habits, and that time spent on homework directly influences students' ability to meet the district's academic standards. The Board expects students, parents/guardians and staff to view homework as a routine and important part of students' daily lives.

The Superintendent or designee shall ensure that administrators and teachers develop and implement an effective homework plan at each school site. As needed, teachers may receive training in designing relevant, challenging and meaningful homework assignments that reinforce classroom-learning objectives. Teachers' expectations related to homework may be addressed in their evaluations.

Although it is the student's responsibility to do most homework assignments independently, the Board expects teachers at all grade levels to use parents/guardians as a contributing resource. When students repeatedly fail to do their homework, parents/guardians shall be notified and asked to contact the teacher.

Makeup Work

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

Students who miss schoolwork because of unexcused absences may be given the opportunity to make up missed work for full or reduced credit as explained during Back to School Night. Teachers shall assign such makeup work as necessary to ensure academic progress, not as a punitive measure.

Legal Reference:

EDUCATION CODE
48205 Absences for personal reasons
48913 Completion of work missed by suspended student
48980 Parental notifications
58700-58702 Tutoring and homework assistance program; summer school apportionment credit

Management Resources:

SBE POLICIES
Parent Involvement in the Education of Their Children, 1994
Policy Statement on Homework, 1995

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

ADMINISTRATIVE REGULATION TO BOARD POLICY 6154: HOMEWORK/MAKEUP WORK

School-Site Homework Plan

The principal and staff at each school shall develop and regularly review school homework guidelines, which will include information on the assignment of homework and describes the responsibilities of students, staff and parents/guardians. The guidelines shall identify all of the following:

1. ***For each grade level, the amount of time that students shall be expected to spend on homework***
2. ***For each grade level, the extent to which homework assignments shall systematically involve participation by parents/guardians***
3. ***The means by which parents/guardians shall be informed about:***
   a. ***Homework expectations***
   b. ***How homework relates to the student's grades***
   c. ***How best to help their children***
4. ***Techniques that will be taught to help students allocate their time wisely, meet their deadlines and develop good personal study habits***
5. ***The access that students shall have to obtain resource materials from the library media center***
6. ***The means by which teachers shall coordinate assignments so that students do not receive an overload of homework one day and very little the next***
7. ***For each grade level, the extent to which homework assignments shall emphasize independent research, reports, special reading and problem-solving activities***

Makeup Work

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

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

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6159: INDIVIDUALIZED EDUCATION PROGRAM

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

The Superintendent or designee shall ensure that the district follows the North Costal Consortium for Special Education (NCCSE) Local Plan.

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

Legal Reference:

EDUCATION CODE
51225.3 Requirements for high school graduation and diploma
56055 Rights of foster parents pertaining to foster child's education
56136 Guidelines for low incidence disabilities areas
56195.8 Adoption of policies
56321 Development or revision of IEP
56321.5 Notice to include right to electronically record
56340.1-56346 Instructional planning and individualized education program
56350-56352 IEP for visually impaired students
56380 IEP reviews; notice of right to request
56390-56393 Certificate of completion, special education
56500-56508 Procedural safeguards
60640-60649 Standardized Testing and Reporting Program
60850 High school exit examination, students with disabilities
FAMILY CODE
6500-6502 Age of majority
GOVERNMENT CODE
7572.5 Seriously emotionally disturbed child, expanded IEP team
WELFARE AND INSTITUTIONS CODE
300 Children subject to jurisdiction
601 Minors habitually disobedient
602 Minors violating law defined as crime
CODE OF REGULATIONS, TITLE 5
852-853 Standardized Testing and Reporting Program, accommodations for students with disabilities
1216-1218 High School Exit Examination, accommodations for students with disabilities
3021-3029 Identification, referral and assessment
3040-3043 Instructional planning and the individualized education program
UNITED STATES CODE, TITLE 20
1232g Family Educational Rights and Privacy Act of 1974
1400-1487 Individuals with Disabilities Education Act
CODE OF FEDERAL REGULATIONS, TITLE 34
300.1-300.756 Individuals with Disabilities Education Act
COURT DECISION
Shapiro v. Paradise Valley Unified School District, No. 69 (9th Circuit, 2003) 2003 US.App. LEXIS 1395
Sacramento City School District v. Rachel H, 14 F.3d 1398 (9th Cir. 1994)

Management Resources:

FEDERAL REGISTER
34 CFR 300.a Appendix A to Part 300 - Questions and Answers
34 CFR 300.a1 Attachment 1: Analysis of Comments and Changes
WEB SITES
CDE: http://www.cde.ca.gov
US Department of Education, Office of Special Education and Rehabilitative Services: http://www.ed.gov/offices/OSERS

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

ADMINISTRATIVE REGULATION TO BOARD POLICY 6159:
INDIVIDUALIZED EDUCATION PROGRAM

At the beginning of each school year, the district shall have an individualized education program (IEP) in effect for each student with a disability within district jurisdiction. (34 CFR 300.342; Education Code 56344)

Members of the IEP Team

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

1. ***One or both of the student's parents/guardians, and/or a representative selected by the parent/guardian***

2. ***If the student is or may be participating in the general education program, not less than one general education teacher***

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

3. ***Not less than one special education teacher or, where appropriate, not less than one special education provider for the student.***

4. ***A representative of the district 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 about the general education curriculum, and***

   c. ***Knowledgeable about the availability of district and/or Special Education Local Plan Area (SELPA) resources.***

5. ***An individual who can interpret the instructional implication of assessment results. This individual may already be a member of the team as described in Items #1-4 above.***

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

7. ***Whenever appropriate, the student with the disability.***

8. ***For transition service participants:***

   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 of such other local agency has been invited but does not attend the meeting, the district shall take other steps to obtain participation of the agency in the planning of any transition services.

9. ***For students suspected of having a specific learning disability in accordance with 34 CFR 300.308 and 300.310, at least one individual who is qualified to conduct individual diagnostic examinations of the student, such as a school psychologist, speech language pathologist, or remedial reading teacher***

   In accordance with 34 CFR 300.542, at least one team member other than the student's general education teacher shall observe the student's academic performance in the regular classroom setting. If the child is younger than five years or not enrolled in school, a team member shall observe the child in an environment appropriate for a child of that age.

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

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

12. ***Upon request of the parent/guardian of a child who was previously served under Early Education for Individuals with Exceptional Needs (Education Code 56425-56432) or the California Early Intervention Services Act (Government Code 95000-95004), the district shall invite the Infant and Toddlers with Disabilities Coordinator or other representative of the early***

education or early intervention system to the initial IEP team meeting to assist with the smooth transition of services. (Education Code 56341; 20 USC 1414(d)(1)(D))

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

1. ***The program specialist, school psychologist, school nurse, school social worker, counselor, or other student services worker who has conducted an assessment of the student, when the assessment is significant to the development of the IEP***

2. ***Any other person whose competence is needed because of the nature and extent of the student's disability***

3. ***A public agency representative fluent in the student's and parent's primary language***

Meetings of the IEP Team

The IEP team shall meet: (20 USC 1414(d); Education Code 56045, 56341.1, 56343, 56380)

1. ***Whenever the student has received an initial formal assessment and, when desired, when the 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. ***Periodically, but at least annually, to:***

    a. ***Determine whether the student's annual goals are being achieved***

    b. ***Revise the IEP as appropriate to address, among other matters, the provisions for transition services specified in Education Code 56341.1***

    c. ***Review the IEP and the appropriateness of placement***

    d. ***Make any necessary revisions to the IEP***

The IEP team shall conduct this review. Others may participate if they have essential expertise or knowledge. (Education Code 56341; 34 CFR 300.321)

If a participating agency other than the district fails to provide the transition services described in the student's IEP, the team shall reconvene to identify alternative

strategies to meet the transition service objectives set out for the student in the IEP. (20 USC 1414(d); Education Code 56345.1)

A meeting to develop an initial IEP shall be conducted within 30 days of a determination that a student needs special education and related services pursuant to 34 CFR 300.323. (Education Code 56344)

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. (Education Code 56344)

However, an IEP required as a result of an assessment of a student shall be developed within 30 days after the commencement of the subsequent regular school year for the 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 school vacations, the 60-day time limit shall recommence on the date that student's school days reconvene. (Education Code 56344)

When a parent/guardian requests an IEP team meeting to review the IEP, the team shall meet within 30 days of receiving the parent/guardian's written request, not counting days between the student's regular school sessions, terms, or days of school vacation in excess of five school days. If a parent/guardian makes an oral request, the district shall notify the parent/guardian of the need for a written request and the procedure for filing a written request. (Education Code 56043, 56343.5)

A general education or special education teacher may request a review of the classroom assignment of a special education student by submitting a written request to the Superintendent or designee. The Superintendent or designee shall consider the request within 20 days of receiving it, not counting days when school is not in session. If the review indicates a need for change in the student's placement, instruction, and/or related services, the Superintendent or designee shall convene an IEP team meeting, which shall be held within 30 days of the Superintendent or designee's review, not counting days between the students regular school sessions, days of school vacation in excess of five school days (Education Code 56195.8), unless the student's parent/guardian consents in writing to an extension of time.

As a member of the IEP team, the general education teacher shall, to the extent appropriate, participate in the development, review, and revision of the student's IEP, including assisting in the determination of: (20 USC 1414(d)(3)(C); 34 CFR 300.324; Education Code 56341)

1. ***Appropriate positive behavioral interventions and supports and other strategies for the student***

2. *Supplementary aids and services, program modifications, and supports for school personnel that will be provided for the student, consistent with 20 USC 1414(d)(1)(A)(i)(IV)*

A member of the IEP team shall not be required to attend an IEP team meeting, in whole or in part, if the parent/guardian consents in writing and the district agrees that the attendance of the member is not necessary because the member's area of the curriculum or related services is not being modified or discussed at the meeting. If the meeting involves a discussion of the member's area of the curriculum or related service, the IEP team member may be excused from the meeting if the parent/guardian consents in writing to the excusal and the member submits to the parent/guardian and team written input into the development of the IEP prior to the meeting. (Education Code 56341; 20 USC 1414(d)(1)(C)): 34CFR 300. 321

To the extent possible, the district shall encourage the consolidation of reassessment meetings and other IEP team meetings for a student. (20 USC 1414(d)(3)(A)): 34CFR 300. 324

IEP Team Meetings: Parent/Guardian Notice and Attendance

The Superintendent or designee shall take steps to ensure that one or both of the parents/guardians of the student with a disability are present at each IEP team meeting or are afforded the opportunity to participate. These steps shall include notifying the parents/guardians of the meeting and scheduling the meeting at a mutually agreed upon time and place. (34 CFR 300.322; Education Code 56341.5)

The Superintendent or designee shall send parents/guardians notices of IEP team meetings early enough to ensure that they will have an opportunity to attend. These notices shall: (34 CFR 300.322; Education Code 56341.5)

1. *Indicate the purpose, time, and location of the meeting*

2. *Indicate who will be in attendance at the meeting*

3. *Inform the parents/guardians of the provisions of 34 CFR 300.321(a)(6) and (c) relating to their right to have on the IEP team other individuals who have knowledge or special expertise about the student*

4. *Inform the parents/guardians of the provisions of 34 CFR 300.321(f) relating to their right to invite to the initial IEP team meeting the Part C services coordinator or other representatives of the Part C system to assist with the smooth transition of services if the child was previously served under Part C.*

5. *Identify any other local agency that is likely to be responsible for providing or paying for transition services in accordance with 34 CFR 300.321*

6. *For students beginning at age 16 (or younger than 16 if deemed appropriate by the IEP team):*

   a. *Indicate that the purpose of the meeting will the consideration of postsecondary goals and transition services for the student pursuant to Education Code 56345.1 and 20 USC 1414(d)(1)(A)(i)(VIII)*

   b. *Indicate that the district will invite the student to the IEP team meeting*

   c. *Identify any other agency that will be invited to send a representative*

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

If no parent/guardian can attend the meeting, the Superintendent or designee shall use other methods to ensure parent/guardian participation, including individual or conference telephone calls. (20 USC 1414(f); 34 CFR 300.322; Education Code 56341.5)

An IEP team meeting may be conducted without a parent/guardian in attendance if the district is unable to convince the parent/guardian that he/she should attend. In this case, the district shall maintain a record of its attempts to arrange a mutually agreed upon time and place for the meeting, including: (34 CFR 300.322; Education Code 56341.5)

1. *Detailed records of telephone calls made or attempted and the results of those calls.*

2. *Copies of correspondence sent to the parent/guardian and any 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 team meetings, provided members of the IEP team are notified of this intent at least 24 hours before the meeting. If the district initiates the notice of intent to audiotape a meeting, and the parent/guardian objects or refuses to attend because the meeting would be audio taped, the meeting shall not be audio taped. Parents/guardians also have the right to: (Education Code 56341.1)

1. *Inspect and review the audiotapes.*

2. *Request that the audiotapes be amended if the parents/guardians believe they contain information that is inaccurate, misleading, or in violation of the student's privacy rights or other rights; and*

3. *Challenge, in a hearing, information that the parents/guardians believe is inaccurate, misleading, or in violation of the student's privacy rights or other rights. (Education Code 56341.1)*

The district shall take any action necessary to ensure that the parent/guardian understands the proceedings at a meeting, including arranging for an interpreter for parent/guardians with deafness or whose native language is not English. (Education Code 56345.5)

Contents of the IEP

The IEP shall be a written statement determined in a meeting of the IEP team. It shall include, but not be limited to, all of the following: (20 USC 1414(d)(1)(A); 34 CFR 300.320; Education Code 56043, 56345, 56345.1)

1. *A statement of the present levels of the student's academic achievement and functional performance, including the manner in which the student's disability affects his/her involvement and progress in the general curriculum (i.e., the same curriculum as for nondisabled students)*

   a. *For a preschool child, as appropriate, the manner in which the disability affects his/her participation in appropriate activities*

   b. *For students with disabilities who take alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives*

2. *A statement of measurable annual goals, including academic and functional goals, designed to do the following:*

   a. *Meet 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*

   b. *Meet each of the student's other educational needs that result from the student's disability*

3. *A description of the manner in which the progress of the student toward meeting the annual goals described in item #2 above will be measured and when the district will provide periodic reports on the progress the student is*

making toward meeting the annual goals, such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards.

