

**VISION**

In order to provide a clear focus for district programs, activities and operations, the Board of Trustees shall adopt a long-range vision that sets direction for the district which is focused on student learning and describes what the Board wants its schools to achieve. This vision may be incorporated in various documents, including the district's mission or purpose statement, philosophy, long-term goals, short-term objectives, and/or comprehensive plans.

The Superintendent or designee shall recommend an appropriate process for establishing and/or reviewing the district's vision statement which is inclusive of parents/guardians, students, staff and community members.

**VISION**

The Superintendent or designee shall establish a process for developing and regularly reviewing the district's vision and direction which includes:

1. Clearly defined procedures, timelines and responsibilities
2. Identification of the strengths and needs of the district
3. Input from parents/guardians, students, staff and community members through procedures which may include surveys, focus groups, advisory committees and/or public meetings and forums

**PHILOSOPHY**

As part of its responsibility to establish a guiding vision for the district, the Board of Trustees shall develop and regularly review a set of fundamental principles which describes the district's beliefs, values or tenets. The Board and district staff shall incorporate this philosophy in all district programs and activities.

It is the philosophy of the district that:

1. All students can learn and succeed.
2. Every student in the district, regardless of gender, special needs, or social, ethnic, language or economic background has a right to a high-quality education that challenges the student to achieve to his/her fullest potential.
3. The future of our nation and community depends on students possessing the skills to be lifelong learners and effective, contributing members of society.
4. A safe, nurturing environment is necessary for learning.
5. Parents/guardians have a right and an obligation to participate in their child's schooling.
6. The ability of children to learn is affected by social, health and economic conditions and other factors outside the classroom.
7. Early identification of student learning and behavioral difficulties contribute to student success.
8. Students and staff respond positively to high expectations and recognition for their accomplishments.
9. Continuous school improvement is necessary to meet the needs of students in a changing economy and society.
10. The diversity of the student population and staff enriches the learning experience for all students.
11. A highly skilled and dedicated staff has a direct and powerful influence on students' lives and learning.
12. A high level of communication, trust, respect and teamwork among Board members and the Superintendent contributes to effective decision making.

**PHILOSOPHY** (continued)

13. The community provides an essential resource to the educational program.
14. Effective communication with all stakeholders helps build support for the schools.
15. Accountability for the district's programs and operations is shared by the entire educational community, with the ultimate accountability resting with the Board as the basic embodiment of representative government.

*Legal Reference:*

EDUCATION CODE

*51002 Local development of programs based on stated philosophy and goals*

*51019 Definition of philosophy*

## COMPREHENSIVE PLANS

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

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

Comprehensive plans may be subject to review and approval by the Board.

The process for developing comprehensive plans shall invite broad participation of school and community representatives. Committees may be appointed to assist in the development of plans. Comprehensive plans shall be available to the public and shall be reviewed at regular intervals as specified within the plan.

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

*Legal Reference:*

EDUCATION CODE

*35035 Powers and duties of Superintendent*

*35291 Rules (power of governing board)*

## **NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES**

The Board of Trustees is committed to equal opportunity for all individuals in education. District programs, activities, and practices shall be free from discrimination based on race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, immigration status, or expression, or genetic information; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

The Superintendent or designee shall review district programs and activities to ensure the removal of any barrier that may unlawfully prevent an individual or group in any of the protected categories stated above from accessing district programs and activities, including the use of facilities. He/she shall take prompt, reasonable actions to remove any identified barrier.

Pursuant to 34 CFR 104.8 and 34 CFR 106.9, the Superintendent or designee shall notify students, parents/guardians, employees, employee organizations, applicants for admission and employment, and sources of referral for applicants about the district's policy on nondiscrimination and related complaint procedures.

The district's nondiscrimination policy and related informational materials shall be published in a format that parents/guardians can understand and, when required by law, in a language other than English.

### **Access for Individuals with Disabilities**

District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act and any implementing standards and/or regulations.

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

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

*Legal Reference continued: (see next page)*

**NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)**

*Legal Reference:*

EDUCATION CODE

200-262.4 Prohibition of discrimination

48985 Notices to parents in language other than English

51007 Legislative intent: state policy

GOVERNMENT CODE

11000 Definitions

11135 Nondiscrimination in programs or activities funded by state

11138 Rules and regulations

12900-12996 Fair Employment and Housing Act

54953.2 Brown Act compliance with Americans with Disabilities Act

PENAL CODE

422.55 Definition of hate crime

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities in Education Act

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

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

6311 State plans

6312 Local education agency plans

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

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

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

2000h-2000h-6 Title IX

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

36.303 Auxiliary aids and services

CODE OF FEDERAL REGULATIONS, TITLE 34

100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI

104.1-104.39 Section 504 of the Rehabilitation Act of 1973

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

106.9 Dissemination of policy

Revised: June 12, 2014  
Policy  
adopted: March 21, 2013

**EVERGREEN SCHOOL DISTRICT**  
San Jose, California

**SCHOOL PLANS/SITE COUNCILS**

The Governing Board believes that comprehensive planning at each district school is necessary in order to focus school improvement efforts on student academic achievement and facilitate the effective use of district resources. The Superintendent or designee shall ensure that school plans provide clear direction and identify cohesive strategies aligned with school and district goals.

For any school that participates in specified state and/or federal categorical programs, the school site council or other schoolwide advisory committee shall consolidate the plans required for those categorical programs into a single plan for student achievement (SPSA). (Education Code 52055.755, 64001)

**Single Plan for Student Achievement**

The Superintendent or designee shall review each school's single plan and ensure that it has been developed and approved by a properly constituted school site council, meets the content requirements for all programs included, is based on an analysis of current practices and student academic performance, and reasonably links improvement strategies to identified needs of the school and students. He/she shall submit to the Board of Trustees his/her recommendations for plan approval or recommendations regarding any subsequent material revisions of the plan.

