

**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

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
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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
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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.

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>

National Association for Gifted Children: <http://www.nagc.org>

**DEL MAR UNION SCHOOL DISTRICT
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**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)

A highly gifted student is one who has achieved a score at the 98th percentile on a cognitive abilities test on the California Standards Test or has demonstrated extraordinary aptitude and achievement in language arts, mathematics, science, or other academic subjects, as evaluated and confirmed by both the student's teacher and principal. Highly gifted students shall generally constitute not more than one percent of the student population. (Education Code 52201)

A part-time grouping is one in which students attend classes or seminars that are organized to provide advanced or enriched subject matter for a part of the school day and those classes are composed of identified gifted and talented students. (5 CCR 3840)

A cluster grouping is one in which students are grouped within a regular classroom setting and receive appropriately differentiated activities from the regular classroom teacher. (5 CCR 3840)

Independent study provides additional instructional opportunities supervised by a certificated district employee through special tutors or mentors or through enrollment in correspondence courses specified in Education Code 51740 and 5 CCR 1633. (5 CCR 3840)

Acceleration means that students are placed in grades or classes more advanced than those of their chronological age group and 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/or 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 site Student Study Team 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
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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

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)

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**DEL MAR UNION SCHOOL DISTRICT
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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 sunseting of programs

CODE OF REGULATIONS, TITLE 5

4320 Determination of funding to support program to overcome the linguistic difficulties of English learners

11300-11316 English Language Learner Education
11510-11517 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>

**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)

Sheltered English means an instructional approach for teaching English language learners using specific strategies to ensure the understanding of content while expanding English language development.

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.

Board Policy/Administrative Regulation 6174 (was BP 6021 Approved by the Board of Trustees March 22, 2001): Approved by the Board of Trustees: January 23, 2008

4. Proficient performance on the California Standards Test in English-Language Arts.
5. 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 their native-English speaking peers, monitoring the rate of redesignation, and ensuring correct classification and placement.

The Superintendent or designee shall develop a process to monitor the effectiveness of the District's program for English language learners. The District's program shall be modified as needed to help ensure language and academic success for each English language learner.

Advisory Committees

At the District level when there are more than 50 English language learners in the District and at each school with more than 20 English language learners, parent/guardian advisory committees shall be maintained to serve the advisory functions specified in law. (5 CCR 11308)

Parents/guardians of English language learners shall constitute committee membership in at least the same percentage as their children represent of the total number of students in the school. (Education Code 52176)

The District's English language advisory committee shall 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. The district-wide needs assessment on a school-by-school basis
3. Review of teacher certification compliance
4. Development of a plan to ensure compliance with applicable teacher or aide requirements
5. Administration of the annual language census

6. Review of and comment on the District's reclassification procedures
7. Review of and comments on the written notification required to be sent to parents/guardians pursuant to 5 CCR 11300-11316

In order to assist advisory members in carrying out their responsibilities, the Superintendent or designee shall ensure that committee members receive appropriate training and materials. This training shall be planned in full consultation with the members. (5 CCR 11308)

**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)

Students with disabilities may be eligible for Extended School Year. Each student's Individual Education Program Team decides whether or not an individual student will regress during the summer to such an extent that the student will not be able to recoup lost instruction in a reasonable amount of time.

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*

Legal references continued on next page.

Board Policy 6177: Approved by the Board of Trustees: January 23, 2008

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 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>

(7/04 7/05) 11/05

**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 summer school 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 phoneme 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)

(3/03 7/05) 11/05

**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 Pupil Services at the District office.
5. The Superintendent or a designee will secure a teacher for the student, notify the site principal and appropriate staff at the district office.
6. The assigned home teacher will contact the classroom teacher to obtain assignments and books.
7. Home instruction begins. Home instruction will be five hours per week.
8. Grades are 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 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 adopted state standards of expected achievement at each grade level in each area of study. Based on these evaluations, the Board shall take appropriate actions to maintain the effectiveness of programs and, as needed, to improve the quality of education that district students receive.

Categorical Program Monitoring (CPM)

The Superintendent 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.

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>

Board Policy/Administrative Regulation 6190 (was BP 6018 Approved by the Board of Trustees March 10, 1999): Approved with Revisions by the Board of Trustees: January 23, 2008