4. ***A statement of the specific special educational instruction and related services and supplementary aids and services, based on peer-reviewed research, to the extent practicable, to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided for the student to:***

   a. ***Advance appropriately toward attaining the annual goals***

   b. ***Be involved and make progress in the general curriculum in accordance with item #1 above and to participate in extracurricular and other nonacademic activities***

   c. ***Be educated and participate with other students with disabilities and nondisabled students in the activities described in Education Code 56345(a)***

5. ***An explanation of the extent, if any, to which the student will not participate with nondisabled students in the general class and in the extracurricular and other nonacademic activities described in item #4(c) above.***

6. ***A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the student on state and districtwide assessments.***

   If the IEP team determines that the student shall take an alternate assessment on a particular state or districtwide assessment, a statement of the following:

   a. ***The reason that the student cannot participate in the regular assessment***

   b. ***The reason that the particular alternate assessment selected is appropriate for the student***

7. ***The projected date for the beginning of the services and modifications described in item #4 above and the anticipated frequency, location, and duration of those services and modifications***

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

1. ***Linguistically appropriate goals, objectives, programs, and services for students whose native language is not English***

2. *Extended school year services when the IEP team determines, on an individual basis, that the services are necessary for the provision of a free appropriate public education*

3. *Provision for transition into the general education program if the student is to be transferred from a special class or center, or nonpublic, nonsectarian school, into a general 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 general 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 general education program*

4. *Specialized services, materials, and equipment for students with low incidence disabilities, consistent with the guidelines pursuant to Education Code 56136*

Development, Review, and Revision of the IEP

In developing the IEP, the IEP team shall consider the following: (20 USC 1414(d)(3)(A); 34 CFR 300.324; Education Code 56341.1, 56345)

1. *The strengths of the student.*

2. *The concerns of the parents/guardians for enhancing the education of their child.*

3. *The results of the initial assessment or most recent assessment of the student.*

4. *The academic, developmental, and functional needs of the student.*

5. *In the case of a student whose behavior impedes his/her learning or that of others, if appropriate, the use of positive behavioral interventions and supports and other strategies to address that behavior.*

6. *In the case of a student with limited English proficiency, the language needs of the student as such needs relate to the student's IEP.*

7. *In the case of a student who is blind or visually impaired, the need to provide for instruction in Braille and instruction in the use of Braille.*

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

8. ***The communication needs of the student, and in the case of a student who is deaf or hard of hearing, the student's language and communication needs, opportunities for direct communications with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and communication mode.***

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

   a. ***The student's 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 which may be met by consolidating services into a local plan area-wide program or providing placement pursuant to Education Code 56361.***

   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 consistent with existing law regarding teaching training requirements; and***

   d. ***Services necessary to ensure communication-accessible academic instructions, school services, and extracurricular activities consistent with the federal Vocational Rehabilitation Act and the federal Americans with Disabilities Act.***

9. ***Whether the student requires assistive technology devices and services.***

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

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

The IEP team shall review the IEP periodically, but at least annually, to determine whether the annual goals for the student are being achieved and to revise the IEP, as appropriate, addressing, among other matters, the following: (20 USC 1414(d)(4); Education Code 56341.1)

1. ***Any lack of expected progress toward the annual goals and in the general curriculum, where appropriate.***

2. ***The results of any reassessment conducted pursuant to Education Code 56381.***

   A reassessment of the student shall be conducted at least once every three years, or more frequently if the district determines that the educational or related services needs, including the academic achievement and functional performance of the student, warrant a reassessment, if conditions warrant a reassessment, or if the student's parent/guardian or teacher requests a reassessment and a new IEP to be developed. (Education Code 56381)

3. ***Information about the student provided to or by the parents/guardians regarding review of evaluation data pursuant to Education Code 56381(b).***

4. ***The student's anticipated needs.***

5. ***Other relevant matters.***

The student shall be allowed to provide confidential input to any representative of his/her IEP team. (Education Code 56341.5)

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

When an IEP calls for a residential placement as a result of a review by an expanded IEP team, the IEP shall include a provision for a review, at least every six months, by the full IEP team of all of the following: (Education Code 56043)

1. ***The case progress;***

2. ***The continuing need for out-of-home placement;***

3. ***The extent of compliance with the IEP; and***

4. ***Progress toward alleviating the need for out-of-home care.***

When a change is necessary to a student's IEP after the annual IEP team meeting for the school year has been held, the parent/guardian and the district may agree not to convene an IEP team meeting for the purpose of making the change and instead may develop a written document to amend or modify the student's current IEP. Upon request, the district shall provide the parent/guardian with a revised copy of the IEP with the incorporated amendments. (20 USC 1414(d)(3(D); 34CFR 300.324)

Transfer Students

If a student with a disability transfers to this district from a district within this district's SELPA during the school year, this district shall continue, without delay, to provide services comparable to those described in the existing IEP, unless the parent/guardian and district agree to develop, adopt, and implement a new IEP that is consistent with state and federal law. (Education Code 56325)

If a student with a disability transfers to this district from a California district outside of this district's SELPA during the school year, the district shall provide the student with a free appropriate public education, including services comparable to those described in the previous district's IEP. Within 30 days, the district shall, in consultation with the parents/guardians, adopt the other district's IEP or shall develop, adopt, and implement a new IEP that is consistent with state and federal law. (Education Code 56325)

If a student with a disability transfers to this district from a district out of state during the school year, the district shall provide the student with a free appropriate public education, including services comparable to the out of state district's IEP, in consultation with the parent/guardian, until such time as the district conducts an assessment, if the district determines such an assessment is necessary, and develops a new IEP, if appropriate. (Education Code 56325)

To facilitate the student's transition, the district shall take reasonable steps to promptly obtain the records of a student with disabilities transferring into this district, including his/her IEP and the supporting documents related to the provision of special education services. (Education Code 56325)

Due Process/Mediation

The district must obtain informed consent from the parent for the initial provision of special education and related services to the student. The district must make reasonable efforts to obtain informed consent from the parent for the initial provision of special education and related services to the student. If the parent fails to respond or refuses to consent to the initial provision of special education and related services, then the district may not use the mediation procedures pursuant to 34 CFR 300.506 or file a due process hearing complaint pursuant to 34 CFR 300.507 to obtain agreement or a ruling that the services may be provided to the student. (Education Code 56346; 34 CFR 300.300)

However, if the parent/guardian, after having consented to services in the past, refuses all services in the IEP or does not consent to components of the IEP that the Superintendent or designee determines is necessary in order to provide a free appropriate public education to the student, the Superintendent or designee shall initiate a due process hearing pursuant to Education Code 56500. While the resolution session, mediation conference, or due process hearing is pending, the student shall remain in his/her current placement unless the parent/guardian and the Superintendent or designee agree otherwise. If a due process hearing is held, the hearing decision shall be the final administrative determination and shall be binding upon the parties. (Education Code 56346)

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6159.1:
PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION

Procedural Safeguards/Due Process Hearings

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

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

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

Complaints for Special Education

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

Copies of the SELPA approved procedural safeguards and complaints for special education are available at the district office and at each school site.

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
104.36 Procedural safeguards
300.500-300.517 Due process procedures for parents and children

Management Resources:

WEB SITES
CDE: http://www.cde.ca.gov

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6159.3:
APPOINTMENT OF SURROGATE PARENT FOR SPECIAL EDUCATION STUDENTS

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

Legal Reference

EDUCATION CODE
56028 Parent
56050 Surrogate parents
56055 Rights of foster parents
GOVERNMENT CODE
7570-7588 Interagency responsibilities for providing services to disabled children, especially:
7579.5 Surrogate parent; appointment; qualifications; liability
WELFARE AND INSTITUTIONS CODE
300 Children subject to jurisdiction
361 Limitations on parental control
601 Minors habitually disobedient or truant
602 Minors violating laws
726 Limitations on parental control
UNITED STATES CODE, TITLE 20
1414-1482 Individuals with Disabilities Education Act, especially:
1415 Procedural safeguards
UNITED STATES CODE, TITLE 42
11434a Definitions
CODE OF FEDERAL REGULATIONS, TITLE 34
300.20 Definition parent
300.515 Surrogate parents
Management Resources:
FEDERAL REGISTER
34 CFR 300.a Appendix A to Part 300 - Questions and Answers
34 CFR 300.a1 Attachment 1: Analysis of Comments and Changes
WEB SITES
California Department of Education: http://www.cde.ca.gov
U.S. Department of Education, Office of Special Education and Rehabilitative Services: http://www.ed.gov/about/offices/list/osers/index.html

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DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

ADMINISTRATIVE REGULATIONS TO BOARD POLICY 6159.3: APPOINTMENT OF SURROGATE PARENT FOR SPECIAL EDUCATION STUDENTS

Conditions Necessitating a Surrogate

The Superintendent or designee shall appoint a surrogate parent to represent a student with disabilities under one or more of the following circumstances: (Government Code 7579.5; 20 USC 1415(b)(2); 34 CFR 300.519)

1. *No parent/guardian for the student can be identified.*

2. *The district, after reasonable efforts, cannot discover the location of a parent or legal guardian of the student.*

3. *The student is adjudicated a dependent or ward of the court pursuant to Welfare and Institutions Code 300, 601 or 602 and all of the following conditions are satisfied:*

   a. *The court has referred the student for special education and related services or the student has a valid individualized education program (IEP);*

   b. *The court has specifically limited the right of the parent/guardian to make educational decisions for his/her child; and*

   c. *The student has no responsible adult to represent him or her pursuant to Welfare and Institutions Code 361 or 726 or Education Code 56055.*

4. *The student is an unaccompanied homeless youth not in the custody of a parent/guardian, as defined in 42 USC 11434a*

Appointment of Surrogate Parents

Upon a determination that a student needs a surrogate parent, the Superintendent or designee shall make reasonable efforts to ensure that the surrogate is appointed within 30 days. (20 USC 1412(b)(2)(B); 34 CFR 300.519)

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

from the home of the relative caretaker or foster parent who was appointed as the student's surrogate parent, the Superintendent or designee shall appoint another surrogate parent if a new appointment is necessary to ensure adequate representation of the student. (Government Code 7579.5)

The Superintendent or designee shall ensure that individuals to be appointed as surrogate parents have passed a criminal background check and have demonstrated interest and skill in working with students with disabilities.

Surrogate parents shall have no interests that conflict with the student's educational interests and shall have knowledge and skills that ensure adequate representation of the student. If a conflict of interest arises after the appointment of a surrogate parent, the Superintendent or designee shall terminate the appointment and appoint another surrogate parent. (34 CFR 300.519; Government Code 7579.5)

Duties of Surrogate Parent

The surrogate parent shall have all the rights relative to the student's education that a parent has under the Individuals with Disabilities Education Act pursuant to 20 USC 1414-1482 and 34 CFR 300.1-300.818. The surrogate parent may represent the student in all matters relating to identification, assessment, instructional planning and development, educational placement, review and revision of the IEP, and in other matters relating to the provision of a free and appropriate public education. (Education Code 56050; Government Code 7579.5)

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

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

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

Termination of Appointment

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

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

2. ***Another responsible adult is appointed to make educational decisions for the student (Government Code 7579.5)***

3. ***The right of the parent/guardian to make educational decisions for the student is fully restored (Government Code 7579.5)***

4. ***When the surrogate parent no longer satisfies the requirements for appointment as a surrogate parent, as specified above***

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DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6161: EQUIPMENT, BOOKS AND MATERIALS

The Governing Board recognizes that student learning is enhanced when students have 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 also should be up to date.

The Superintendent or designee shall develop procedures for determining the sufficiency of district instructional materials in providing accurate, current information and ensuring that students have access to standards-based materials. When new instructional materials have been chosen in accordance with the district's selection and evaluation policy, the Board shall make final decisions regarding their purchase.

Legal Reference:

EDUCATION CODE
60010 Definitions
60040-60047 Instructional requirements and materials
60119 Public hearing on sufficiency of materials
60200-60206 Elementary school materials
60240-60252 State Instructional Materials Fund
60400-60411 High school textbooks
60420-60424 Instructional Materials Funding Realignment Program
CALIFORNIA CODE OF REGULATIONS, TITLE 5
9505-9550 Instructional materials
9531-9532 Instructional Materials Funding Realignment Program

Management Resources:

WEB SITES
CDE, Curriculum Frameworks and Instructional Resources Division: http://www.cde.ca.gov/cfir

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6161.1:
SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS

The Governing Board desires that district instructional materials, as a whole, present a broad spectrum of knowledge and viewpoints, reflect the 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 are aligned with the state content standards, meet other criteria specified in law, and are an effective learning resource to help students achieve grade-level competency.

To ensure that instructional materials effectively support the district's adopted courses of study, the selection of textbooks, technology-based materials, other educational materials, and tests shall be aligned with the development and evaluation of the district's curriculum and standards.

The Superintendent or designee 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 shall also encourage the participation of parents/guardians and community members.

All recommended instructional materials shall be available for public inspection at the district office or school sites.

Individuals who participate in selecting and evaluating instructional materials shall not have a conflict of interest in the materials being reviewed, as defined in administrative regulation.

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

In accordance with the Instructional Materials Funding Realignment Program, the Board's priority in the selection of instructional materials is to ensure that all students in grades K-12 are provided with instructional materials that are aligned to state content standards in the core curriculum areas of reading/language arts, mathematics, science, and history/social science.

When the Board determines that standards-aligned textbooks and instructional materials have been provided to all students in accordance with Education Code 60422, it shall so certify. A copy of the certification shall be kept on file in the district.

The Superintendent or designee shall ensure that the district satisfies the criteria necessary to access funds under the state's Pupil Textbook and Instructional Materials Incentive Account pursuant to Education Code 60252.

The district may pilot instructional materials, using a representative sample of classrooms for a specified period of time during a school year, in order to determine how well the materials support the district's curricular goals and academic standards. Feedback from teachers piloting the materials shall be made available to the Board before the materials are adopted.

Public Hearing on Sufficiency of Instructional Materials

The Board shall annually conduct one or more public hearings on the sufficiency of the district's instructional materials. At these hearings, the Board shall determine, through a resolution, whether each student in each school has sufficient textbooks and/or instructional materials that are aligned to the state content standards adopted pursuant to Education Code 60605 in each of the following subjects: (Education Code 60119)

1. ***Mathematics***
2. ***Science***
3. ***History-social science***
4. ***English/language arts, including the English language development component of an adopted program***

The hearing shall take place on or before the end of the eighth week from the first day students attend school for that year. (Education Code 60119)

The Board encourages participation by parents/guardians, teachers, interested community members, and bargaining unit leaders at the hearing. The Superintendent or designee shall post, 10 days prior to the hearing and in three public places within the district, a notice containing the time, place, and purpose of the hearing. The hearing shall not take place during or immediately following school hours. (Education Code 60119)

If the Board determines that there are insufficient textbooks and/or instructional materials, the Board shall provide information to classroom teachers and to the public, setting forth for each school in which an insufficiency exists, the percentage of students who lack sufficient standards-aligned textbooks or instructional materials in each subject area, and the reasons that each student does not have sufficient textbooks and/or instructional materials. The Board shall take any action, except an action that

would require reimbursement by the Commission of State Mandates, to ensure that that each student has sufficient materials within two months of the beginning of the school year in which the determination is made. (Education Code 60119)

Legal Reference:

EDUCATION CODE
1240 County superintendent, general duties
33126 School accountability report card
35272 Education and athletic materials
44805 Enforcement of course of studies; use of textbooks, rules and regulations
49415 Maximum textbook weight
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 for publishers and manufacturers
60070-60076 Prohibited acts (re instructional materials)
60110-60115 Instructional materials on alcohol and drug education
60119 Public hearing on sufficiency of materials
60200-60206 Elementary school materials
60226 Requirements for publishers and manufacturers
60240-60252 State Instructional Materials Fund
60350-60352 Core reading program instructional materials
60400-60411 High school textbooks
60420-60424 Instructional Materials Funding Realignment Program
60510-60511 Donation of sale of obsolete instructional materials
60605 State content standards
CODE OF REGULATIONS, TITLE 5
9505-9535 Instructional materials, especially:
9531-9532 Instructional Materials Funding Realignment Program
Management Resources:
CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES
1002.90 Selection of Instructional Materials, CIL: 90/91-02
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Standards for Evaluation of Instructional Materials with Respect to Social Content, 1986 edition, revised 2001
STATE BOARD OF EDUCATION POLICY
01-05 Guidelines for Piloting Textbooks and Instructional Materials, September 2001
CSBA PUBLICATIONS
Maximizing School Board Leadership: Student Learning and Achievement, 1996
WEB SITES
CSBA: http://www.csba.org
Association of American Publishers: http://www.publishers.org
California Department of Education: http://www.cde.ca.gov
California State Board of Education: http//www.cde.ca.gov/be
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DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

ADMINISTRATIVE REGULATION TO BOARD POLICY 6161.1: SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS

Instructional Materials Funding Realignment Program

The district shall use state funds received under the Instructional Materials Funding Realignment Program to ensure that each student is provided with standards-aligned textbooks or instructional materials in the core curriculum areas of reading/language arts, mathematics, science, and history/social science. (Education Code 60422)

Instructional materials for grades K-6 shall be selected from the list of standards-aligned materials adopted by the State Board of Education (SBE). Standards-aligned materials in each core curriculum area shall be provided to each student at the beginning of the first school term that commences no later than 24 months after those materials are adopted by the SBE or the Board, as applicable. (Education Code 60422)

After the Board has certified that all students have been provided with standards-aligned instructional materials in the core curriculum areas, the district may use any remaining program funds for the purposes specified in Education Code 60242. (Education Code 60119, 60422)

Criteria for Selection and Adoption of Instructional Materials

Instructional materials adopted by the Board shall:

1. ***For basic instructional materials in grades K-6, be selected from among the list of materials approved by the SBE in accordance with law (Education Code 60200)***

2. ***Not reflect adversely upon persons because of their race, color, creed, national origin, ancestry, sex, disability, or occupation, or contain any sectarian or denominational doctrine or propaganda contrary to law (Education Code 60044)***

3. ***To the satisfaction of the Board, be accurate, objective, current, and suited to the needs and comprehension of students at their respective grade levels (Education Code 60045)***

4. ***With the exception of literature and trade books, use proper grammar and spelling (Education Code 60045)***

5. ***Not provide any exposure to a commercial brand name, product, or corporate or company logo unless the Board makes a specific finding that the use is appropriate based on one of the following: (Education Code 60200, 60048)***

    a. ***The commercial brand name, product, or corporate or company logo is used in text for an educational purpose as defined in guidelines or frameworks adopted by the SBE.***

    b. ***The appearance of a commercial brand name, product, or corporate or company logo in an illustration is incidental to the general nature of the illustration.***

6. ***Meet the requirements of Education Code 60040-60043 for specific subject content***

7. ***Support the district's adopted curriculum.***

8. ***Contribute to a comprehensive, balanced curriculum***

9. ***Demonstrate reliable quality of scholarship as evidenced by:***

    a. ***Accurate, up-to-date, and well-documented information***

    b. ***Objective presentation of diverse viewpoints***

    c. ***Clear, concise writing and appropriate vocabulary***

    d. ***Thorough treatment of subject***

10. ***Provide for a wide range of materials at all levels of difficulty, with appeal to students of varied interests, abilities, and developmental levels***

11. ***Include materials that stimulate discussion of contemporary issues and improve students' thinking and decision-making skills***

12. ***Contribute to the proper articulation of instruction through grade levels***

13. ***As appropriate, have corresponding versions available in languages other than English***

14. ***Include high-quality teacher's guides***

15. ***Meet high publishing standards in terms of the quality, durability, and appearance of paper, binding, text, and graphics***

16. *When available from the publishers, consider options for lighter weight materials in order to help minimize the damage to students by the combined weight of instructional materials*

Instructional Materials Evaluation Committee

The Superintendent or designee may establish an instructional materials evaluation committee to evaluate and recommend instructional materials for Board approval. This committee shall consist of a majority of teachers and may also include administrators, other staff who have subject-matter expertise, parents/guardians, community members, and students as appropriate.