As appropriate, a school may incorporate any other school plan into the SPSA. (Education Code 64001)

The Superintendent or designee shall review each school's SPSA to ensure that it meets the content requirements for all programs included, is based on an analysis of current practices and student academic performance, and reasonably links improvement strategies to identified needs of the school and students. He/she shall submit to the Board his/her recommendations for plan approval or revision.

The Board shall review and approve each school's SPSA and any subsequent material revisions affecting the academic programs for students participating in the categorical programs addressed in the SPSA. The Board shall certify that, to the extent allowable under federal law, the SPSA is consistent with district local improvement plans required as a condition of receiving federal funding. Any such review and approval shall be at a regularly scheduled Board meeting. (Education Code 64001)

Whenever the Board does not approve a school's SPSA, it shall communicate its specific reasons for disapproval of the plan to the school site council or committee. The school site council or committee shall then revise and resubmit the SPSA to the Board for its approval.

The Superintendent or designee shall ensure that school administrators and school site council members receive training on the roles and responsibilities of the site council.



*Legal Reference:*

EDUCATION CODE

*52-53 Designation of schools*

*33133 Information guide for school site councils*

*35147 Open meeting laws exceptions*

*41500-41573 Categorical education block grants*

*52055.700-52055.770 Quality Education Investment Act*

*52176 Advisory committees*

*52500-52617 Adult education*

*52800-52887 School-Based Program Coordination Act*

*52890 Qualifications and duties of outreach consultants*

*54000-54028 Educationally Disadvantaged Youth Programs*

*54100-54145 Miller-Unruh Basic Reading Act*

*54425 Advisory committees (compensatory education)*

*54650-54659 Education Improvement Incentive Program*

*56000-56867 Special education*

*64000 Categorical programs included in consolidated application*

*64001 Single school plan for student achievement, consolidated application programs*

HEALTH AND SAFETY CODE

*104420 Tobacco use prevention*

CODE OF REGULATIONS, TITLE 5

*3930-3937 Compliance plans*

UNITED STATES CODE, TITLE 20

*6311 Accountability, adequate yearly progress*

*6312-6319 Title I programs; plans*

*6421-6472 Programs for neglected, delinquent, and at-risk children and youth*

*6601-6651 Teacher and Principal Training and Recruitment program*

*6801-7014 Limited English proficient and immigrant students*

*7101-7165 Safe and Drug-Free Schools and Communities*

*7341-7355c Rural Education Initiative*

Revised: November 13, 2014

Policy  
adopted: March 21, 2013

**EVERGREEN SCHOOL DISTRICT**  
San Jose, California

## SCHOOL PLANS/SITE COUNCILS

**Cautionary Notice:** As added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009), ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), and SB 70 (Ch. 7, Statutes of 2011), Education Code 42605 grants districts flexibility in "Tier 3" categorical programs. The Evergreen School District has accepted this flexibility and thus is deemed in compliance with the statutory or regulatory program and funding requirements for these programs for the 2008-09 through 2014-15 fiscal years. As a result, the district may temporarily suspend certain provisions of the following policy or regulation that reflect these requirements. For further information, please contact the Superintendent or designee.

### School Site Councils

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

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

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

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

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

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

## **SCHOOL PLANS/SITE COUNCILS (continued)**

School site councils shall operate in accordance with procedural meeting requirements established in Education Code 35147.

### **Single Plan for Student Achievement**

In order for a school to participate in any state or federal categorical program specified in Education Code 41506, 41571, 52055.700, or 64000, the school site council shall approve, annually review, and update a single plan for student achievement. If the school does not have a school site council, a schoolwide advisory group or school support group conforming to the composition requirements of the school site council listed above shall fulfill these responsibilities. (Education Code 41507, 41572, 52055.755, 64001)

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

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

1. Address how funds provided to the school through categorical programs will be used to improve the academic performance of all students to the level of the performance goals established by the API
2. Identify the school's means of evaluating progress toward accomplishing those goals
3. Identify how state and federal law governing these programs will be implemented

In addition to meeting the requirements common to all applicable school plans, the single plan shall address the content required by law for each individual categorical program in which the school participates.

Plans developed for the state's Immediate Intervention/Underperforming Schools Program pursuant to Education Code 52054 or the federal Title I schoolwide programs pursuant to 20 USC 6314 shall satisfy the requirement for the single plan. (Education Code 64001)

**SCHOOL PLANS/SITE COUNCILS** (continued)

In developing or revising the single plan, the school site council shall:

1. Measure the effectiveness of current improvement strategies at the school  
 The school site council shall analyze student performance based on state and local data, identify significant low performance among all student groups, and analyze instructional programs to determine program areas that need to be addressed in order to raise performance of student groups not meeting academic standards.
2. Seek input from other school advisory committees as appropriate
3. Reaffirm or revise school goals to serve as a basis for school improvement activities and expenditures
4. Revise improvement strategies and expenditures  
 The school site council shall specify actions to be taken, dates by which actions are to be started and completed, expenditures needed to implement the action, the funding source, anticipated annual performance growth for each student group, and the means that will be used to evaluate progress toward each goal.
5. Approve and recommend the plan to the Board of Trustees

**School Plans for Categorical Block Grants**

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

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

**SCHOOL PLANS/SITE COUNCILS** (continued)

2. Consideration of the use of community resources to achieve instructional improvement objectives
3. Consideration of the use of education technology
4. A staff development program for teachers, other school personnel, paraprofessionals, and volunteers
5. Provisions for utilization of the student success team process to identify and assess the needs of students who are dropouts or potential dropouts, and to develop programs to meet those needs
6. Procedures for coordinating services from funding sources at the school level to help students participate successfully in the core academic curricula and specialized curricula related to jobs and career opportunities
7. Instructional and auxiliary services to meet the special needs of all students
8. Improvement of the classroom and school environments, including improvement of relationships between and among students, school personnel, parents/guardians, and the community, and reduction of the incidence of violence and vandalism among students
9. Improvement of student attendance, including parent/guardian awareness of the importance of regular school attendance
10. The proposed expenditure of block grant funds and the degree to which expenditures meet the plan's criteria
11. Other activities and objectives established by the school site council
12. A process for ongoing evaluation and modification of the plan