The committee shall review instructional materials using criteria provided above and in law, and shall provide the Board with documentation supporting its recommendations.

Conflict of Interest

To ensure integrity and impartiality in the evaluation and selection of instructional materials, any district employee participating in the evaluation of instructional materials shall not:

1. *Accept any emolument, money, or other valuable thing or inducement, to directly or indirectly introduce, recommend, vote for, or otherwise influence the adoption or purchase of any instructional material (Education Code 60072)*

   Sample copies of instructional materials are excepted from this prohibition. (Education Code 60075)

2. *Be employed by or receive compensation from any person, firm, organization, or any of its subsidiaries or controlling entities submitting instructional materials to the district*

3. *Have or negotiate a contractual relationship with any person, firm, or organization or any of its subsidiaries or controlling entities submitting instructional materials to the district*

4. *Have an interest as a contributor, author, editor, or consultant in any textbook or other instructional material submitted to the district*

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6161.11: SUPPLEMENTARY INSTRUCTIONAL MATERIALS

The Governing Board encourages teachers to use supplementary instructional materials, which are relevant to curriculum objectives and compatible with district goals and objectives. 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 grade level academic standards in which they are being used***

2. ***Appropriate for students' ages and maturity levels***

Supplementary instructional materials must also be consistent with criteria developed for the selection and evaluation of other instructional materials. If the teacher believes that the materials may be in conflict with district criteria, the teacher shall confer with the principal or designee before using them.

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.

Visual Media

When a teacher desires to show a video that has not been approved by the district or county for use in the grade level taught, the teacher shall preview the video to determine whether in his/her professional judgment it is consistent with district criteria for the selection of instructional materials. All visual media must be appropriate for the curriculum and the students' ages.

If the teacher has any questions about how established district criteria apply to the visual media, he/she shall confer with the principal or designee 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
51933 Sex education materials
60010 Definitions
COURT DECISIONS
McCarthy v. Fletcher, (1989) 207 Cal. App. 3d 130

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6161.2: DAMAGED OR LOST INSTRUCTIONAL MATERIALS

The Governing Board recognizes that instructional materials are an expensive resource. The Superintendent or designee 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 or designee shall determine a lesser charge.

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

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

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6161.3: TOXIC ART SUPPLIES

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

The Superintendent or designee shall develop procedures for the purchase, use and proper disposal of arts and crafts materials, which ensure that the health and safety of students is protected from harmful exposure to toxic substances in accordance with Education Code 32064 and established health standards.

The Superintendent or designee shall ensure that arts and crafts material purchased for use by students in grades K-6 will not contain toxic substances or cause chronic illness as determined by the State Department of Health Services.

Legal Reference:

EDUCATION CODE
32060 Legislative findings and declarations
32061 Art or craft material; definition
32062 Human carcinogen; definition
32063 Toxic substance causing chronic illness; definition
32064 Restrictions on purchases of arts and crafts materials
32065 Warning labels
32066 List of toxic art supplies; preparation and distribution
HEALTH AND SAFETY CODE
108500-108515 Labeling of arts and crafts materials
PENAL CODE
594.1 Aerosol containers of paint

Management Resources:

CDE PROGRAM ADVISORIES:
0712.94 Toxic Art Supplies List of Approved Products CIL :94/95-01

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6162.5: STUDENT ASSESSMENT

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

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

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

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

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

Legal Reference:

EDUCATION CODE
51041 Evaluation of educational program
51450-51455 Golden State Seal Merit Diploma
60600-60649 Assessment of academic achievement
60800 Physical fitness testing
60810 Assessment of language development
60850-60856 Exit examination
CODE OF REGULATIONS, TITLE 5
850-870 Standardized Testing and Reporting program
880-901 Designated primary language test
1200-1216 High School Exit Examination, as proposed 11/21/00

Management Resources:

CDE PROGRAM ADVISORIES
Students with Disabilities: Guidelines for Testing the California Standardized Testing and Reporting Program
0327.86 Reporting norm-referenced standardized achievement test scores to parents
CSBA ADVISORIES
0306.01 California Assessment Update
0313.00 Districts must ensure that all required student data is submitted to the publisher, or face financial penalty #00-01
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
The Use of Tests as Part of High-Stakes Decision-Making for Students: A Resource Guide for Educators and Policy-Makers, December 2001
WEB SITES
CDE: http://www.cde.ca.gov
CSBA: http://www.csba.org
U.S. Department of Education, Office for Civil Rights: http://www.ed.gov/offices/OCR

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6162.51:
STANDARDIZED TESTING AND REPORTING PROGRAM

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

The Governing Board encourages all students at the applicable grade levels to participate in the STAR assessments in order to maximize the usefulness of the data and enable the district to meet participation levels required for state and federal accountability systems. The Superintendent or designee shall notify students and parents/guardians about the importance of these assessments and shall develop strategies to encourage student participation. Students shall be exempted from participation only in accordance with law and administrative regulation.

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

The Board shall annually examine STAR results by school, grade level, and student subgroup in the Board's discussion of each school's ranking on the statewide Academic Performance Index.

Legal Reference:

EDUCATION CODE
51041 Evaluation of educational program
52056 Board discussion of Academic Performance Index rankings, including STAR results
60600-60630 Assessment of academic achievement
60640-60649 Standardized Testing and Reporting program
60660-60663 Electronic learning assessment resources
60810 Assessment of language development
CODE OF REGULATIONS, TITLE 5
850-870 Standardized Testing and Reporting program
880-901 Designated primary language test
UNITED STATES CODE, TITLE 20
1412(a)(17) Participation of students with disabilities in state assessments
6311 Adequate yearly progress

Management Resources:

CDE PUBLICATIONS

Matrix of Test Variations, Accommodations and Modifications for Administration of California Statewide Assessments

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

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

WEB SITES

CSBA: http://www.csba.org

California Department of Education, STAR program: http://www.cde.ca.gov/ta/tg/sr

California Learning Resources Network: http://clrn.org

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

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

ADMINISTRATIVE REGULATION TO BOARD POLICY 6162.51:
STANDARDIZED TESTING AND REPORTING PROGRAM

The district shall administer the following assessments in the Standardized Testing and Reporting (STAR) program:

1. ***A nationally norm-referenced achievement test in basic academic skills designated by the State Board of Education (SBE) pursuant to Education Code 60642, to each student in Grade 3. (Education Code 60640)***

2. ***A standards-based achievement tests, as designated by the SBE pursuant to Education Code 60642.5, to each student in Grades 2-6. (Education Code 60640)***

3. ***A primary language test for any limited-English-proficient student who either receives instruction in his/her primary language or has been enrolled in a California public school for less than 12 months, if such a test is available. This test shall be administered in addition to any applicable norm-referenced achievement test and standards-based achievement test. (Education Code 60640)***

Following the first year of enrollment in a California public school, English language learners may continue to take, in addition to the tests in English, an achievement test in their primary language to the extent that such a test is available and the Superintendent or designee determines that such test results would provide useful information about students' performance.

4. ***The California Alternate Performance Assessment (CAPA) for any special education student whose individualized education program (IEP) specifically states that he/she will be assessed with the CAPA due to the student's inability to participate in any applicable norm-referenced test and standards-based achievement test, even with appropriate accommodation. (Education Code 60640; 5 CCR 850, 851)***

   Any special education student who is an English learner may be tested with the designated primary language test in accordance with item #3 above. (5 CCR 881)

Testing Period

The 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 percent of the school's, track's or program'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. (Education Code 60640; 5 CCR 855)

The Superintendent or designee shall arrange for at least two make-up days for the testing of students who were absent during the period that any school administered the STAR assessments. All make-up testing shall occur within five instructional days of the last date that the district administered the tests, but not later than the 21 instructional day window established above. (Education Code 60640; 5 CCR 855)

Exemptions

A parent/guardian may submit to the school a written request to excuse his/her child from any or all parts of any test. District employees may discuss the STAR program with parents/guardians and may inform them of the availability of exemptions under Education Code 60615. However, the district and its employees shall not solicit or encourage any written exemption request on behalf of any student or group of students. (5 CCR 852)

Testing Variations

The STAR assessments shall be administered in accordance with the manuals or other instructions provided by the test contractor, unless a testing variation, accommodation, or modification is specifically allowed in 5 CCR 853 or 853.5. (5 CCR 853, 853.5)

All students may be provided with the following variations: (5 CCR 853.5)

1. ***Simplified or clarified test directions***

2. ***For Grades 5 and 6 on the standards-based achievement test, write-in test booklets***

3. ***On the standards-based achievement test, as much time as needed within a single sitting to complete a test or test part***

In addition, all students shall be provided with the following testing variations if such variations are regularly used in the classroom: (5 CCR 853.5)

1. ***Special adaptive furniture***

2. ***Special lighting, special acoustics, or visual magnifying or audio amplification equipment***

3. ***An individual carrel or study enclosure***

4. *Individual testing in a separate testing room provided that a district employee who has signed the STAR Test Security Affidavit directly supervises the student*

5. *Colored overlay, masks, or other means to maintain visual attention to the test or test questions*

6. *For grade 2 or 3 standards-based achievement tests, underlining or marking information or working math problems in the test booklet*

7. *Manually Coded English or American Sign Language to communicate directions for test administration*

Identified English learners shall be provided with the following testing variations if such variations are regularly used in the classroom or for assessment: (5 CCR 853.5)

1. *Flexible setting: testing in a separate room with other English learners provided that a district employee who has signed the Test Security Affidavit directly supervises the student*

2. *Flexible schedule: additional supervised breaks following each section within a test part provided that the test section is completed within a testing day. A test section is identified by a "STOP" at the end of it.*

3. *Translated directions: hearing the test directions printed in the test administration manual translated into their primary language. English learners shall have the opportunity to ask clarifying questions about any test directions presented orally in their primary language.*

4. *Glossaries: access to translation glossaries/word lists for the standards-based achievement tests in mathematics, science, and history/social science (English to primary language). The translation glossaries/word lists are to include only the English word or phrase with the corresponding primary language word or phrase. The glossaries/word lists shall not include definitions or formulas.*

Students with disabilities shall be permitted to take the assessments with any of the testing variations listed in 5 CCR 853.5, provided the variations are specified in their IEP or Section 504 plan. These variations may include, but are not limited to, accommodations in the presentation or setting of the test administration or in how a student is allowed to respond, and/or modifications in accordance with 5 CCR 853.5. A special education student shall be allowed to test below his/her grade level only in accordance with 5 CCR 853. (5 CCR 850, 853, 853.5)

District and Test Site Coordinators

Each year the Superintendent or designee shall designate a district coordinator who shall serve as the district representative and liaison with the California Department of

Education for all matters relating to the STAR program. The Superintendent or designee also shall designate a coordinator at each test site. (5 CCR 857-858, 886-887)

In addition to the duties prescribed in 5 CCR 857-858 and 886, the district coordinator shall establish guidelines to help ensure that the test contractor is provided complete student information, as specified in 5 CCR 861 and 870, for purposes of the Academic Performance Index.

After receiving summary reports and files from the test contractor, the district STAR coordinator shall review the files and reports for completeness and accuracy, and shall notify the test contractor and the California Department of Education of any errors, discrepancies, or incomplete information. (5 CCR 857)

Reports of Test Results

The Superintendent or designee shall forward the student report provided by the test contractor to the student's parents/guardians within 20 working days of receiving the report from the contractor. If these reports are received from the contractor after the last day of instruction in the school year, each student's results shall be mailed to his/her parents/guardians. (5 CCR 863)

The report shall include a clear explanation of the purpose of the test, the student's score, and its intended use by the district. (Education Code 60641)

An individual student's scores shall also be reported to his/her school and teachers and shall be included in his/her student record. (Education Code 60641)

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

Individual test results shall not be released without the written consent of the adult student or the minor student's parents/guardians to any person other than a parent/guardian; a teacher, counselor or administrator directly involved with the student; or a postsecondary educational institution for the purposes of credit, placement, or admission. (Education Code 60607, 60641)

(11/01 11/04) 11/05

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6162.54: TEST INTEGRITY/TEST PREPARATION

The Governing Board desires to protect the integrity of student assessment processes in order to obtain an accurate assessment of student achievement in the district and maintain accountability to the community and state. Students and staff are expected to maintain a high level of integrity in the completion and handling of student assessments.

Test Integrity

In the administration of standardized tests, staff shall not:

1. ***Provide inappropriate test preparation***
2. ***Modify test administration procedures***
3. ***Provide inappropriate assistance to students during test administration***
4. ***Change or fill in answers on student answer sheets***
5. ***Provide inaccurate data on student header sheets***
6. ***Discourage or exclude certain students from taking the test***
7. ***Engage in any other practice to artificially raise student scores without actually improving underlying student achievement***

Preparation for State Tests

Staff may prepare students for assessments by providing instruction in the content specified in state and district academic standards and teaching general test-taking skills that are applicable to any test or test format.

The Superintendent or designee, principals and teachers shall not implement any program of specific preparation for the statewide student assessment program or a particular test used within that program. (Education Code 60611)

Practice tests provided by the publisher of the state achievement test may be used for the limited purpose of familiarizing students with the use of scanable test booklets or answer sheets and the format of test items. No alternate or parallel form of the test shall be administered or used. (5 CCR 854)

Staff shall not conduct reviews or drills that use actual test items or identical format items of state assessments, use copies of tests from previous years, or review test-specific curriculum content with students before administration of the test. In addition, test preparation materials or strategies developed for a specific test, including but not limited to published materials, materials available on the Internet, and materials developed by schools, districts, county offices of education or outside consultants, are prohibited.

Investigation and Consequences of Testing Irregularities

Reports of student cheating on assessments shall be submitted to the principal or designee for investigation. Students found to have cheated on assessments shall be subject to disciplinary procedures in accordance with Board policy and administrative regulations.

A staff member found to have committed testing irregularities shall be subject to discipline in accordance with law, where applicable, collective bargaining agreements, Board policy and administrative regulations.

The Superintendent or designee shall immediately investigate with due diligence any reports of inappropriate test preparation or other testing irregularities.

If the Superintendent or designee is made aware of a testing irregularity on state assessments, he/she shall report the irregularity to the California Department of Education.

Legal Reference:

EDUCATION CODE
60600-60649 California Assessment of Academic Achievement, especially:
60611 Inappropriate test preparation
GOVERNMENT CODE
54957 Complaints against employees, closed session
CODE OF REGULATIONS, TITLE 5
854 Advance preparation for test
857 STAR Program District Coordinator
1032 Testing irregularities, ineligibility for state awards program, as proposed 11/21/00
1215 Cheating on the high school exit examination, as proposed 11/21/00

Management Resources:

STATE BOARD OF EDUCATION POLICIES
Policy and Guidelines on Preparation for State Tests, September 2001
WEB SITES:
CDE: http://www.cde.ca.gov
CSBA: http://www.csba.org

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6162.6: USE OF COPYRIGHTED MATERIALS

All district staff shall adhere to the provisions of the federal copyright law and maintain the highest ethical standards in using copyrighted materials. 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 Governing Board 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 or designee shall be the only individual who may sign license agreements for software for district schools.

The Superintendent or designee 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

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

ADMINISTRATIVE REGULATION TO BOARD POLICY 6162.6:
USE OF COPYRIGHTED MATERIALS

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/designee 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.***

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 eighteen week period.***

2. ***Copying more than three works from a collective work or periodical volume during one eighteen week period.***

3. ***More than nine sets of multiple copies for distribution to students in one eighteen week period.***

4. ***Copying used to create, replace or substitute for anthologies or collective works.***

5. ***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~~ year to year.***

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.***

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.***

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.

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.***

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. (United States Code, Title 17, Section 117).***

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.***

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6162.7 (included in BP 6017):
USE OF TECHNOLOGY IN INSTRUCTION

The Governing Board encourages the instructional use of computers, DVDs, videotapes, interactive videodisks, distance learning, cable television and other technologies. The Board perceives that these technologies support student learning by:

- ***Teaching students new ways to access information and practice skills***
- ***Helping teachers meet a wide range of individual learning styles***
- ***Enabling teachers to move from whole-class instruction to a combination of small-group and individualized instruction***
- ***Helping students to develop reasoning and problem-solving abilities***
- ***Promoting the everyday use and importance of technology.***

The Board recognizes that trained teachers are needed to make the best use of the district's technology. All staff shall receive training in using the technologies available to them. All district schools shall have the opportunity to obtain computers, software and other technology equipment.

The district's educational software shall be carefully selected and evaluated to meet the needs of teachers and students and to conform with district policy and regulations.

Legal Reference:

EDUCATION CODE
51865 California distance learning policy
51870-51874 Educational Technology

Management Resources:
CDE PUBLICATIONS
The California Master Plan For Educational Technology, April 1992

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

ADMINISTRATIVE REGULATION TO BOARD POLICY 6162.7:
USE OF TECHNOLOGY IN INSTRUCTION

Copyrights

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. Public domain software may be duplicated and exchanged with other schools or staff. 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. ***Skill levels required to operate the program are commensurate with the skill levels being taught or practiced***
2. ***Instructions are clear and complete, and the program operates as specified in the instructions***
3. ***Program objectives relate to course objectives and are explicitly stated or readily apparent to the learner***
4. ***Responses to learners are helpful and encouraging***
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 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 and***
    d. ***Descriptions of the program's content and objectives, usage in various instructional settings, suggested related classroom activities***

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6162.8: RESEARCH

The Governing Board recognizes the value of academic research to improve educational programs and practices. Researchers shall respect the privacy rights of students, including their right to refrain from participation in research projects in accordance with law, Board policy and administrative regulation.

The Superintendent or designee may authorize research projects within the district by outside groups or persons when such research is aligned with district goals and objectives and is likely to benefit the district without disrupting the school program and/or instructional day.

The Superintendent or designee shall ensure that parents/guardians receive prior notification of any surveys or evaluations that collect personal student information and that consent is obtained in accordance with law.

Legal Reference:
EDUCATION CODE
51513 Personal beliefs
UNITED STATES CODE, TITLE 20
1232h Protection of pupil rights

Management Resources:
WEB SITES
CSBA: http://www.csba.org
CDE: http://www.cde.ca.gov
USDOE, Family Policy Compliance Office: http://www.ed.gov/offices/OM/fpco/

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

ADMINISTRATIVE REGULATION TO BOARD POLICY 6162.8: RESEARCH

Persons or groups wishing to use district staff, students or property in connection with an academic research project shall submit to the Superintendent or designee a written proposal which includes:

1. ***Name of researcher(s) and academic credentials***
2. ***Purpose and scope of the project***
3. ***Method of study or investigation to be used***
4. ***Extent of participation expected of students and staff***
5. ***Use to which project results will be put***
6. ***Benefits to the school(s) or the district***

The Superintendent or designee shall evaluate the extent to which the proposal:

1. ***Shows potential for improving instructional programs and strategies***
2. ***Addresses a relevant educational problem, concern or issue***
3. ***Is designed to minimize interruptions and demands upon the time of students and staff***

The Superintendent or designee may approve the proposed project for a period of one school year or less. To extend any project into a second school year, the researcher(s) must obtain approval from the Superintendent or designee.

Researchers shall certify that they will use no school names in the publication of findings without the approval of the Superintendent or designee.

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6163.1: LIBRARY MEDIA CENTERS

The Governing Board recognizes that school library media centers play a vital role in education by providing access to a variety of informational resources. The Board desires to provide comprehensive library media centers with up-to-date books, reference materials and electronic information, resources necessary to support a high-quality educational program, promote literacy, and enable students to become proficient as measured by the State academic standards.

School libraries shall be open for use by students and teachers during the school day. (Education Code 18103)

The district's school libraries may provide: (5 CCR 16040)

1. ***Library instruction to students that enables them to become proficient users of library resources***

2. ***Information to teachers and administrators concerning sources and availability of instructional materials that will aid in the development of school curriculum, and, in cooperation with classroom teachers, the development of instructional units and activities using library resources***

3. ***Assistance to teachers and students in the evaluation, selection, production and uses of instructional materials***

4. ***A collection of materials and resources that support the curriculum and are appropriate for user needs***

5. ***Assistance to teachers, administrators and other school staff members in becoming knowledgeable about appropriate uses of library media services, materials and equipment***

Selection and Evaluation of Library Materials

Responsibility for the selection of library materials is delegated to the professional library staff through the principal. School librarians shall evaluate materials in accordance with law, Board policy and administrative regulation, and using professional selection aids and standards. The selection process shall invite recommendations from administrators, teachers, other staff, parents/guardians and students as appropriate.

Library materials should be continually reevaluated in relation to evolving curricula, new formats of materials, new instructional methods, and the needs of students and teachers. Materials that contain obsolete subject matter or are no longer appropriate shall be removed, and lost or worn materials may be replaced if possible.

Complaints regarding the appropriateness of library materials shall be addressed using the district's procedures for complaints regarding instructional materials.

Fees

Students shall be allowed to borrow school library materials at no charge for use in the library and classrooms as well as out of school. (5 CCR 16042)

No charge shall be assessed for the late return of materials.

Legal Reference:

EDUCATION CODE
1703 Coordination of district library services by county superintendent
1770-1775 Provision of library services by county superintendent
18010-20091 Libraries, especially:
18100-18103 School libraries, establishment and maintenance
18111 Exclusion of books by governing board
18120 Librarians
18122 Report on conditions of libraries
18130-18139 Contract with county or city library
18180-18184 California Public School Library Act of 1998
18202-18203 Business Organizations and Opportunities for Kids Fund
18300-18571 Union high school district/unified school district library district
19336 Recommended books, Reading Initiative Program
44868 Qualifications of librarians
45340-45349 Instructional aides
60240-60251.5 State Instructional Materials Fund, including purchase of classroom library materials
60420-60424 Instructional Materials Funding Realignment Program
CODE OF REGULATIONS, TITLE 5
16040-16043 School libraries
80053 Library media service teaching credential

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Check It Out! Assessing School Library Media Programs, 1998
Recommended Literature: Kindergarten Through Grade Twelve
WEB SITES
CDE, School Libraries: http://www.cde.ca.gov/library
American Library Association: http://www.ala.org
American Association of School Librarians: http://www.ala.org/aasi
California Library Association: http://www.cla-net.org
California School Library Association: http://www.schoollibrary.org

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6163.2: ANIMALS AT SCHOOL

The Governing Board recognizes that animals can be an effective teaching aid. In addition, instruction related to the care and treatment of animals teaches students a sense of responsibility and promotes the humane treatment of living creatures.

Animals may be brought to school for educational purposes, subject to rules and precautions specified in administrative regulations related to health, safety and sanitation. Teachers shall ensure that these rules and precautions are observed so as to protect both the students and animals.

Seeing-eye dogs and service dogs may accompany students and staff at school as needed.

The district assumes no liability for the safety of animals voluntarily brought to school.

Legal Reference:

EDUCATION CODE
233.5 Instruction in kindness to pets and humane treatment of living creatures
51202 Instruction in personal and public health and safety
51540 Safe and humane treatment of animals at school
GOVERNMENT CODE
810-996.6 California Tort Claims Act, especially:
815 Liability for injuries generally; immunity of public entity
835 Conditions of liability

Management Resources:

HUMANE SOCIETY OF THE UNITED STATES
Catalogue of Publications, 1996
Guidelines for the Study of Animals in Elementary and Secondary School Biology, HE 1079

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

ADMINISTRATIVE REGULATION TO BOARD POLICY 6163.2: ANIMALS AT SCHOOL

All animals brought to school must be:

1. ***In good physical condition***

2. ***Vaccinated against transmittable diseases***

3. ***In clean, safe and suitable cages or containers or otherwise appropriately controlled***

Students bringing animals to school must first obtain the consent of the teacher and the parent/guardian.

Students shall not bring poisonous or wild animals to school.

If wildlife specimens are used for science instruction, protective gloves and a face shield shall be worn by anyone handling these specimens and the animals' saliva and neurological tissue shall be treated as infectious.

Animals brought to school by students shall generally be taken home the same day they are brought to school.

With the consent of the principal or designee, animals may remain at school longer under the following conditions:

1. ***The animal shall remain in the classroom only for the number of days needed to achieve the educational goal.***

2. ***The teacher shall provide a plan for the proper care, sanitation, feeding and handling of the animal.***

3. ***The teacher shall be responsible for the animal's care in the event of any school closure and may allow students to take class pets home over weekends.***

4. ***The teacher shall be familiar with any potential dangers caused by the animal and shall give special consideration to any students who have allergies to certain animals.***

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6163.4 (was BP 6017): STUDENT USE OF TECHNOLOGY

The Governing Board 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 or designee shall notify students and parents/guardians about authorized uses of district computers, user obligations and responsibilities, as well as consequences for unauthorized use and/or unlawful activities.

On-Line Services/Internet Access

The Superintendent or designee shall ensure that all district computers with Internet access have a technology protection measure that blocks or filters Internet access to visual depictions that are obscene, pornographic, or harmful to minors, and that the operation of such measures is enforced. (20 USC 6777, 47 USC 254)

The Board desires to protect students from access to harmful and/or inappropriate matter on the Internet or other on-line services. The Superintendent or designee shall implement rules and procedures designed to restrict students' access to these Internet sites. He/she also shall establish regulations to address the safety and security of students and student information when using electronic mail, chat rooms and other forms of direct electronic communication.

Staff shall supervise students while they are using on-line services.

Before using the district's on-line resources, each student and his/her parent/guardian shall sign and return an 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 or any district staff responsible for the failure of any technology protection measures, violations of copyright restrictions, or users' mistakes or negligence. They shall also agree to indemnify and hold harmless the district and all district personnel for any damages or costs incurred.

In order to help ensure that the district adapts to changing technologies and circumstances, the Superintendent or designee 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
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
UNITED STATES CODE, TITLE 20
6751-6777 Enhancing Education Through Technology Act, No Child Left Behind Act, Title II, Part D
6777 Internet safety
UNITED STATES CODE, TITLE 47
254 Universal service discounts (E-rate)
CODE OF FEDERAL REGULATIONS, TITLE 16
312.1-312.12 Children's online privacy protection
CODE OF FEDERAL REGULATIONS, TITLE 47
54.520 Internet safety policy and technology protection measures, E-rate discounts

Management Resources:

CDE PUBLICATIONS
K-12 Network Technology Planning Guide: Building the Future, 1994
CDE PROGRAM ADVISORIES
1223.94 Acceptable Use of Electronic Information Resources
WEB SITES
Federal Communications Commission: http://www.fcc.gov
U.S. Department of Education: http://www.ed.gov
CDE: http://www.cde.ca.gov
American Library Association: http://www.ala.org
CSBA: http://www.csba.org

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

ADMINISTRATIVE REGULATION TO BOARD POLICY 6163.4 (was BP 6017): STUDENT USE OF TECHNOLOGY

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

On-Line/Internet Services: User Obligations and Responsibilities

Students are authorized to use district equipment to access the Internet or on-line services in accordance with user obligations and responsibilities specified below and in accordance with Governing Board policy and the district's Acceptable Use Agreement.

1. ***The student, in whose name an on-line services account is issued, is responsible for its proper use at all times. Students shall keep personal account numbers, home addresses and telephone numbers private. They shall use the system only under their own account number.***

2. ***Students shall use the district's system responsibly and primarily for educational purposes.***

3. ***Students shall not access, post, submit, publish or display harmful or inappropriate matter that is threatening, obscene, disruptive or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, gender, sexual orientation, age, disability, religion or political beliefs.***

   Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest and is matter which depicts or describes in a patently offensive way sexual conduct and which lacks serious literary, artistic, political or scientific value for minors. (Penal Code 313)

4. ***Students shall not disclose, use or disseminate personal identification information about themselves or others when using electronic mail, chat rooms, or other forms of direct electronic communication. Students are also cautioned not to disclose such information by other means to individuals located through the Internet without the permission of their parents/guardians.***

   Personal information includes the student's name, address, telephone number, social security number, or other 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. Students shall not violate copyright laws or plagiarize documents. Any materials utilized for research projects should be given proper credit as with any other hard copy sources of information.***

7. ***Students shall not intentionally upload, download or create computer viruses and/or maliciously attempt to harm or destroy district equipment or materials or manipulate the data of any other user, including so-called "hacking."***

8. ***Students shall not read other users' electronic mail or files. They shall not attempt to interfere with other users' ability to send or receive electronic mail, nor shall they attempt to delete, copy, modify or forge other users' mail.***

9. ***Students shall report any security problem or misuse of the services to the teacher or principal.***

The district reserves the right to monitor the system for improper use. Electronic communications and downloaded material, including files deleted from a user's account, may be reviewed by district officials to ensure proper use of the system.

The principal or designee shall make all decisions regarding whether or not a student has violated Board policy or the district's Acceptable Use Agreement. The decision of the principal or designee 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.

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6164.2: GUIDANCE/COUNSELING SERVICES

The Governing Board recognizes that a comprehensive counseling program can help promote academic achievement and serve the diverse needs of district students. Students shall be encouraged to arrange a meeting with counseling staff to discuss academic, social or personal problems and other issues that may impact student learning.

Personal Counseling

The school psychologist shall identify and work with students whose personal problems may prevent them from functioning up to their potential. As appropriate, students and their parents/guardians shall be informed about agencies that offer qualified professional assistance with substance abuse, physical or emotional problems, or other personal problems.

The school psychologist shall respect student confidentiality as appropriate and shall consult with the Superintendent or designee or with the district's legal counsel whenever unsure of how to respond to a student's personal problem. Parental consultation and consent shall be obtained as appropriate.