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

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

The student retention and/or school and library improvement plans shall be incorporated into the school's single plan for student achievement as described in the above section. (Education Code 41507, 41572)

**SCHOOL PLANS/SITE COUNCILS** (continued)

**School Site Block Grants**

The school site council may propose any one-time educational purpose for the use of funds allocated to school sites under school site block grants, including, but not limited to, the following purposes: (AB 1802, Sec. 43, Statutes of 2006)

1. Instructional materials
2. Classroom and laboratory supplies and materials
3. School and classroom library materials
4. Educational technology
5. Deferred maintenance
6. Expenditures designed to close the achievement gap
7. Professional development

## SCHOOL-BASED PROGRAM COORDINATION

**Cautionary Notice:** As added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009), ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), and SB 70 (Ch. 7, Statutes of 2011), Education Code 42605 grants districts flexibility in "Tier 3" categorical programs. The Evergreen School District has accepted this flexibility and thus is deemed in compliance with the statutory or regulatory program and funding requirements for these programs for the 2008-09 through 2014-15 fiscal years. As a result, the district may temporarily suspend certain provisions of the following policy or regulation that reflect these requirements. For further information, please contact the Superintendent or designee.

In order to best serve students with special needs and students participating in designated educational programs, the Board of Trustees encourages school-based program coordination as a means for achieving flexibility in the use of the categorical funds received by each school. The Board believes that resources acquired to assist students in one program often can benefit other students without in any way depriving the originally targeted group.

A school site council shall be established at each school to consider whether or not it wishes the school to participate in school-based program coordination. All interested persons shall have an opportunity to meet in public to establish the site council. (Education Code 52852.5)

The school site council of any participating school shall develop, for approval by the Board, a school plan that addresses the components specified in Education Code 52853. This plan shall be incorporated into the school's single plan for student achievement required for the state's consolidated application process. (Education Code 52853, 64001)

Evaluation of each participating school's educational program shall include an assessment of the school's effectiveness in meeting the needs of each student population originally targeted by the categorical programs.

*Legal Reference:*

EDUCATION CODE

8750-8754 *Conservation education*

41500-41573 *Categorical education block grants*

44520-44534 *New Careers Program*

51870-51874 *Education technology*

52200-52212 *Gifted and Talented Education Program*

52340-52346 *California Regional Career Guidance Centers*

52800-52887 *School-Based Program Coordination Act*

54000-54028 *Educationally Disadvantaged Youth Programs*

54100-54145 *Miller-Unruh Basic Reading Act*

54650-54659 *Education Improvement Incentive Program*

56000-56867 *Special education*

64000 *Categorical programs included in consolidated application*

64001 *Single school plan for student achievement, consolidated application programs*

MILITARY AND VETERANS CODE

500-520.1 *California Cadet Corps*

**CHARTER SCHOOL AUTHORIZATION**

The Board of Trustees recognizes that charter schools may assist the district in offering diverse learning opportunities for district students. In considering any petition to establish a charter school within the district, the Board shall give careful consideration to the potential of the charter school to provide students with a high-quality education that enables them to achieve to their fullest potential.

One or more persons may submit a petition for a start-up charter school to be established within the district. In addition, an existing district school may be converted to a charter school when deemed beneficial by the district and community or when state or federal law requires restructuring of the school because of low performance.

Any petition for a start-up charter school or conversion charter school shall include all components and signatures required by law and shall be submitted to the Board.

The Superintendent or designee may work with charter school petitioners prior to the formal submission of the petition in order to ensure compliance of the petition with legal requirements. As needed, he/she also may meet with the petitioners to establish workable plans for technical assistance or contracted services which the district may provide to the proposed charter school.

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

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

The approval or denial of a charter petition shall not be controlled by collective bargaining agreements nor subject to review or regulation by the Public Employment Relations Board. (Education Code 47611.5)

**Approval of Petition**

The Board shall approve the charter petition if doing so is consistent with sound educational practice. In granting charters, the Board shall give preference to schools best able to provide comprehensive learning experiences for academically low-achieving students according to standards established by the California Department of Education (CDE) under Education Code 54032. (Education Code 47605)

The Board may initially grant a charter for a specified term not to exceed five years. (Education Code 47607)



## **CHARTER SCHOOL AUTHORIZATION (continued)**

The Board shall ensure that any approved charter contains adequate processes and measures for holding the school accountable for fulfilling the terms of its charter. These shall include, but not be limited to, fiscal accountability systems, multiple measures for evaluating the educational program, and regular reports to the Board.

The district shall not require any district student to attend the charter school nor shall it require any district employee to work at the charter school. (Education Code 47605)

The Board may approve one or more memoranda of understanding to clarify the financial and operational agreements between the district and the charter school. Any such memorandum of understanding shall be annually reviewed by the Board and charter school governing body and amended as necessary.

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

### **Denial of Petition**

The Board shall deny any petition to authorize the conversion of a private school to a charter school or that proposes to serve students in a grade level that is not served by the district, unless the petition proposes to serve students in all the grade levels served by the district. (Education Code 47602, 47605; 5 CCR 11965)

Any other charter petition shall be denied only if the Board presents written factual findings specific to the petition that one or more of the following conditions exist: (Education Code 47605)

1. The charter school presents an unsound educational program for the students to be enrolled in the charter school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
3. The petition does not contain the number of signatures required.
4. The petition does not contain an affirmation of each of the conditions described in Education Code 47605(d).
5. The petition does not contain reasonably comprehensive descriptions of the charter provisions in Education Code 47605(b).