Crisis Counseling

The Board recognizes the need for a prompt and effective response when students are confronted with a traumatic incident. The school psychologist shall assist in the development of the comprehensive school safety plan, emergency and disaster preparedness plan, and other prevention and intervention practices designed to assist students before and after a crisis.

In addition, the Superintendent or designee shall identify crisis counseling resources to train district staff in appropriate response techniques and/or to directly help students cope with such crises if they occur.

Early identification and intervention plans shall be developed to help identify those students who may be at risk for violence so that support may be provided before they engage in violent or disruptive behavior.

Nondiscrimination

The district shall not use testing or other materials for appraising or counseling students that permit or require impermissible or unlawful differential treatment of students. (5 CCR 4931)

Legal Reference:

EDUCATION CODE
221.5 Prohibited sex discrimination
48431 Establishing and maintaining high school guidance and placement program
48431.6 Academic progress and counseling review program
49600-49604 Educational counseling
51513 Personal beliefs
PENAL CODE
11166-11170 Reporting known or suspected cases of child abuse
CODE OF REGULATIONS, TITLE 5
4930-4931 Counseling
CODE OF REGULATIONS, TITLE 10
503 Military recruiter access to directory information
UNITED STATES CODE, TITLE 20
1232g Family Educational Rights and Privacy Act
7908 Armed forces recruiter access to students and student recruiting information
CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family Educational Rights and Privacy

Management Resources:

WEB SITES
United States Department of Education: http://www.ed.gov
CDE: http://www.cde.ca.gov
California Association of School Counselors: http://www.schoolcounselor-ca.org
American School Counseling Association: http://www.schoolcounselor.org

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6164.4 (was BP 6012 Individuals with Exceptional Needs): IDENTIFICATION OF INDIVIDUALS FOR SPECIAL EDUCATION

The Governing Board recognizes the need to actively seek out and evaluate district residents from birth through age 21 who have disabilities in order to provide them with appropriate educational opportunities in accordance with state and federal law.

The Superintendent or designee shall ensure that the district follows North Coastal Consortium Special Education procedures to determine when an individual is eligible for special education services and shall establish systematic procedures for special education program identification, screening, referral, assessment, planning, implementation, review and triennial assessment. (Education Code 56301)

The Superintendent or designee shall develop a method to ensure that all eligible individuals residing within the district are currently receiving needed special education and related services. In addition, the Superintendent or designee shall consult with appropriate representatives of private school students with disabilities on how to identify, locate and evaluate these students. (20 USC 1412(a)(3); 34 CFR 300.451)

The Superintendent or designee shall establish a method whereby parents/guardians, teachers, appropriate professionals and others may refer an individual for assessment for special education services. Identification procedures shall be coordinated with school site procedures for referral of students with needs that cannot be met with modifications to the regular instructional program. (Education Code 56302)

For assessment purposes, staff shall use appropriate tests to identify specific information about the individual's abilities in accordance with Education Code 56320.

The Superintendent or designee shall notify parents/guardians in writing of their rights related to identification, referral, assessment, instructional planning, implementation and review, including the district's procedures for initiating a referral for assessment to identify individuals who need special education services. (Education Code 56301)

Legal Reference:

EDUCATION CODE
44265.5 Professional preparation for teachers of impaired students
56000-56885 Special education programs, especially:
56026 Individuals with disabilities
56170-56177 Children in private schools
56195.8 Adoption of policies
56300-56304 Identification of individuals with disabilities
56320-56330 Assessment
56340-56347 Instructional planning and individualized education program
56381 Reassessment of students
56425-56435 Early education for individuals with disabilities
56441.11 Eligibility criteria, children 3 to 5 years old
56445 Transition to grade school; reassessment
56500-56508 Procedural safeguards
GOVERNMENT CODE
95000-95029 California Early Intervention Services Act
CODE OF REGULATIONS, TITLE 5
3021-3029 Identification, referral and assessment
3030-3031 Eligibility criteria
UNITED STATES CODE, TITLE 20
1232g Family Educational Rights and Privacy Act of 1974
1412 State eligibility
1415 Procedural safeguards
CODE OF FEDERAL REGULATIONS, TITLE 34
104.35 Evaluation and placement
104.36 Procedural safeguards
300.1-300.756 Assistance to states for the education of students with disabilities
COURT DECISIONS
Agostini v. Felton, (1997) 521 U.S. 203, 117 S.Ct. 1997

Management Resources:

FEDERAL REGISTER
34 CFR 300.a Appendix A to Part 300 - Questions and Answers
34 CFR 300a1 Attachment 1: Analysis of Comments and Changes
WEB SITES
CDE: http://www.cde.ca.gov
U.S. Department of Education, Office of Special Education Programs: http://www.ed.gov/offices/OSERS/OSEP

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6164.5: STUDENT STUDY TEAMS

The Governing Board encourages the collaboration of parents/guardians, teachers, resource personnel, administrators and students in evaluating the strengths and needs of students having academic, attendance or behavioral difficulties and in identifying strategies and programs that may assist the students. The Superintendent or designee shall establish student study teams as needed to address individual students' needs.

The Superintendent or designee shall establish a process for initiating referrals of students to the student study team.

Each student study team shall develop intervention strategies to assist the student. Such strategies may include changes in program placement or instructional methods, recommendation of supplemental educational services, parent involvement strategies, behavioral interventions, discipline, referrals to other agencies or resources, and/or other appropriate interventions.

The student study team shall monitor the student's progress, evaluate the extent to which the recommended strategies have been implemented, and develop additional interventions as needed.

Legal Reference:

EDUCATION CODE
8800-8807 Healthy Start support services for children
48260-48273 Truancy
48400-48454 Continuation education
48630-48644.5 Opportunity schools
49600-49604 Educational counseling
51745-51749.3 Independent study programs
52200-52212 Gifted and talented student programs
54400-54425 Programs for disadvantaged children
54440-54445 Migrant children
54660-54669 Dropout prevention programs
54720-54734 School-Based Pupil Motivation and Maintenance Program and Dropout Recovery Act
WELFARE AND INSTITUTIONS CODE
4343-4352.5 Primary interventions program, mental health
18986.40-18986.46 Interagency children's services

Management Resources:

CDE PUBLICATIONS
SB 65 School-Based Pupil Motivation and Maintenance Program Guidelines (2000-01 Edition), 2000
Student Success Teams: Supporting Teachers in General Education, 1997
CALIFORNIA DROPOUT PREVENTION NETWORK PUBLICATIONS
SST: Student Success Teams, 2000
WEB SITES
California Department of Education: http://www.cde.ca.gov/spbranch/ssp
California Dropout Prevention Network: http://www.edualliance.org/cdpn
National Dropout Prevention Center: http://www.dropoutprevention.org

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6164.6:
IDENTIFICATION AND EDUCATION UNDER SECTION 504

The District recognizes the need to identify and evaluate children with disabilities in order to provide them with a free, appropriate public education. 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 or designee ~~will~~ ***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 ability to attend or function at school.

To evaluate the student's eligibility ~~and, if necessary, develop an accommodation plan~~ under Section 504, the Superintendent ~~(District Section 504 Coordinator)~~ or designee ~~will~~ ***shall*** convene a ~~Section 504 team~~ ***school site committee*** 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 will be invited to participate on this committee.

If the student due to a disability is found to have a disability that requires regular or special education and related aids and services under Section 504, the ~~Section 504 team~~ ***school site committee*** ~~will~~ ***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 ~~Section 504 team~~ ***school site committee*** ~~will~~ ***shall*** determine what modifications to the student's educational program and/or special services and aids are needed. The student ~~will~~ ***shall*** be educated with nondisabled students to the maximum extent appropriate to the student's individual needs.

The ~~Section 504 team~~ ***school site committee*** ~~will~~ ***shall*** provide the parent/guardian of each qualified disabled student 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
1400-1482 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

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

ADMINISTRATION REGULATION TO BOARD POLICY 6164.6: IDENTIFICATION AND EDUCATION UNDER SECTION 504

Eligibility

A disabled student eligible for services under Section 504 is one who (a) has a physical or mental impairment that substantially limits ~~pne3~~ ***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. [34CFR 104.3 (j) and (k)]

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 impairment~~

2. ~~Students with a normal ability to learn academically but who require occupational or physical therapy in order to function properly~~ ~~***physically***~~

3. ~~Students with emotional disabilities manifested by behavior 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, diabetes, AIDS or heart disease

2. Temporary medical condition due to illness or accident

3. Poor or failing performance over a lengthy period of time

4. Frequent referrals for behavioral problems within a short period of time.

5. Students with a short attention span and/or behavioral problems who have a difficult time attending to course work.

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 ~~administration~~ ***principal.***

2. The ~~Section 504 team~~ ***school site committee*** ~~will~~ ***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. ~~The evaluation will comply with the requirements set forth in 34 CFR. Section 104.35 (a) and (b).~~

3. If a request for evaluation is denied, the ~~Section 504 team~~ ***school site committee*** ~~will~~ ***shall*** inform the parents/guardians ~~in writing~~ of this decision and ~~provide them with a copy~~ of their procedural rights as described below.

Accommodation Plan

1. When a student is identified as disabled within the meaning of Section 504, the ~~Section 504 team~~ ***school site committee*** ~~will~~ ***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.

2. In making this determination, the ~~Section 504 team~~ ***school site committee*** ~~will~~ ***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 Section 504 team responsible for making the placement decisions shall include persons knowledgeable about the child, the meaning of the evaluation data, and the placement options.~~

4. *3* The parent/guardians ~~will~~ ***shall*** be invited to participate in the ~~Section 504 team~~ ***school site committee*** meeting where services for the student will be determined and shall be given an opportunity to examine all relevant records ~~upon request~~.

4. The school site committee 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. The Section 504 team will 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 will be informed in order to provide for the student in the school setting.~~

~~6.~~ *5.* ***If the school site committee 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 Section 504 team may also determine that a student identified as a qualified disabled person within the meaning of Section 504 does not need special education or related aids and services. If such a determination is made, the Section 504 team will document~~ the basis for the decision that no special services are presently needed.

~~7.~~ ***6.*** ~~In all cases, a qualified~~ ***The*** disabled student ~~within the meaning of Section 504 will~~ ***shall*** be placed in the ~~District's~~ regular educational environment unless the ~~D~~***d***istrict demonstrates that ~~such placement with the use of supplementary aids and services does not meet the student's needs as adequately as the needs of nondisabled students.~~ ***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.***

~~8.~~ *7.* The parent/guardians will be notified in writing of the final decision concerning ~~the student's educational program and~~ services to be provided, if any, and of the Section 504 procedural safeguards, including the right to an impartial hearing to challenge the decision.

~~9.~~ *8.* The ~~D~~***d***istrict ~~will~~ ***shall*** complete the identification, evaluation and placement process within a reasonable time frame. ~~not to exceed fifty school days.~~

~~10.~~ *9.* The student's plan ~~will~~ ***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 ~~Section 504 team~~ ***school site committee*** ~~will~~ ***shall*** monitor the progress of the ~~qualified~~ disabled student and of the effectiveness of the ***student's*** plan. ~~annually to~~ ***The committee shall periodically*** determine whether ~~special education or related~~ the services are appropriate and necessary, and to assure that the agreed to ~~regular or special education and related aids and~~ services are appropriate and necessary, and ~~being provided as needed to ensure~~ ***whether*** the disabled student's needs are met as adequately as the needs of nondisabled students.

2. ~~Prior to any significant change in the educational placement of a qualified disabled student, the District will conduct a comprehensive reevaluation of the student's needs.~~ ***A reevaluation of the student's needs will be conducted before any subsequent significant change in placement.***

Procedural Safeguards

~~1. A~~ p*P*arents*/guardians* ~~or guardian of a qualified student~~ shall be notified in writing of all ~~D~~*d*istrict decisions ~~concerning~~ ***regarding*** the identification, evaluation or educational placement of ***students with disabilities or suspected disabilities.*** ~~their child made under this policy. Notifications shall include a statement of their rights Code of Federal Regulations, Title 34, Part 104.36. Notifications shall 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.~~ ***Notifications shall include a statement of their rights to: (34 CFR 104.36)***

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 or designee shall maintain a list of impartial hearing officers who are qualified and willing to conduct Section 504 hearings. To ensure impartiality, such officers shall not be employed by or under contract with the district in any 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 or designee 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 or designee 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 or designee shall select an impartial hearing officer. This 20 days may be extended for good cause or by mutual agreement of the parties.

Within 45 days of the selection of the 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 or designee 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.

~~1. A parent or guardian of a qualified disabled student has the right to review relevant records regarding their child. Records may be reviewed at the school site or at the District Office.~~

~~2. A parent or guardian may appeal decisions made by the District relating to any of the following:~~

~~a. Identification of the student as qualified disabled pursuant to 34 CFR Section 104.3 (j).~~

~~b. Evaluation procedures utilized with the student pursuant to 34 CFR Section 104.35.~~

Board Policy/Administrative Regulation 6164.6 (was BP 6016 Approved by the Board of Trustees June 12, 1996): Approved by the Board of Trustees July 19, 2000, Revisions Presented to the Board of Trustees for a 1st Reading: April 25, 2007

c. Educational placement/services recommended for the student in accordance with 34 CFR Section 104.33.

3. An appeal must be filed in the office of the Section 504 Coordinator within thirty (30) calendar days of the date of the notification of the District decision.

4. Within twenty (20) calendar days of receipt of a timely written appeal and request for hearing, the Section 504 coordinator will select an impartial hearing officer in each for which a hearing has been requested.

5. Within forty-five (45) calendar days of the selection of the hearing officer the hearing on the appeal shall be conducted and a written decision mailed to all parties.

6. A hearing officer selected by the District must satisfy the following requirements:

a. Be qualified to review District decisions relating to Section 504 of the Rehabilitation Act.

b. Not be an employee or contractor of the District or the SELPA of which the District is a member in any capacity other than hearing officer and shall not be a person who has a professional or personal involvement that would affect his or her objectivity in the case.

7. Any party to the hearing shall be afforded the following rights:

a. The right to be accompanied and advised by counsel and by individuals with special knowledge or training relating to the problems of students who are qualified disabled within the meaning of Section 504.

b. The right to present evidence, documentary and testamentary.

c. The right to question and cross-examine witnesses.

d. The right to written finding of fact conclusions of law and decision prepared by the hearing officer.

8. The hearing officer shall render a decision pursuant to the legal standards set forth in 34 CFR, Part 104.

9. Either party may seek review of the hearing officer's decision by a court of competent jurisdiction.

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6171: TITLE I PROGRAMS

In order to improve the academic achievement of students from economically disadvantaged families, the district shall use federal Title I funds to provide supplementary services that reinforce the core curriculum and assist students in attaining proficiency on state academic standards and assessments.

The Superintendent or designee shall provide technical assistance and support to any school participating in the Title I program, including consultation in the development and implementation of school plans and activities. (20 USC 6312)

The district and each school receiving Title I funds shall develop a written parent involvement policy in accordance with 20 USC 6318.

Local Educational Agency Plan

The Superintendent or designee shall consult with teachers, principals, administrators, other appropriate school personnel, and parents/guardians of participating students in the development, periodic review, and, as necessary, the revision of a local educational agency (LEA) plan. The plan and any revisions shall be submitted to the Governing Board for approval. (20 USC 6312)

The plan shall address the components specified in 20 USC 6312, which describe the assessments, strategies, and services the district will use to help low-achieving students meet challenging academic standards.

The initial plan shall be submitted to the California Department of Education (CDE) and approved by the State Board of Education. Subsequent revisions of the plan shall be kept on file in the district.

Comparability of Services

State and local funds used in schools receiving Title I funds shall provide services that, taken as a whole, are at least comparable to services in schools that are not receiving Title I funds or, if all district schools are receiving Title I funds, that are substantially comparable in each school. Comparability may be determined on a school-by-school basis or by grade span. (20 USC 6321)

To demonstrate comparability of services among district schools:

1. The Board shall adopt and implement a district-wide salary schedule.

2. The ratio of students to teachers, administrators, and other staff at each Title I school shall not exceed 110 percent of the average ratio across non-Title I schools.

3. ***Salary expenditures at each Title I school shall be no less than 90 percent of the average salary expenditure across non-Title I schools.***

4. ***All district schools shall be provided with the same level of base funding per student for curriculum and instructional materials.***

5. ***The Superintendent or designee shall maintain records of the quantity and quality of instructional materials and equipment at each school.***

In determining comparability, the district shall not include staff salary differentials for years of employment. The district also may exclude unpredictable changes in student enrollment or personnel assignments that occur after the beginning of the school year, state and local funds expended for language instruction educational programs, state and local funds expended for the excess costs of providing services to disabled students, and supplemental state or local funds expended in any school attendance area or school for programs that specifically meet the intent and purposes of Title I. (20 USC 6321)

At the beginning of each school year, the Superintendent or designee shall measure comparability in accordance with the above criteria and maintain records documenting the district's compliance. If any instances of noncomparability are identified, the Superintendent or designee shall promptly implement adjustments as needed to ensure comparability.

Program Evaluation

The Board shall use state assessment results and other available measures or indicators to annually determine whether each participating school is making adequate yearly progress toward ensuring that all students meet the state's proficient level of achievement on state assessments. (20 USC 6316)

Legal Reference:

EDUCATION CODE
11503 Parent involvement programs in Title I schools
52055.57 Districts identified or at risk of identification for program improvement
54020-54028 Economic Impact Aid
54420-54425 State Compensatory Education
64001 Single plan for student achievement, consolidated application programs
UNITED STATES CODE, TITLE 20
6301 Program purpose
6311-6322 Improving basic programs for disadvantaged students, including:
6312 Local educational agency plan
6313 Eligibility of schools and school attendance areas; funding allocation
6314 Title I schoolwide programs
6315 Targeted assistance schools
6316 School improvement
6318 Parent involvement
6320 Participation of private school students
6321 Comparability of services
7881 Participation of private school students
CODE OF FEDERAL REGULATIONS, TITLE 34
200.1-200.79 Improving basic programs for disadvantaged students

Continued on next page.

Management Resources:

CSBA PUBLICATIONS

Parent Involvement: Development of Effective and Legally Compliant Policies, Governance and Policy Services Policy Briefs, August 2006

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

LEA Plan, rev. May 17, 2006

Provisions for Private School Students, Teachers, and Other Education Personnel in the No Child Left Behind Act of 2001, rev. November 1, 2005

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Title I Fiscal Issues, May 26, 2006

Designing Schoolwide Programs, March 22, 2006

Supplemental Educational Services, June 13, 2005

The Impact of the New Title I Requirements on Charter Schools, July 2004

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

Serving Preschool Children Under Title I, March 4, 2004

Title I Services to Eligible Private School Students, October 17, 2003

Local Educational Agency Identification and Selection of School Attendance Areas and Schools and Allocation of Title I Funds to Those Areas and Schools, August 2003

WEB SITES

CSBA: http://www.csba.org

California Department of Education: http://www.cde.ca.gov/iasa/titleone

No Child Left Behind: http://www.ed.gov/nclb

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

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

ADMINISTRATIVE REGULATION TO BOARD POLICY 6171:
TITLE I PROGRAMS

Schoolwide Programs

A school may operate a Title I schoolwide program in order to upgrade the entire educational program of the school when at least 40 percent of the students in the school attendance area, or at least 40 percent of the students enrolled in the school, are from low-income families. The Superintendent or designee shall inform any such eligible school and the school's parents/guardians of the school's eligibility and its ability to consolidate funds from federal, state, and local sources for program purposes. (20 USC 6312, 6314)

Any participating school shall develop, annually review, and update a single plan for student achievement which incorporates the plan required by 20 USC 6314 for reforming the school's total instructional program and plans required by other categorical programs included in the state's consolidated application. (Education Code 64001; 20 USC 6314)

A schoolwide program shall include:

1. *A comprehensive needs assessment of the entire school, including the needs of migrant students, which includes the achievement of students in relation to state academic content and achievement standards.*

2. *Schoolwide reform strategies that:*

   a. *Provide opportunities for all students to meet the state's proficient and advanced levels of achievement.*

   b. *Use effective methods and instructional strategies, based on scientifically based research, that strengthen the school's core academic program, increase the amount and quality of learning time, help provide an enriched and accelerated curriculum, and include strategies for meeting the educational needs of historically underserved populations.*

   c. *Include strategies to address the needs of all students in the school, but particularly the needs of low-achieving students and those at risk of not meeting state achievement standards who are members of the target population of any program that is part of the schoolwide program.*

      Such strategies may include counseling, student services, mentoring services, college and career awareness and preparation, and the integration of vocational and technical education programs.

   d. *Address how the school will determine if student needs have been met.*

e. *Are consistent with and designed to implement state and local improvement plans, if any.*

3. *Instruction by highly qualified teachers.*

4. *High-quality and ongoing professional development for teachers, principals, paraprofessionals, and, if appropriate, student services personnel, other staff, and parents/guardians to enable all students in the school to meet state academic achievement standards.*

5. *Strategies to attract high-quality, highly qualified teachers to high-need schools.*

6. *Strategies to increase parent involvement.*

7. *Plans for assisting preschool children in the transition from early childhood programs to elementary school programs*

8. *Measures to include teachers in decisions regarding the use of academic assessments to provide information on and to improve the achievement of individual students and the overall instructional program.*

9. *Activities to ensure that students who experience difficulty mastering the proficient and advanced levels of academic standards shall be provided with effective, timely additional assistance, which shall include measures for timely identification of students' difficulties and provision of sufficient information on which to base effective assistance*

10. *Coordination and integration of federal, state, and local services and programs*

Targeted Assistance Programs

Any school that receives Title I funds but does not operate a schoolwide program shall use Title I funds to provide services to: (20 USC 6315)

1. *Students in grades 3-12 identified by the school as failing, or most at risk of failing, to meet the state's academic achievement standards on the basis of criteria established by the district and supplemented by the school.*

2. *Students in preschool through grade 2 selected solely on the basis of such criteria as teacher judgment, interviews with parents/guardians, and developmentally appropriate measures.*

A targeted assistance program shall: (20 USC 6315)

1. *Use program resources to help participating students meet state academic achievement standards expected for all students.*

2. *Ensure that program planning is incorporated into existing school planning.*

3. *Use effective methods and instructional strategies, based on scientifically based research, that strengthen the core academic program, give primary consideration to providing extended learning time, help provide an accelerated, high-quality curriculum, and minimize removing students from the regular classroom during regular school hours for instruction provided by Title I.*

4. *Coordinate with and support the regular education program, which may include services to assist preschool students in the transition to elementary school programs.*

5. *Provide instruction by highly qualified teachers.*

6. *Provide opportunities for professional development for teachers, principals, paraprofessionals, and, if appropriate, student services personnel, other staff, and parents/guardians who work with participating students.*

7. *Provide strategies to increase parent involvement.*

8. *Coordinate and integrate federal, state, and local services and programs.*

Participation of Private School Students

The Superintendent or designee shall provide or contract to provide special educational services or other Title I benefits to eligible private school students residing in a participating school attendance area. Such services and benefits shall be provided on an equitable basis with participating public school students. (20 USC 6320, 7881)

Teachers, other educational personnel, and families of participating private school students shall have an opportunity to participate, on an equitable basis, in parent involvement activities and professional development pursuant to 20 USC 6318 and 6319. (20 USC 6320, 7881)

Each year the Superintendent or designee shall contact officials of private schools with students who reside within district boundaries, regardless of whether the private school they attend is located within the district or whether or not those officials have previously indicated any interest in program participation.

The Superintendent or designee shall consult, in a meaningful and timely manner, with appropriate private school officials during the design and development of the district's Title I programs. Such consultation shall occur before the district makes any decision that affects the opportunities of eligible private school students to participate in Title I programs and shall include a discussion of: (20 USC 6320, 7881; 34 CFR 200.63)

1. *How the needs of private school students will be identified.*

2. *What services will be offered.*

3. *How, where, and by whom the services will be provided.*

4. *How the services will be academically assessed and how assessment results will be used to improve those services.*

5. *The size and scope of the equitable services to be provided to private school students and the proportion of funds that is allocated for such services.*
6. *The method or sources of data that are used to determine the number of students from low-income families in participating school attendance areas who attend private schools.*

7. *How and when the district will make decisions about the delivery of service to such students, including a thorough consideration and analysis of the views of private school officials on the provision of services through a third-party provider.*

8. *How, if the district disagrees with the views of private school officials on the provision of services through a third-party provider, the district will provide to private school officials a written analysis of the reasons that the district has chosen not to use a contractor.*

Meetings between district and private school officials shall continue throughout implementation and assessment of services. (20 USC 6320)

The Superintendent or designee shall maintain, and shall provide to the California Department of Education upon request, a written affirmation signed by officials of each participating private school that consultation has occurred. (20 USC 6320)

If the private school officials do not provide such affirmation within a reasonable period of time, the Superintendent or designee shall maintain records of the consultation or the offer of consultation.

The Superintendent or designee also shall maintain records documenting that:

1. *The needs of private school teachers and/or private school students were identified.*

2. *The funds made available were equitable to those allocated for public school students and teachers.*

3. *The district's program met the needs of the private school teachers and/or private school students.*

4. *The district made efforts to resolve any complaints made by private school representatives.*

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6172: GIFTED AND TALENTED STUDENT PROGRAM

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

Programs for gifted and talented students may include part-time groupings and cluster groupings, which shall be planned and organized as an integrated, differentiated learning experience within the regular school day. These programs may be augmented or supplemented with other differentiated activities related to the core curriculum using such strategies as independent study, acceleration, and enrichment. (Education Code 52206)

The Board shall determine the most appropriate curricular components for participating students. Each participating student's program shall include an academic component and, as appropriate, instruction in basic skills. (Education Code 52206)

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

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

The Board shall regularly evaluate the effectiveness of the district's program in meeting the needs of gifted and talented students as measured by responses on the District Parent Survey and Student Performance.

Program planning, implementation and evaluation shall involve parents/guardians, staff, community members and students as appropriate.

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
76002 Community college courses
CODE OF REGULATIONS, TITLE 5
1633 Instruction by correspondence
3820-3870 Gifted and Talented Pupil Program

Management Resources:

WEB SITES
CDE: http://www.cde.ca.gov
California Association for the Gifted: http://www.cagifted.org

Board Policy/Administrative Regulation 6172: Presented to the Board of Trustees for a 1st Reading: April 25, 2007

National Association for Gifted Children: http://www.nagc.org

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

ADMINISTRATIVE REGULATION TO BOARD POLICY 6172: GIFTED AND TALENTED STUDENT PROGRAM

Definitions

A gifted and talented student is a student enrolled in a public school who is identified as possessing demonstrated or potential abilities that give evidence of high performance capability in categories selected by the Governing Board. (Education Code 52201) Selected categories include the intellectually gifted, high achievement/specific academic ability, and underachieving GATE.

A highly gifted student is one who has achieved a score at the 98th percentile on a cognitive abilities test or the California Standards Test and has demonstrated extraordinary aptitude and achievement in language arts, mathematics, science, or other academic subjects, as evaluated and confirmed by both the student's teacher and principal. Highly gifted students shall generally constitute not more than one percent of the student population. (Education Code 52201)

A part-time grouping is one in which students attend classes or seminars that are organized to provided advanced or enriched subject matter for a part of the school day and those classes are composed of identified gifted and talented students. (5 CCR 3840)

A cluster grouping is one in which students are grouped within a regular classroom setting and receive appropriately differentiated activities from the regular classroom teacher. (5 CCR 3840)

Independent study provides additional instructional opportunities supervised by a certificated district employee through special tutors or mentors or through enrollment in correspondence courses specified in Education Code 51740 and 5 CCR 1633. (5 CCR 3840)

Acceleration means that students are placed in grades or groupings more advanced than those of their chronological age group and may receive instruction outside the regular classroom in order to facilitate their advanced work. (5 CCR 3840)

Enrichment activities are supplemental educational activities that augment students' regular educational programs in their regular classrooms. Students may use advanced materials and may receive special learning opportunities from persons other than the regular classroom teacher. (5 CCR 3840)

Program Plan

The Superintendent or designee shall develop a written plan for the district's program which shall include the components specified in 5 CCR 3831 and be designed in accordance with state program standards.

Identification of Gifted and Talented Students

Students shall be selected for the program based on their demonstrated or potential ability for high performance in accordance with the categories specified in Education Code 52202 and 5 CCR 3822.

Evidence of a student's capability shall include any of the data specified in 5 CCR 3823 and shall consider the economic, linguistic, and cultural characteristics of students' background. (5 CCR 3823)

The Superintendent or designee shall design methods to seek out and identify gifted and talented students from varying linguistic, economic, and cultural backgrounds and whose extraordinary capacities require special services and programs. (5 CCR 3820)

Prior to making a final determination of a student's eligibility, the pertinent evidence shall be evaluated by the student's principal or designee, a classroom teacher familiar with the student's work, and a credentialed school psychologist. A person recognized as an expert in the gifted and talented category under consideration, and/or a person who has in-depth understanding of the student's linguistic or cultural group, shall participate in the evaluation of the evidence unless there is no doubt as to the student's eligibility. These persons shall meet as necessary to resolve any differences in assessment and recommendations. (5 CCR 3824)

The Assistant Superintendent of Curriculum and Instruction shall make the final determination of a student's eligibility.

The Superintendent or designee shall consider identifying as gifted and talented any student who has transferred from a district in which he/she was identified as a gifted and talented student.

Written consent shall be secured from a student's parent/guardian before he/she participates in the program. (5 CCR 3831)

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6173: EDUCATION FOR HOMELESS CHILDREN

The Governing Board recognizes its obligation to ensure that homeless children have access to the same free and appropriate public education provided to other children within the district. The district shall provide homeless students with access to education and other services necessary for these students to meet the same challenging performance standards as other students. Students shall not be segregated into a separate school or program based on their status as homeless, nor shall homeless students be stigmatized in any way.

The Superintendent or designee shall ensure that placement decisions for homeless students are based on the student's best interest as defined in law and administrative regulation.