**CHARTER SCHOOL AUTHORIZATION** (continued)

The Board shall not deny a petition based on the actual or potential costs of serving students with disabilities, nor shall it deny a petition solely because the charter school might enroll disabled students who reside outside the special education local plan area in which the district participates. (Education Code 47605.7, 47647)

If the Board denies a petition, the petitioners may choose to submit the petition to the County Board of Education and, if then denied by the County Board, to the SBE. (Education Code 47605)

*Legal Reference: (see next page)*

## CHARTER SCHOOL AUTHORIZATION (continued)

*Legal Reference:*

EDUCATION CODE

220 Nondiscrimination

17078.52-17078.66 Charter schools facility funding; state bond proceeds

17280-17317 Field Act

17365-17374 Field Act, fitness for occupancy

41365 Charter school revolving loan fund

42238.51-42238.53 Funding for charter districts

44237 Criminal record summary

44830.1 Certificated employees, conviction of a violent or serious felony

45122.1 Classified employees, conviction of a violent or serious felony

46201 Instructional minutes

47600-47616.7 Charter Schools Act of 1992

47640-47647 Special education funding for charter schools

47650-47652 Funding of charter schools

51745-51749.3 Independent study

53300-53303 Parent Empowerment Act

56026 Special education

56145-56146 Special education services in charter schools

CORPORATIONS CODE

5110-6910 Nonprofit public benefit corporations

GOVERNMENT CODE

3540-3549.3 Educational Employment Relations Act

CODE OF REGULATIONS, TITLE 5

4800-4808 Parent Empowerment Act

11700.1-11705 Independent study

11960-11969 Charter schools

CODE OF REGULATIONS, TITLE 24

101 et seq. California Building Standards Code

UNITED STATES CODE, TITLE 20

6316 Program improvement

7223-7225 Charter schools

COURT DECISIONS

*Ridgecrest Charter School v. Sierra Sands Unified School District, (2005) 130 Cal.App.4th 986*

ATTORNEY GENERAL OPINIONS

89 *Ops. Cal. Atty. Gen.* 166 (2006)

80 *Ops. Cal. Atty. Gen.* 52 (1997)

78 *Ops. Cal. Atty. Gen.* 297 (1995)

**COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION**

The Board of Trustees desires to provide a free appropriate public education to all individuals with disabilities, aged 3 to 21 years, who reside in the district, including children who have been suspended or expelled or placed by the district in a nonpublic, nonsectarian school.

Students shall be referred for special education instruction and services only after the resources of the regular education program have been considered, and where appropriate, utilized.

The special education local plan area (SELPA) shall administer a local plan and administer the allocation of funds.

In order to meet the needs of individuals with disabilities and employ staff with adequate expertise for this purpose, the district participates as a member of the SELPA.

The Superintendent or designee shall extend the district's full cooperation to the SELPA. The policies and procedures of the SELPA shall be applied as policies and regulations of this district, with the exception of those that apply to complaints, unless the SELPA plan specifically authorizes the district to operate under its own policies and regulations.

*Legal Reference: (see next page)*

**COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION (continued)**

*Legal Reference:*

EDUCATION CODE

56000-56001 *Education for individuals with exceptional needs*

56020-56035 *Definitions*

56040-56046 *General provisions*

56048-56050 *Surrogate parents*

56055 *Foster parents*

56060-56063 *Substitute teachers*

56170-56177 *Children enrolled in private schools*

56190-56194 *Community advisory committees*

56195-56195.10 *Local plans*

56205-56208 *Local plan requirements*

56213 *Special education local plan areas with small or sparse populations*

56240-56245 *Staff development*

56300-56385 *Identification and referral, assessment, instructional planning*

56440-56447.1 *Programs for individuals between the ages of three and five years*

56500-56508 *Procedural safeguards, including due process rights*

56520-56524 *Behavioral interventions*

56600-56606 *Evaluation, audits and information*

56836-56836.05 *Administration of local plan*

GOVERNMENT CODE

7579.5 *Surrogate parent, appointment, qualifications, liability*

95000-95029 *California Early Intervention Services Act*

WELFARE AND INSTITUTIONS CODE

361 *Limitations on parental control*

726 *Limitations on parental control*

CODE OF REGULATIONS, TITLE 5

3000-3089 *Regulations governing special education*

UNITED STATES CODE, TITLE 20

1400-1482 *Individuals with Disabilities Education Act*

UNITED STATES CODE, TITLE 29

794 *Rehabilitation Act of 1973, Section 504*

UNITED STATES CODE, TITLE 42

12101-12213 *Americans with Disabilities Act*

CODE OF FEDERAL REGULATIONS, TITLE 34

99.10-99.22 *Inspection, review and procedures for amending education records*

104.1-104.39 *Section 504 of the Rehabilitation Act of 1973*

300.1-300.818 *Assistance to states for the education of children with disabilities, including:*

300.500-300.520 *Due process procedures for parents and children*

303.1-303.654 *Early intervention program for infants and toddlers with disabilities*

**COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION**

**Definitions**

*Free appropriate public education (FAPE)* means special education and related services that are provided at public expense, under public supervision and direction, and without charge; meet the standards of the California Department of Education, including the requirements of 34 CFR 300.1-300.818; include appropriate preschool, elementary school, or secondary school education for individuals between the ages of 3 and 21; and are provided in conformity with an individualized education program (IEP) that meets the requirements of 34 CFR 300.320-300.324.

FAPE applies to students who are suspended or expelled or placed by the district in a nonpublic, nonsectarian school.