Transportation

The district shall provide transportation for a homeless student to and from a district school of origin when the student is residing within the district and the parent/guardian requests that such transportation be provided. If the student moves outside of district boundaries but continues to attend this district's school of origin, the Superintendent or designee shall consult with the Superintendent of the district in which the student is now residing to agree upon a method to apportion the responsibility and costs of the transportation. (42 USC 11432)

Legal Reference:

EDUCATION CODE
1980-1986 County community schools
2558.2 Use of revenue limits to determine average daily attendance of homeless children
39807.5 Payment of transportation costs by parents
UNITED STATES CODE, TITLE 42
11431-11435 McKinney-Vento Homeless Assistance Act

Management Resources:

CDE PUBLICATIONS
Enrolling Students in Homeless Situations, 1999
FEDERAL REGISTER
U.S. Department of Education: Notice of school enrollment guidelines, 67 Fed. Reg. 10698
WEB SITES
CDE: http://www.cde.ca.gov/cilbranch/homeless/homelesstoc.html
U.S. Department of Education: http://www.ed.gov/offices/OESE/CEP/hmlsprogresp.html
National Law Center on Homelessness and Poverty: http://www.nlchp.org

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

ADMINISTRATIVE REGULATION TO BOARD POLICY 6173: EDUCATION FOR HOMELESS CHILDREN

Definitions

Homeless means students who lack a fixed, regular and adequate nighttime residence and includes: (42 USC 11434a)

1. ***Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement***

2. ***Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings***

3. ***Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings***

4. ***Migratory children who qualify as homeless because the children are living in conditions described in (1)-(3) above***

School of origin means the school that the student attended when permanently housed or the school in which the student was last enrolled. (42 USC 11432)

Best interest means, to the extent feasible, continuing a student's enrollment in the school of origin for the duration of his/her homelessness, except when doing so is contrary to the wishes of his/her parent/guardian. (42 USC 11432)

District Liaison

The Superintendent or designee designates the following staff person as the district liaison for homeless students (42 USC 11432):

Director of Pupil Services
225 Ninth Street
Del Mar, CA 92014
858-755-9301

The district's liaison for homeless students shall ensure that: (42 USC 11432)

1. ***Homeless students are identified by school personnel and through coordination activities with other entities and agencies***

2. ***Homeless students enroll in, and have a full and equal opportunity to succeed in, district schools***

3. ***Homeless families and students receive educational services for which they are eligible***

4. ***Parents/guardians are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children***

5. ***Notice of the educational rights of homeless children is disseminated at places where children receive services, such as schools, shelters, and soup kitchens***

6. ***Enrollment disputes are mediated in accordance with law, Governing Board policy and administrative regulation***

7. ***Parents/guardians are fully informed of all transportation services***

Enrollment

Placement decisions for homeless students shall be based on the student's best interest. In determining a student's best interest, a homeless student shall, to the extent feasible, be placed in his/her school of origin, unless his/her parent/guardian requests otherwise. (42 USC 11432)

The student may continue attending the school of origin for the duration of the homelessness and until the end of any academic year in which the student moves into permanent housing. (42 USC 11432)

If the student is placed at a school other than the school of origin or a school requested by the parent/guardian, the Superintendent or designee shall provide the parent/guardian with a written explanation of the decision along with a statement regarding the parent/guardian's right to appeal the placement decision. (42 USC 11432)

Once a placement decision has been agreed upon, the principal or designee shall immediately enroll the student in the designated school, even if the parent/guardian is unable to provide the school with the records normally required for enrollment. (42 USC 11432)

The principal or designee shall immediately contact the school last attended by the student to obtain the relevant records. If the student needs to obtain immunizations or does not possess immunization or other medical records, the principal or designee shall refer the parent/guardian to the district homeless student liaison. The liaison shall assist the parent/guardian in obtaining the necessary immunizations or records for the student. (42 USC 11432)

Enrollment Disputes

If a dispute arises over school selection or enrollment in a particular school, the student shall be immediately admitted, pending resolution of the dispute, to the school in which enrollment is sought. (42 USC 11432)

The parent/guardian shall be provided with a written explanation of the placement decision, including an explanation of the parent/guardian's right to appeal the decision. He/she shall also be referred to the district liaison. (42 USC 11432)

The district liaison shall carry out the dispute resolution process provided by the state as expeditiously as possible after receiving notice of the dispute. (42 USC 11432)

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6173.1: EDUCATION FOR FOSTER YOUTH

The Governing Board recognizes its obligation to ensure that foster youth have access to the academic resources, services and extracurricular and enrichment activities that are available to district students. The district shall provide students in foster care within the district with access to educational opportunities and other services necessary to help such students achieve the district's performance standards.

The Superintendent or designee shall ensure that placement decisions for foster youth are based on the students' best interests as defined in law and administrative regulation.

The Superintendent or designee shall collaborate with the county placing agency and other appropriate agencies to ensure maximum utilization of available funds and to meet the educational needs of foster youth within the district.

Legal Reference:

EDUCATION CODE
42920-42925 Foster children educational services
48645.1 Juvenile court schools
48850-48859 Educational placement of students residing in licensed children's institutions
49061 Student records
49069.5 Foster care students transfer of records
49076 Access to student records
56055 Rights of foster parents in special education
WELFARE AND INSTITUTIONS CODE
300 Children subject to jurisdiction
309 Investigation and release of child
361 Limitations on parental or guardian control
366.27 Educational decision by relative providing living arrangements
602 Minors violating law; ward of court
726 Limitations on parental or guardian control
727 Order of care, ward of court
UNITED STATES CODE, TITLE 42
11431-11435 McKinney-Vento Homeless Assistance Act

Management Resources:

WEB SITES
California Department of Education, Foster Youth Services Program:
http://www.cde.ca.gov/spbranch/ssp/fysprfa/fysrfa.htm
California Department of Social Services, Foster Youth Ombudsman Office:
http://www.fosteryouthhelp.ca.gov

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

ADMINISTRATIVE REGULATION TO BOARD POLICY 6173.1:
EDUCATION FOR FOSTER YOUTH

Definitions

Foster youth means a child who has been subject to one of the following: (Education Code 48853.5)

1. ***Has been removed from his/her home pursuant to Welfare and Institutions Code 309 (investigation and release of child)***

2. ***Is the subject of a petition filed under Welfare and Institutions Code 300 (jurisdiction of juvenile court) or 602 (minors ward of court, violating law)***

3. ***Has been removed from his/her home and is the subject of a petition filed under Welfare and Institutions Code 300 or 602***

Person holding the right to make educational decisions means a responsible adult appointed by a court pursuant to Welfare and Institutions Code 361 or 727.

School of origin means the school that the foster youth attended when permanently housed or the school in which the student was last enrolled. If the school the foster youth attended when permanently housed is different from the school in which he/she was last enrolled, or if there is some other school that the foster youth attended within the preceding 15 months and with which the youth is connected, the district liaison shall, in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the youth, determine, in the best interest of the foster youth, the school of origin. (Education Code 48853.5)

Best interest means a placement that ensures that the youth is placed in the least restrictive educational program and has access to academic resources, services, and extracurricular and enrichment activities that are available to district students. (Education Code 48853)

District Liaison

The Superintendent or designee designates the following position as the district liaison for foster youth: (Education Code 48853.5)

Director of Pupil Services
Del Mar Union School District
225 9th Street
Del Mar, California 92014
(858) 523-6194

Board Policy/Administrative Regulation 6173.1: Presented to the Board of Trustees for a 1st Reading: April 25, 2007

The district's liaison for foster youth shall: (Education Code 48645.5, 48853.5)

1. *Ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of students in foster care*

2. *Assist foster youth when transferring from one school to another or from one district to another in ensuring proper transfer of credits, records, and grades, including ensuring that records reflect full or partial credit for courses taken*

Enrollment

A foster youth placed in a licensed children's institution or foster family home shall attend programs operated by the district unless one of the following circumstances applies: (Education Code 48853)

1. *The student has an individualized education program requiring placement in a nonpublic, nonsectarian school or agency or in another local educational agency.*

2. *The parent/guardian or other person holding the right to make educational decisions for the student determines that it is in the best interest of the student to be placed in another educational program.*

3. *The student is entitled to remain in his/her school of origin as defined above.*

At the initial detention or placement, or any subsequent change in placement of a foster youth, the district shall allow the student to continue his/her education in the school of origin for the duration of the academic school year. However, the district liaison may, in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the youth, recommend that the youth's right to attend the school of origin be waived and he/she be enrolled in any school that students living in the attendance area in which the foster youth resides are eligible to attend. All decisions shall be made in accordance with the foster youth's best interest. (Education Code 48853.5)

Prior to making any recommendation to move a foster youth from his/her school of origin, the liaison shall provide the youth and the person holding the right to make educational decisions for the youth with a written explanation of the basis for the recommendation and how this recommendation serves the youth's best interests. (Education Code 48853.5)

The role of the liaison shall be advisory with respect to placement decisions and determination of the school of origin. (Education Code 48853.5)

If the liaison, in consultation with the foster youth and the person holding the right to make educational decisions for the foster youth, agree that the best interests of the

youth would be served by his/her transfer to a school other than the school of origin, the principal or designee of the new school shall immediately enroll the foster youth. The youth shall be immediately enrolled even if he/she has outstanding fees, fines, textbooks, or other items or monies due to the school last attended or is unable to produce records, such as academic, medical, or proof of residency, or clothing normally required for enrollment. (Education Code 48853.5)

Within two business days of enrollment, the liaison shall contact the school last attended by the student to obtain all academic and other records. Upon receiving a request from a new school, the liaison for the school last attended shall provide all records within two business days of receiving the request. (Education Code 48853.5)

If a parent/guardian or foster youth disagrees with the liaison's enrollment decision, he/she may appeal the decision to the Superintendent. The Superintendent shall make a determination within 30 days of receipt of the appeal. Within 30 days of receipt of the Superintendent's decision, the parent/guardian or foster youth may appeal that decision to the Governing Board. The Board shall consider the issue at its next regularly-scheduled meeting. The Board's decision shall be final.

If any dispute arises regarding the request of a foster youth to remain in the school of origin, the youth has the right to remain in the school of origin pending resolution of the dispute. (Education Code 48853.5)

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6174 (was BP 6021): EDUCATION FOR ENGLISH LANGUAGE LEARNERS

The Governing Board will provide English language learners with challenging curriculum and instruction to develop proficiency in English as rapidly and effectively as possible in order to assist students in accessing the full educational program and achieving the District's academic standards. The District's program shall be based on sound instructional theory and shall be adequately supported so that English language learners can achieve results at the same academic level as their English-proficient peers in the regular course of study.

The Board encourages staff to exchange information with staff in other Districts and the County Office of Education about programs, grouping options and strategies for instructing English language learners that promote optimal learning regardless of demographic differences.

The Superintendent or designee shall maintain procedures, which provide for the identification, assessment and placement of English language learners and for their redesignation based on criteria adopted by the Board and specified in administrative regulations.

To evaluate program effectiveness, the Superintendent or designee shall regularly examine program results, including reports of the English language learners' academic achievement, their progress towards proficiency in English and the progress of students who have been redesignated as fluent English proficient. The Superintendent or designee shall annually report these findings to the Board and shall also provide the Board with regular reports from any District or schoolwide English learner advisory committees.

Type of Instruction

Students who are English language learners shall be educated through sheltered English in an English language mainstream program. The classroom instruction in the District's English mainstream program shall be in English, but with the curriculum and presentation designed for students who are learning the language. (Education Code 305, 306)

Parental Exception Waivers

Parent/guardian requests for waivers from Education Code 305 regarding placement in a sheltered English immersion program shall be granted in accordance with law and administrative regulation.

If the Superintendent or designee denies the waiver request, he/she shall provide a written justification to the parent/guardian describing the reasons for the denial. A parent/guardian may appeal the Superintendent's decision in writing to the Board. The Board may consider the matter at its next regular Board meeting. The Board may decide not to hear the appeal, in which case the Superintendent's decision shall be final. If the Board hears the appeal, the Superintendent shall send the Board's decision to the parent/guardian within seven working days.

Legal Reference:

EDUCATION CODE
300-340 English language education for immigrant children
430-446 English Learner and Immigrant Pupil Federal Conformity Act
33308.5 CDE guidelines not binding
44253.5-44253.10 Certification for bilingual-cross-cultural competence
48985 Notices to parents in language other than English
51101 Rights of parents to information
51101.1 Rights for parents of English learners
52015 Components of school improvement plan
52130-52135 Impacted languages act of 1984
52160-52178 Bilingual Bicultural Act
52180-52186 Bilingual teacher training assistance program
54000-54041 Programs for disadvantaged children
60810-60812 Assessment of language development
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
11510-11517 California English Language Development Test
UNITED STATES CODE, TITLE 20
1701-1705 Equal Educational Opportunities Act
6312 Local education agency plans
6801-6871 Title III, Language instruction for limited English proficient and immigrant students
COURT DECISIONS
Valeria G. v. Wilson, (9th Circuit) 2002 U.S. App. Lexis 20956
California Teachers Association et al. v. State Board of Education et al., (9th Circuit, 2001) 271 F.3d 1141
McLaughlin v. State Board of Education, (1999) 75 Cal.App.4th 196
Teresa P. et al v. Berkeley Unified School District et al, (1989) 724 F.Supp. 698
Casteneda v. Pickard, (5th Cir. 1981) 648 F.2d 989
ATTORNEY GENERAL OPINIONS
83 Ops.Cal.Atty.Gen. 40 (2000)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Guidelines for Reclassification of English Learners, September 2002
Accommodations for the California English Language Development Test, Revised 8/13/01
WEB SITES
CDE: http://www.cde.ca.gov
CSBA: http://www.csba.org

Board Policy/Administrative Regulation 6174 (was BP 6021 Approved by the Board of Trustees March 22, 2001): Presented to the Board of Trustees for a 1st Reading: April 25, 2007

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

ADMINISTRATIVE REGULATION TO BOARD POLICY 6174 (was BP 6021): EDUCATION FOR ENGLISH LANGUAGE LEARNERS

Definitions

English learner means a student who does not speak English or whose native language is not English and who is not currently able to perform ordinary classroom work in English, also known as a limited English proficient or LEP student. (Education Code 306)

English language mainstream classroom means a classroom in which the students either are native English language speakers or already have acquired reasonable fluency in English. (Education Code 306)

Identification and Assessment

Upon enrollment, each student's primary language shall be determined through use of a home language survey. (5 CCR 11307)

Within 30 calendar days of their initial enrollment, students who are identified as having a primary language other than English, as determined by the home language survey, and for whom there is no record of results from an English language development test shall be assessed using the California English Language Development Test (CELDT). (5 CCR 11511)

All students shall have sufficient time to complete the CELDT as provided in the directions for test administration. (5 CCR 11516)

Any student with a disability shall take the CELDT with those accommodations for testing that the student has regularly used during instruction and classroom assessment as delineated in the student's individualized education program (IEP) or Section 504 plan that are appropriate and necessary to address the student's individual needs. (5 CCR 11516.5)

The District shall notify parents/guardians of their child's unofficial results on the CELDT within 30 calendar days. (5 CCR 11511.5)

Within 90 days of initial enrollment, students identified as having limited English proficiency shall be further assessed for primary language proficiency in comprehension, speaking, reading and writing. The Superintendent or designee shall develop criteria for determining student needs on the basis of these assessments. (former Education Code 52164.1, 62002)

Before students are enrolled in a program for English language learners, parents/guardians shall receive information about the program and their opportunities for parental involvement. This information shall include the fact that an individual student's participation in the program is voluntary on the part of the parent/guardian. (Education Code 52173)

Not later than 30 calendar days after the beginning of the school year, each parent/guardian of a student participating in, or identified for participation in, a language instruction program supported by federal Title III funds shall receive notification of the assessment of his/her child's English proficiency. The notice shall include all of the following: (Education Code 440; 20 USC 6312)

1. ***The reason for the student's classification as English language learner***

2. ***The level of English proficiency***

3. ***A description of the program for English language development instruction, including a description of all of the following:***

    a. ***The manner in which the program will meet the educational strengths and needs of the student***

    b. ***The manner in which the program will help the student develop his/her English proficiency and meet age-appropriate academic standards***

    c. ***Where the student has been identified for special education, the manner in which the program meets the requirements of the student's IEP***

4. ***Information regarding a parent/guardian's option to decline to allow the student to become enrolled in the program or to choose to allow the student to become enrolled in an alternative program***

Parent/guardians also shall be notified of the results of any reassessments. (Education Code 52164.3)

Parental Exception Waivers

Parents/guardians shall be informed of the support services provided for placement of their children in an English mainstream classroom and shall be notified of an opportunity to apply for a parental exception waiver. (Education Code 310; 5 CCR 11309)

Upon request for a waiver, the Superintendent or designee shall provide to the parents/guardians: (Education Code 310, 311; 5 CCR 11309)

1. ***A full written description, and a spoken description upon request, of the intent of all educational opportunities offered by the district and available to the student and the educational materials***

2. ***For a request for waiver pursuant to Education Code 311(c) for students with special needs, notification that the student must be placed for a period of not less than 30 calendar days in an English language classroom and that the Superintendent must approve the waiver pursuant to Governing Board guidelines***

Parental exception waivers pursuant to Education Code 311(c) for students with special needs shall be granted if it is the informed belief of the principal and educational staff that, due to the student's special physical, emotional, psychological or educational needs, an alternate course of educational study would be better suited to the student's overall educational development. (Education Code 311)

Each waiver shall be considered on its individual merits with great deference given to parental preference for student placement.