*Least restrictive environment* means that, to the maximum extent appropriate, students with disabilities, including individuals in public or private institutions or other care facilities, be educated with individuals who are nondisabled, including the provision of nonacademic and extracurricular services and activities. Special classes, separate schooling, or other removal of students with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in the regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

*Special education* means specially designed instruction, provided at no cost to the parent/guardian, to meet the unique needs of individuals with disabilities including a full continuum of program options including instruction conducted in the classroom, in the home, in hospitals and institutions, and other settings, and instruction in physical education to meet the educational and service needs in the least restrictive environment.

*Special education* may include each of the following if the services otherwise meet the definition in the above paragraph:

1. Speech language pathology services, or any other designated instruction and service or related service, pursuant to Education Code 56363, if the service is considered special education rather than designated instruction and service or related service under state standards
2. Travel training
3. Career technical education
4. Transition services for students with disabilities in accordance with 34 CFR 300.43 if provided as specially designed instruction, or a related service, if required to assist a student with disabilities to benefit from special education

*Specially designed instruction* means adapting the content, methodology, or delivery of instruction to address the unique needs of the student that result from the student's disability and to ensure access of the student to the general curriculum, so that the student can meet the educational standards that apply to all students in the district.

*Surrogate parent* means an individual assigned to act as a surrogate for the parent/guardian. The surrogate may represent an individual with disabilities in matters relating to identification, assessment, instructional planning and development, educational placement, reviewing and revising the IEP, and in other matters relating to the provision of FAPE to the individual with disability.

### **Elements of the Local Plan**

The local plan developed by the special education local plan area (SELPA) shall include, but not be limited to, the following: (Education Code 56205, 56206)

1. Assurances that policies, procedures, and programs, consistent with state law, regulation, and policy, are in effect as specified in Education Code 56205(a)(1-22) and in conformity with 20 USC 1412(a), 20 USC 1413(a)(1), and 34 CFR 300.201
2. An annual budget plan and annual service plan adopted at a public hearing held by the SELPA
3. A description of programs for early childhood special education from birth through five years of age
4. A description of the method by which members of the public, including parents/guardians of individuals with disabilities who are receiving services under the plan, may address questions or concerns pursuant to Education Code 56205
5. A description of a dispute resolution process
6. Verification that the plan has been reviewed by the community advisory committee in accordance with Education Code 56205
7. A description of the process being utilized to refer students for special education instruction pursuant to Education Code 56303
8. A description of the process being utilized to oversee and evaluate placements in nonpublic, nonsectarian schools and the method for ensuring that all requirements of each student's IEP are being met

**COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION** (continued)

9. A description of how specialized equipment and services will be distributed within the local plan area in a manner that minimizes the necessity to serve students in isolated sites and maximizes the opportunities to serve students in the least restrictive environment

The local plan, annual budget plan, and annual service plan shall be written in language that is understandable to the general public.

Each entity providing special education shall adopt policies for the programs and services it operates, consistent with agreements adopted pursuant to Education Code 56195.1 and 56195.7. (Education Code 56195.8)

Board approved: September 12, 2013

Regulation  
approved: March 21, 2013

**EVERGREEN SCHOOL DISTRICT**  
San Jose, California



**COMPREHENSIVE SAFETY PLAN**

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

The school site council at each district school shall develop a comprehensive school safety plan relevant to the needs and resources of that particular school. New school campuses shall develop a safety plan within one year of initiating operations.

The school safety plan shall take into account the school's staffing, available resources, and building design, as well as other factors unique to the site.

Each school shall forward its comprehensive safety plan to the Board for approval.

The comprehensive safety plan(s) shall be reviewed and updated by March 1 of each year.

The Board shall review the comprehensive safety plan(s) in order to ensure compliance with state law, Board policy, and administrative regulation and shall approve the plan(s) at a regularly scheduled meeting.

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

**Tactical Response Plan**

Notwithstanding the process described above, any portion of a comprehensive safety plan that includes tactical responses to criminal incidents that may result in death or serious bodily injury at the school site, including steps to be taken to safeguard students and staff, secure the affected school premises, and apprehend the criminal perpetrator(s), shall be developed by district administrators in accordance with Education Code 32281. In developing such strategies, district administrators shall consult with law enforcement officials and with a representative of an employee bargaining unit, if he/she chooses to participate.

When reviewing the tactical response plan, the Board may meet in closed session to confer with law enforcement officials, provided that any vote to approve the tactical response plan is announced in open session following the closed session.

**Public Access to Safety Plan(s)**

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

However, those portions of the comprehensive safety plan that include tactical responses to criminal incidents shall not be publicly disclosed.

*Legal Reference:*

EDUCATION CODE

*200-262.4 Prohibition of discrimination*

*32260-32262 Interagency School Safety Demonstration Act of 1985*

*32270 School safety cadre*

*32280-32289 School safety plans*

*32290 Safety devices*

*35147 School site councils and advisory committees*

*35183 School dress code; uniforms*

*35291 Rules*

*35291.5 School-adopted discipline rules*

*35294.10-35294.15 School Safety and Violence Prevention Act*

*41510-41514 School Safety Consolidated Competitive Grant Program*

*48900-48927 Suspension and expulsion*

*48950 Speech and other communication*

*49079 Notification to teacher; student act constituting grounds for suspension or expulsion*

*67381 Violent crime*

PENAL CODE

*422.55 Definition of hate crime*

*626.8 Disruptions*

*11164-11174.3 Child Abuse and Neglect Reporting Act*

CALIFORNIA CONSTITUTION

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

CODE OF REGULATIONS, TITLE 5

*11987-11987.7 School Community Violence Prevention Program requirements*

*11992-11993 Definition, persistently dangerous schools*

UNITED STATES CODE, TITLE 20

*7101-7165 Safe and Drug Free Schools and Communities*

*7912 Transfers from persistently dangerous schools*

UNITED STATES CODE, TITLE 42

*12101-12213 Americans with Disabilities Act*

Policy  
adopted: March 21, 2013

**EVERGREEN SCHOOL DISTRICT**  
San Jose, California

## COMPREHENSIVE SAFETY PLAN

### Development and Review of Comprehensive School Safety Plan

The school site council shall consult with local law enforcement in writing and developing the comprehensive school safety plan. When practical, the school site council also shall consult with other school site councils and safety committees.

The school site council may delegate the responsibility for developing a comprehensive safety plan to a school safety planning committee. This committee shall be composed of the following members:

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

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

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

1. The local mayor
2. A representative of the local school employee organization
3. A representative of each parent organization at the school, including the parent teacher association and parent teacher clubs
4. A representative of each teacher organization at the school
5. A representative of the school's student body government
6. All persons who have indicated that they want to be notified

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

**COMPREHENSIVE SAFETY PLAN** (continued)

1. Representatives of local religious organizations
2. Local civic leaders
3. Local business organizations

**Content of the Safety Plan**

Each comprehensive safety plan shall include an assessment of the current status of school crime committed on campus and at school-related functions.

The assessment may include, but not be limited to, data on reports of school crime, suspension and expulsion rates, and surveys of students, parents/guardians, and staff regarding their perceptions of school safety.

The plan also shall identify appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, including all of the following:

1. Child abuse reporting procedures consistent with Penal Code 11164
2. Routine and emergency disaster procedures including, but not limited to:
  - a. Adaptations for students with disabilities in accordance with the Americans with Disabilities Act
  - b. An earthquake emergency procedure system in accordance with Education Code 32282
  - c. A procedure to allow public agencies, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare
3. Policies pursuant to Education Code 48915(d) for students who commit an act listed in Education Code 48915(c) and other school-designated serious acts which would lead to suspension, expulsion, or mandatory expulsion recommendations
4. Procedures to notify teachers of dangerous students pursuant to Education Code 49079
5. A policy consistent with the prohibition against discrimination, harassment, intimidation, and bullying pursuant to Education Code 200-262.4

**COMPREHENSIVE SAFETY PLAN** (continued)

6. If the school has adopted a dress code prohibiting students from wearing "gang-related apparel" pursuant to Education Code 35183, the provisions of that dress code and the definition of "gang-related apparel"
7. Procedures for safe ingress and egress of students, parents/guardians, and employees to and from school
8. A safe and orderly school environment conducive to learning
9. The rules and procedures on school discipline adopted pursuant to Education Code 35291 and 35291.5
10. Hate crime reporting procedures

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

1. Development of a positive school climate that promotes respect for diversity, personal and social responsibility, effective interpersonal and communication skills, self-esteem, anger management, and conflict resolution
2. Disciplinary policies and procedures that contain prevention strategies, such as strategies to prevent bullying, hazing, and cyberbullying, as well as behavioral expectations and consequences for violations
3. Curriculum that emphasizes prevention and alternatives to violence, such as multicultural education, character/values education, media analysis skills, conflict resolution, community service learning, and education related to the prevention of dating violence
4. Parent involvement strategies, including strategies to help ensure parent/guardian support and reinforcement of the school's rules and increase the number of adults on campus
5. Prevention and intervention strategies related to the sale or use of drugs and alcohol which shall reflect expectations for drug-free schools and support for recovering students
6. Collaborative relationships among the city, county, community agencies, local law enforcement, the judicial system, and the schools that lead to the development of a set of common goals and community strategies for violence prevention instruction

**COMPREHENSIVE SAFETY PLAN** (continued)

7. Procedures for responding to the release of a pesticide or other toxic substance from properties located within one-quarter mile of the school
8. Procedures for receiving verification from law enforcement that a violent crime has occurred on school grounds and for promptly notifying parents/guardians and employees of that crime
9. Assessment of the school's physical environment, including a risk management analysis and development of ground security measures such as procedures for the closing campuses to outsiders, installing surveillance systems, securing the campus perimeter, protecting buildings against vandalism, and providing for a law enforcement presence on campus
10. Crisis prevention and intervention strategies, which may include the following:
  - a. Identification of possible crises that may occur, determination of necessary tasks that need to be addressed, and development of procedures relative to each crisis, including the involvement of law enforcement and other public safety agencies as appropriate
  - b. Threat assessment strategies to determine the credibility and seriousness of a threat and provide appropriate interventions for the potential offender(s)
  - c. Assignment of staff members responsible for each identified task and procedure
  - d. Development of an evacuation plan based on an assessment of buildings and grounds and opportunities for students and staff to practice the evacuation plan
  - e. Coordination of communication to schools, Board of Trustees members, parents/guardians, and the media
  - f. Development of a method for the reporting of violent incidents
  - g. Development of follow-up procedures that may be required after a crisis has occurred, such as counseling
11. Staff development in violence prevention and intervention techniques, including preparation to implement the elements of the safety plan

Regulation  
approved: March 21, 2013

**EVERGREEN SCHOOL DISTRICT**  
San Jose, California

## LOCAL CONTROL AND ACCOUNTABILITY PLAN

The Board of Trustees desires to ensure the most effective use of available state funding to improve outcomes for all students. A community-based, comprehensive, data-driven planning process shall be used to identify annual goals and specific actions aligned with state and local priorities and to facilitate continuous improvement of district practices.

The Board shall adopt a districtwide local control and accountability plan (LCAP), using the template provided by the State Board of Education, which addresses the state priorities specified in Education Code 52060. The LCAP shall be effective for three years and shall be updated on or before July 1 of each year. (Education Code 52060)

In addition, the LCAP shall address any local priorities adopted by the Board.