The principal or designee shall act upon all parental exception waivers within 20 instructional days of submission to the principal. However, parental waiver requests pursuant to Education Code 311(c) for students with special needs shall not be acted upon during the 30-day placement in an English language classroom. These waivers shall be acted upon no later than 10 calendar days after the expiration of that 30-day English language classroom placement or within 20 instructional days of submission of the waiver to the principal, whichever is later. (5 CCR 11309)

All parental exception waivers shall be granted unless the principal and educational staff have determined that an alternative program offered at the school would not be better suited for the overall educational development of the student. (5 CCR 11309)

Individual schools in which 20 students or more of a given grade level receive a waiver shall be required to offer such a class; otherwise they must allow the students to transfer to a public school in which such a class is offered. (Education Code 310)

Students wishing to transfer shall be subject to the district's intradistrict and interdistrict attendance policies and administrative regulations. Students wishing to transfer to another district shall also be subject to the receiving district's interdistrict attendance policies and administrative regulations.

In cases where a parental exception waiver pursuant to Education Code 311(b) or (c) is denied, the parent/guardian shall be informed in writing of the reason(s) for the denial and advised that he/she may appeal the decision to the Board if the Board authorizes such an appeal, or to the court. (5 CCR 11309)

Waiver requests shall be renewed annually by the parent/guardian. (Education Code 310)

Reclassification/Redesignation

The District shall continue to provide additional and appropriate educational services to English language learners for the purposes of overcoming language barriers until the English language learners have: (5 CCR 11302)

1. ***Demonstrated English language proficiency comparable to that of the District's average native English language speakers***

2. ***Recouped any academic deficits which may have been incurred in other areas of the core curriculum as a result of language barriers***

English language learners shall be redesignated as fluent English proficient when they are able to comprehend, speak, read and write English well enough to receive instruction in the regular program and make academic progress at a level substantially equivalent to that of students of the same age or grade whose primary language is English and who are in the regular course of study. (Education Code 52164.6) The reclassification process shall not commence until the spring of the second grade year.

The following measures shall be considered to determine whether an English language learner shall be reclassified as fluent English proficient: (5 CCR 11303)

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

2. ***Recommendations of the student's classroom teacher and any other certificated staff with direct responsibility for teaching or placement decisions***

3. ***Parent/guardian participation and consultation during a redesignation conference.***

   Parents/guardians shall receive notice and a description of the redesignation process, including notice of their right to participate in the process. Parent/guardian participation in the process shall be encouraged.

4. ***Proficient performance on the California Standards Test in English-Language Arts.***

5. ***Achieving the grade level benchmarks on district reading assessments.***

6. ***Objective data on the student's overall academic performance in English***

The Superintendent or designee shall provide subsequent monitoring and support for redesignated students, including but not limited to, monitoring for two years the

performance of redesignated students in the core curriculum in comparison with native-English speaking peers

The Superintendent or designee shall develop a process to monitor the effectiveness of the District's program for English language learners. The District's program shall be modified as needed to help ensure language and academic success for each English language learner.

Advisory Committees

At the District level when there are more than 50 English language learners in the District and at each school with more than 20 English language learners, parent/guardian advisory committees shall be maintained to serve the advisory functions specified in law. (5 CCR 11308)

Parents/guardians of English language learners shall constitute committee membership in at least the same percentage as their children represent of the total number of students in the school. (Education Code 52176)

The District's English language advisory committee shall annually advise the Board on at least the following tasks: (5 CCR 11308)

1. ***The development of a District description of program goals, objectives and services for English learners, taking into consideration the school site needs for English learners.***

2. ***A district-wide needs assessment on a school-by-school basis.***

3. ***Review of teacher certification compliance as well as the requirements for instructional aides.***

4. ***Administration of the annual language census.***

5. ***Review of and comment on the District's reclassification procedures.***

6. ***Review of and comments on the written notifications required to be sent to parents/guardians pursuant to 5 CCR 11300-11316.***

In order to assist advisory members in carrying out their responsibilities, the Superintendent or designee shall ensure that committee members receive appropriate training and materials. This training shall be planned in full consultation with the members. (5 CCR 11308)

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6177: SUMMER SCHOOL

The Governing Board recognizes that summer school provides extended learning opportunities for students to improve their skills and make academic progress. When the need is demonstrated and funds are available, the Superintendent or designee, with Board approval, may establish summer school for purposes of remediation.

The district's summer school program may be used to provide supplemental instruction for students failing to meet academic requirements. (Education Code 37252, 37252.2, 37252.8, 37253, 53029, 53093; 5 CCR 11472)

Attendance

Because summer classes cover extensive instructional content in a relatively short time period, consistent class attendance is crucial.

Students who have more than three excused absences or one unexcused absence may be dropped from the summer session class.

Rotation of School Sites

Sites for summer school programs may be rotated in an effort to make summer school programs more accessible to all students, regardless of residence or regular attendance area, and to equalize long-term facility and maintenance needs.

Legal Reference:

EDUCATION CODE
37252-37253.5 Supplemental instructional programs
41976.5 Summer school programs, substantially disabled persons or graduating high school seniors
42239-42239.2 Summer school apportionments
48070-48070.5 Promotion and retention
51210 Areas of study for elementary schools
51220 Areas of study for grades 7-12
51730-51732 Powers of governing boards (authorization for elementary summer school classes)
53025-53031 Intensive reading instruction, summer school
53091-53094 Intensive algebra instruction, summer school
58700-58702 Credit towards summer school apportionments for tutoring and homework assistance program
58806 Summer school apportionments
60851 Supplemental instruction toward exit examination
CODE OF REGULATIONS, TITLE 5
3043 Extended school year
11470-11472 Summer schools
ATTORNEY GENERAL OPINIONS
70 Ops.Cal.Atty.Gen. 282 (1987)

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6179: SUPPLEMENTAL INSTRUCTION

The Governing Board recognizes that high-quality supplemental instructional programs can motivate and support students to attain grade-level academic standards, overcome academic deficiencies, and/or acquire critical skills.

The District shall offer direct, systematic, and intensive supplemental instruction for students in grades 1-6 who have been retained or recommended for retention pursuant to Education Code 48070.5. (Education Code 37252.2)

Student eligibility for supplemental instruction shall be determined based on student results on the state Standardized Testing and Reporting assessments, minimum levels of proficiency recommended by the State Board of Education, and other local assessments as approved by the Superintendent or designee.

Optional Supplemental Programs

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

1. ***Students in grades 1-6 who have been identified as being at risk of retention pursuant to Education Code 48070.5 (Education Code 37252.8)***

2. ***Students in grades 1-6 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 (Education Code 37252.8)***

3. ***Students in grades K-6 who seek enrichment in English/Language Arts, mathematics, science, or other core academic areas designated by the Superintendent of Public Instruction (Education Code 37253)***

4. ***Students in grades K-4 who need or desire intensive reading opportunities that meet standards for a research-based comprehensive reading program, including appropriate support to address the needs of English language learners (Education Code 41505-41508)***

   In order to receive state funding for the purposes listed in items #3 & 4 above, the school site council shall develop and submit for the Board's approval a single plan for student achievement in accordance with law, Board policy, and administrative regulation. (Education Code 41507)

Legal Reference:

EDUCATION CODE
37200-37202 School calendar
37223 Weekend classes
37252-37254 Supplemental instruction
41505-41508 Pupil Retention Block Grant
42239 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
60603 Definitions, core curriculum areas
60640-60648 Standardized Testing and Reporting Program
60850-60859 High school exit examination
REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS
52012 Establishment of school site council
52014-52015 School plans
53025-53031 Intensive reading instruction
53091-53094 Intensive algebra instruction
CODE OF REGULATIONS, TITLE 5
11470-11472 Summer school
UNITED STATES CODE, TITLE 20
6316 Program improvement schools and districts
Management Resources:
U.S. DEPARTMENT OF EDUCATION GUIDANCE
Supplemental Educational Services, June 13, 2005
WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov
U.S. Department of Education: http://www.ed.gov

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DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

ADMINISTRATIVE REGULATION TO BOARD POLICY 6179:
SUPPLEMENTAL INSTRUCTION

Supplemental instructional programs funded by the State shall be offered outside the regular school day. Such programs may be offered during the summer, before school, after school, on Saturday, and/or during intersessions. (Education Code 37252, 37252.2, 37252.8, 37253)

Priority for enrollment in supplemental instruction offered at a time other than Saturday shall be given to any student whose parent/guardian has informed the Superintendent or designee that the student is unable to attend a Saturday school program for religious reasons. (Education Code 37252, 37252.2, 37252.8, 37253)

Supplemental Instruction Based on Retention or Academic Deficiencies

Students in grades 1-6 who have been retained or recommended for retention shall be eligible for supplemental instruction under the following circumstances: (Education Code 37252.2)

1. ***With parental consent, the Superintendent or designee may require a student who has been retained 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 were enrolled in grade 1 or 5 during the prior school year shall be eligible for supplemental instruction.***

To the extent that the district provides supplemental instruction to students in grades 2-6 who are identified as being at risk of retention or as having deficiencies in mathematics, reading, or written expression, those students also shall be subject to the provisions set forth in items #2 and #3 above. (Education Code 37252.8)

The Superintendent or designee shall seek the active involvement of parents/guardians and classroom teachers in the development and implementation of supplemental instructional programs. (Education Code 37252.2, 37252.8)

An intensive remedial program in reading or written expression shall, as needed, include instruction in phonemic awareness, systematic explicit phonics and decoding, word attack skills, spelling and vocabulary, explicit instruction of reading comprehension, writing, and study skills. (Education Code 37252.2, 37252.8)

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6183 (was BP/AR 6019): HOME AND HOSPITAL INSTRUCTION

The District will provide home/hospital instruction to district students who will be absent from school due to an accident or to extended illness once this need is verified by the school nurse, the administrative designee, or through the Special Education Individualized Education Program (IEP) process.

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

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

ADMINISTRATIVE REGULATION TO BOARD POLICY 6183 (was BP/AR 6019): HOME AND HOSPITAL INSTRUCTION

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 pursuant to Education Code 56026. (Education Code 48206.3)

Home or hospital instruction shall be provided only by teachers with valid California teaching credentials who consent to the assignment. (Education Code 44865)

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. (Education Code 48200, 48206.3)

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 or designee 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.

Home/Hospital Instructor Procedure

1. Classroom teacher receives notice that a student will be absent from school for an extended time due to accident or illness. Parent may also request home/hospital instruction by calling the teacher.

2. The applicant obtains a medical doctor's statement on physical handicap or a psychologist/psychiatrist statement indicating the necessity for absence from school for a period of no less than 15 days, documenting any restrictions required.

3. The applicant returns the application and medical statement to the school nurse's office at the student's school of attendance.

4. School nurse, administrator or teacher designee, visits the applicant at home, completes nurse's report on application form for home instruction and sends application, medical statement and nurse's report to the Director of ~~*Special Education*~~ ***Pupil Services*** at the District office.

5. The Superintendent or a designee ~~will~~ ***shall*** secure a teacher for the student, notify the site principal and appropriate staff at the district office.

6. The assigned home teacher ~~will~~ ***shall*** contact the classroom teacher to obtain assignments and books.

7. Home instruction begins ~~.~~ ~~Home instruction~~ ***and*** will be ***conducted*** five hours per week.

8. Grades ~~are~~ ***shall be*** assigned by the home teacher or the classroom teacher following a conference between the two. All books are returned to the classroom teacher at the end of the home instruction period.

9. The assigned home teacher ~~***will***~~ ***shall*** complete a time sheet and ***shall*** turn it in to the Director of Pupil Services by the 14th of each month.

10. When home teaching ends the applicant must obtain a medical release for the student to return to school.

11. ***The*** student ***shall*** reports to the school nurse's office with the medical release before reporting to the classroom on the first day back to school.

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. (Education Code 48207)

In such circumstances, it is the responsibility of the parent/guardian to notify the district of the student's presence in a qualifying hospital. (Education Code 48208)

Upon receiving such notification, the Superintendent or designee shall: (Education Code 48208)

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

or designee 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 or designee 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.***

Alternatively, the Superintendent or designee may enter into an agreement with the district in which the student was previously enrolled to have that district provide the individualized instruction. (Education Code 48208)

Parental Notifications

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians that: (Education Code 48208, 48980)

1. ***Individual instruction is available for temporarily disabled students as prescribed by Education Code 48206.3.***

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.***

DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION

BOARD POLICY 6190 (was BP 6018 Annual Evaluation Consolidated Programs): EVALUATION OF THE INSTRUCTIONAL PROGRAM

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

The Superintendent or designee shall review the effectiveness of district programs in meeting desired outcomes. He/she shall provide the Board and the community with 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.

Catagorical Program Monitoring (CPM)

The Superintendent or designee shall cooperate with the California Department of Education in the conduct of State compliance reviews to ensure that all district categorical programs comply with federal and state laws and regulations. The Superintendent or designee shall notify the Board of the results of these reviews.

~~Board Policy No. 6018: Annual Evaluation Consolidated Programs~~

~~The Board of Trustees shall establish effective criteria for all consolidated programs, including Title 1. The Board directs staff to conduct annual evaluations to determine the extent to which each school that received funding from the consolidated program is meeting the effective criteria.~~

~~The evaluations shall be designed to determine the effectiveness of the following programs; Title 1, EIA / LEP Miller Unruh; School Improvement, and Title 6. The evaluation will be conducted annually, and the results will be presented to the Board of Trustees.~~

~~The evaluation criteria will include student achievement as measured by multiple measures such as report cards, standardized tests, student work products, and local district assessment tools.~~

~~The data and analysis of site effectiveness will be reported to the Board of Trustees in October.~~

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
52034 Evaluations required for School Improvement Program
54650-54659 Education Improvement Incentive Program
62005.5 Failure to comply with purposes of funds
64000-64001 Consolidated application process
CODE OF REGULATIONS, TITLE 5
3930-3937 Program requirements
3942 Continuity of funding

Management Resources:

CSBA PUBLICATIONS
Maximizing School Board Leadership: Curriculum, 1996
CDE PUBLICATIONS
Update on the Status of Program Quality Review and Implementation of SB 374, Nov. 14, 2001
WEB SITES
CSBA: http://www.csba.org
CDE, School and District Accountability Division: http://www.cde.ca.gov/ccpdiv
WASC, Accrediting Commission for Schools: http://www.acswasc.org

July 25, 2007

To: Board Members

From: Tom Bishop

Subject: Reminder of Upcoming Events and Schedules

Friday, August 10, 2007
Collective Bargaining "BATNA" discussion for DMUSD bargaining team; Board Members Easton and Crawford; Location: District office; 10:00 a.m.

Monday, August 13, 2007
School offices re-open.

Monday, August 13, 2007
DMUSD No-Cost Retreat at Cal State San Marcos

Tuesday, August 14, 2007
Collective Bargaining Training, 8:00 a.m.

Wednesday & Thursday, August 15 & 16, 2007
Interest Based Bargaining, DMCTA/DMUSD

Tuesday, August 21, 2007
New Teacher Orientation; Location: TBA

Wednesday, August 22, 2007
Welcome Back Kick-Off, Ashley Falls, 8:00 – 9:00 a.m.

Wednesday-Friday, August 22-24, 2007
Teacher Work Days

Friday, August 24, 2007
New Student & Kindergarten Orientation, 10:00 & 11:00 a.m., respectively

Monday, August 27, 20007
First day for students

Wednesday, August 29, 2007
Board of Trustees meeting, 6:00 p.m., Del Mar Hills Academy

Thursday, August 30, 2007
Back to School Night, 6:30 p.m.

Monday, September 3, 2007
Holiday – No School - Labor Day

Wednesday, September 26, 2007
Board of Trustees meeting, 6:00 p.m., Del Mar Hills Academy

Friday, September 28, 2007
Dedication of Ocean Air School, 3:15 p.m.

Wednesday, October 24, 2007
Board of Trustees meeting, 6:00 p.m., Del Mar Hills Academy

Wednesday, November 14, 2007
Board of Trustees meeting, 6:00 p.m., Del Mar Hills Academy

Wednesday, December 12, 2007
Board of Trustees meeting, 6:00 p.m., Del Mar Hills Academy