The LCAP shall focus on improving outcomes for all students, particularly those who are "unduplicated students" and other underperforming students. Unduplicated students include students who are eligible for free or reduced-price meals, English learners, and foster youth and are counted only once for purposes of the local control funding formula. (Education Code 42238.02)

To minimize duplication of effort and provide clear direction for program implementation, the LCAP and other district and school plans shall be aligned to the extent possible.

The Superintendent or designee shall review the single plan for student achievement (SPSA) submitted by each district school pursuant to Education Code 64001 to ensure that the specific actions included in the LCAP or the annual update are consistent with strategies included in the SPSA. (Education Code 52062)

Any complaint that the district has not complied with legal requirements pertaining to the LCAP may be filed pursuant to AR 1312.3 - Uniform Complaint Procedures. (Education Code 52075)

### Plan Development

The Superintendent or designee shall gather data and information needed for effective and meaningful plan development and present it to the Board and community. Such data and information shall include, but not be limited to, data regarding the numbers of students in various student subgroups, disaggregated data on student achievement levels, and information about current programs and expenditures.

The Board shall consult with teachers, principals, administrators, other school personnel, employee bargaining units, parents/guardians, and students in developing the LCAP. (Education Code 52060)

## **LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)**

### **Public Review and Input**

The Board shall establish the following committee(s) to review and comment on the LCAP: (Education Code 52063)

1. A parent advisory committee including at least one parent/guardian of unduplicated students as defined above
2. An English learner parent advisory committee whenever district enrollment includes at least 15 percent English learners and at least 50 students who are English learners

The Superintendent or designee shall present the LCAP or the annual update to the committee(s) before it is submitted to the Board for adoption, and shall respond in writing to comments received from the committee(s). (Education Code 52062)

The Superintendent or designee shall notify members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the LCAP or the annual update to the LCAP. The notification shall be provided using the most efficient method of notification possible, which may not necessarily include producing printed notices or sending notices by mail. All written notifications related to the LCAP or the annual update shall be provided in the primary language of parents/guardians when required by Education Code 48985. (Education Code 52062)

The Board shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the LCAP or the annual update. The public hearing shall be held at the same meeting as the public hearing required prior to the adoption of the district budget in accordance with Education Code 42127 and AR 3100 - Budget. (Education Code 42127, 52062)

### **Adoption of the Plan**

Prior to adopting the district budget, but at the same public meeting, the Board shall adopt the LCAP or the annual update. This meeting shall be held after the public hearing described above, but not on the same day as the hearing. (Education Code 52062)

The Board may adopt revisions to the LCAP at any time during the period in which the plan is in effect, provided the Board follows the process to adopt the LCAP pursuant to Education Code 52062 and the revisions are adopted in a public meeting. (Education Code 52062)

### **Submission of Plan to County Superintendent of Schools**

Not later than five days after adoption of the LCAP or the annual update to the LCAP, the Board shall file the LCAP or the annual update with the County Superintendent of Schools. (Education Code 52070)



## LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)

If the County Superintendent sends, by August 15, a written request for clarification of the contents of the LCAP or the annual update, the Board shall respond in writing within 15 days of the request. If the County Superintendent then submits recommendations for amendments to the LCAP within 15 days of receiving the Board's response, the Board shall consider those recommendations in a public meeting within 15 days of receiving the recommendations. (Education Code 52070)

### Monitoring Progress

The Superintendent or designee shall report to the Board, at least annually in accordance with the timeline and indicators established by him/her and the Board, regarding the district's progress toward attaining each goal identified in the LCAP. Evaluation data shall be used to recommend any necessary revisions to the LCAP.

#### *Legal Reference:*

##### EDUCATION CODE

- 17002 State School Building Lease-Purchase Law, including definition of good repair
  - 41020 Audits
  - 42127 Public hearing on budget adoption
  - 42238.01-42238.07 Local control funding formula
  - 44258.9 County superintendent review of teacher assignment
  - 48985 Parental notices in languages other than English
  - 51210 Course of study for grades 1-6
  - 51220 Course of study for grades 7-12
  - 52052 Academic Performance Index; numerically significant student subgroups
  - 52060-52077 Local control and accountability plan
  - 52302 Regional occupational centers and programs
  - 52372.5 Linked learning pilot program
  - 54692 Partnership academies
  - 60119 Sufficiency of textbooks and instructional materials; hearing and resolution
  - 60605.8 California Assessment of Academic Achievement; Academic Content Standards Commission
  - 60811.3 Assessment of language development
  - 64001 Single plan for student achievement
  - 99300-99301 Early Assessment Program
- ##### UNITED STATES CODE, TITLE 20
- 6312 Local educational agency plan

Policy  
adopted: June 12, 2014

**EVERGREEN SCHOOL DISTRICT**  
San Jose, California

## LOCAL CONTROL AND ACCOUNTABILITY PLAN

### Content of the Plan

The district's local control and accountability plan (LCAP) shall include, for the district and each district school: (Education Code 52060)

1. A description of the annual goals established for all students and for each numerically significant subgroup as defined in Education Code 52052, including ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, and foster youth. The LCAP shall identify goals for each of the following state priorities:
  - a. The degree to which district teachers are appropriately assigned in accordance with Education Code 44258.9 and fully credentialed in the subject areas and for the students they are teaching; every district student has sufficient access to standards-aligned instructional materials as determined pursuant to Education Code 60119; and school facilities are maintained in good repair as specified in Education Code 17002
  - b. Implementation of the academic content and performance standards adopted by the State Board of Education (SBE), including how the programs and services will enable English learners to access the Common Core State Standards and the English language development standards for purposes of gaining academic content knowledge and English language proficiency
  - c. Parent/guardian involvement, including efforts the district makes to seek parent/guardian input in district and school site decision making and how the district will promote parent/guardian participation in programs for unduplicated students, as defined in Education Code 42238.02 and Board policy
  - d. Student achievement, as measured by all of the following as applicable:
    - (1) Statewide assessments of student achievement
    - (2) Academic Performance Index
    - (3) The percentage of English learners who make progress toward English proficiency as measured by the SBE-certified assessment of English proficiency
    - (4) The English learner reclassification rate

**LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)**

- e. Student engagement, as measured by school attendance rates, chronic absenteeism rates, middle school dropout rates, high school dropout rates, and high school graduation rates, as applicable
  - f. School climate, as measured by student suspension and expulsion rates and other local measures, including surveys of students, parents/guardians, and teachers on the sense of safety and school connectedness, as applicable
  - g. The extent to which students have access to and are enrolled in a broad course of study that includes all of the subject areas described in Education Code 51210 and 51220, as applicable, including the programs and services developed and provided to unduplicated students and students with disabilities, and the programs and services that are provided to benefit these students as a result of supplemental and concentration grant funding pursuant to Education Code 42238.02 and 42238.03
  - h. Student outcomes, if available, in the subject areas described in Education Code 51210 and 51220, as applicable
2. Any goals identified for any local priorities established by the Board.
3. A description of the specific actions the district will take during each year of the LCAP to achieve the identified goals, including the enumeration of any specific actions necessary for that year to correct any deficiencies in regard to the state and local priorities specified in items #1-2 above. Such actions shall not supersede provisions of existing collective bargaining agreements within the district.

For any local priorities addressed in the LCAP, the Board and Superintendent or designee shall identify the method for measuring the district's progress toward achieving those goals. (Education Code 52060)

To the extent practicable, data reported in the LCAP shall be reported in a manner consistent with how information is reported on a school accountability report card. (Education Code 52060)

## **LOCAL CONTROL AND ACCOUNTABILITY PLAN (continued)**

### **Annual Updates**

On or before July 1 of each year, the LCAP shall be updated using the template developed by the SBE and shall include all of the following: (Education Code 52061)

1. A review of any changes in the applicability of the goals described in the existing LCAP pursuant to the section "Content of the Plan" above
2. A review of the progress toward the goals included in the existing LCAP, an assessment of the effectiveness of the specific actions described in the existing LCAP toward achieving the goals, and a description of changes to the specific actions the district will make as a result of the review and assessment
3. A listing and description of the expenditures for the fiscal year implementing the specific actions included in the LCAP and the changes to the specific actions made as a result of the reviews and assessment required by items #1-2 above
4. A listing and description of expenditures for the fiscal year that will serve unduplicated students and students redesignated as fluent English proficient

### **Availability of the Plan**

The Superintendent or designee shall post the LCAP and any updates or revisions to the LCAP on the district's web site. (Education Code 52065)

Regulation  
approved: May 1, 2014

**EVERGREEN SCHOOL DISTRICT**  
San Jose, California

## SCHOOL ACCOUNTABILITY REPORT CARD

The Board of Trustees recognizes its responsibility to inform parents/guardians and the community about the conditions, needs, and progress at each district school and to provide data by which parents/guardians can make meaningful comparisons between schools. The process of gathering and analyzing data also provides opportunities for school and district staff to review achievements and identify areas for improvement.

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

In preparing the district's report cards, the Superintendent or designee may choose to use or adapt the model template provided by the California Department of Education. If the model template is not used, the Superintendent or designee shall ensure that data are reported in a manner that is consistent with the definitions for school conditions as provided in the template. At least every three years, the Board shall compare the content of the district's report cards to the state's model template, recognizing that variances are allowed by law as necessary to meet local needs. (Education Code 33126.1, 35256)

The Board shall annually approve the SARCs for all district schools and shall evaluate the data contained in the SARCs as part of the Board's regular review of the effectiveness of the district's programs, personnel, and fiscal operations.

The Superintendent or designee shall develop strategies for communicating the information contained in the SARCs to all stakeholders, including opportunities for staff and the community to discuss their content.

### Notification and Dissemination of SARCs

The Superintendent or designee shall annually publicize the issuance of the SARCs and notify parents/guardians that a paper copy will be provided upon request. On or before February 1 of each year, the Superintendent or designee shall make the SARCs available in paper copy and on the Internet. (Education Code 35256)

*Legal Reference: (see next page)*

**SCHOOL ACCOUNTABILITY REPORT CARD (continued)**

*Legal Reference:*

EDUCATION CODE

1240 County superintendent, general duties  
17002 Definition, including good repair  
17014 Plan for building maintenance  
17032.5 Portable classroom maintenance  
17070.15 School Facilities Act; definitions  
17089 Portable classroom maintenance  
33126 School Accountability Report Card  
33126.1 School Accountability Report Card model template  
33126.15 School Accountability Report Card template  
33126.2 Secretary of Education school accountability report card study  
35256 School Accountability Report Card  
35256.1 Information required in the School Accountability Report Card  
35258 Internet access to the School Accountability Report Card  
41409 Calculation of statewide averages  
41409.3 Salary information required in the School Accountability Report Card  
46112 Minimum school day for grades 1 through 3  
46113 Minimum school day for grades 4 through 8  
46117 Minimum kindergarten school day  
46141 Minimum school day (high school)  
51225.3 Requirements for graduation  
52052 Academic performance index  
52056 Meeting growth targets  
60119 Textbook sufficiency  
60600-60618 General provisions  
60640-60648 Standardized testing and reporting program  
60800 Physical fitness testing  
60850 High school exit examination  
60851 High school exit examination  
CALIFORNIA CONSTITUTION  
Article 16, Section 8.5(e) Allocations to State School Fund  
UNITED STATES CODE, TITLE 20  
6311 State plans, including local educational agency report cards

Policy  
adopted: March 21, 2013

**EVERGREEN SCHOOL DISTRICT**  
San Jose, California