

California Association of Health and Education Linked Professions
Joint Powers Authority (CAHELP JPA)
DESERT/MOUNTAIN CHARTER SELPA STEERING COMMITTEE MEETING
August 22, 2019 – 1:00 p.m.
Desert Mountain Educational Service Center, 17800 Highway 18, Apple Valley CA 92307

AGENDA

1.0 CALL TO ORDER

2.0 PUBLIC PARTICIPATION

Citizens are encouraged to participate in the deliberation of the Desert/Mountain Charter SELPA Steering Committee. Several opportunities are available during the meeting for the Council to receive oral communication regarding the presentations of any items listed on the agenda. Please ask for recognition either before a presentation or after the presentation has been completed. Please complete and submit a “Registration Card to Address the Desert/Mountain Charter SELPA Steering Committee” to the Recording Secretary and adhere to the provisions described therein.

3.0 ADOPTION OF THE AGENDA

BE IT RESOLVED that the August 22, 2019 Desert/Mountain Charter SELPA Steering Committee Meeting Agenda be approved as presented.

4.0 PRESENTATIONS

4.1 Disproportionality and Using the Self-Review

Dr. Jon Eyler, the founder of Collaborative Learning Solutions (CLS) will provide a preview on disproportionality and systems to monitor and change the outcomes of disproportionality.

4.2 Brown Act Review

Jenae Holtz will present on the function of the Brown Act and the use of Brown Act regulations in our meetings.

5.0 INFORMATION/ACTION

5.1 CAHELP JPA Brown Act Policies

Jenae Holtz will present newly created policies regarding the use of the Brown Act Regulations in all meetings governed by CAHELP JPA. The meetings include: Steering Committee meetings, Finance Committee meetings, Charter SELPA Executive Council meetings and Governance Council meetings.

5.1.1 BE IT RESOLVED that the CAHELP JPA Brown Act Policies be approved as presented.

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5.2 Desert/Mountain Charter SELPA Policy and Procedures Chapter 22 and D/M 157 Forms **(ACTION)**

Policies and procedures governing the operation of special education programs within the Desert/Mountain Charter SELPA are developed, reviewed and revised throughout the year upon the recommendation of the Program Team. Policies and Procedures are modified as necessary in order to ensure that special education programs are operated in an efficient, effective and legally compliant manner. Suggested revisions to Charter SELPA Policy and Procedures and SELPA Forms are submitted to the D/M Charter SELPA Steering Committee for consideration and approval.

5.2.1 **BE IT RESOLVED** that the Desert/Mountain Charter SELPA Policy & Procedures Chapter 22 and D/M 157 Forms be approved as presented.

5.3 Postsecondary Transition Services Manual

The Postsecondary Transition Services' Manual is a guide for students transitioning from high school to adult living. The manual was developed to assist participating LEAs, families, and students with disabilities in understanding the legal requirements and best practices for transition services.

5.3.1 **BE IT RESOLVED** that the Postsecondary Transition Services' Manual be approved as presented.

6.0 CONSENT ITEMS

It is recommended that the Desert/Mountain Charter SELPA Steering Committee consider approving several Agenda items as a Consent list. Consent Items are routine in nature and can be enacted in one motion without further discussion. Consent items may be called up by any Committee Member at the meeting for clarification, discussion, or change.

6.1 **BE IT RESOLVED** that the following Consent Items be approved as presented:

6.1.1 Approve the June 13, 2019 Desert/Mountain Charter SELPA Steering Committee Meeting Minutes.

7.0 CHIEF EXECUTIVE OFFICER AND STAFF REPORTS

7.1 Legislative Updates

Jenae Holtz will present the latest in State and Federal law related to students with disabilities and school law.

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7.2 CALPADS Communication

Jenae Holtz will present on the upcoming changes from CASEMIS to CALPADS.

7.3 Lockdown Procedures

Jenae Holtz will lead a discussion on LEAs and their lockdown procedures to ensure CAHELP staff are aware of the various procedures as they are on the campuses each day.

7.4 Continuum of Care Memorandum of Understanding (MOU)

Jenae Holtz will present a Memorandum of Understanding (MOU) that can be offered to districts in working collaboratively to serve students.

7.5 Desert/Mountain Children's Center Client Services Reports

Linda Llamas will present the Children's Center monthly reports.

7.6 Professional Learning Summary

Heidi Chavez will present an update on the SELPA's professional development.

7.7 Resolution Support Services Summary

Kathleen Peters will present an update on the SELPA's resolution support services.

7.8 Positive Behavioral Interventions and Supports (PBIS) LEA Assignments

Kami Murphy will present the D/M SELPA PBIS LEA Assignments.

7.9 2019-20 Schedule of PBIS Assessment Windows

Kami Murphy will present the 2019-2020 Schedule of PBIS Assessment Windows.

7.10 PBIS Recognition Event - Save the Date Flyer

Kami Murphy will present the PBIS Recognition Event Save the Date Flyer.

7.11 Compliance Update

Peggy Dunn will present an update on compliance items from the California Department of Education (CDE).

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7.12 Update on California Alternate Assessment (CAA) State Testing

Karina Quezada will present on the recently released 2019-20 CAA Administration Planning Guides from CDE that are available at www.caaspp.org.

7.13 California Practitioners' Guide for Educating English Learners with Disabilities

Karina Quezada will share the CDE developed guide to provide guidance to LEAs in the identification, classification, and servicing of students with disabilities who are also English Language Learners.

7.14 Adapting Curriculum: Engaging All Learners Through Universal Design for Learning

Bonnie Garcia will present the Adapting Curriculum: Engaging All Learners Through Universal Design for Learning training flyer.

7.15 Region 10 Alternative Dispute Resolution (ADR) Training Opportunity Flyer

Karina Quezada will be presenting the Region 10 ADR Training Flyer: Applying Neuroscience Research in Special Education Mediation.

7.16 2020 ADR Conference - One Team, One Goal: Utilizing Mindfulness to Build Relationships in Education

Karina Quezada will present the conference flyer for the 2020 ADR Conference - One Team, One Goal: Utilizing Mindfulness to Build Relationships in Education.

7.17 Region 10 Behavior Conference

Danielle Cote will be presenting the Region 10 Behavior Conference Flyer on Inclusion-Focused Supports for Students with Behavioral Challenges.

7.18 CASEMIS 2 CALPADS Training

Colette Garland will be presenting the CASEMIS 2 CALPADS Training Flyer.

7.19 Special Education Teacher Academy

Linda Rodriguez will present the Special Education Teacher Academy flyer.

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- 7.20 CAHELP Training Opportunity - Neurobiology of Attachment: Promoting Development and Learning Through Relationships in Children with Prenatal Substance Exposure

Jenae Holtz will present the CAHELP Training Opportunity flyer for Neurobiology of Attachment: Promoting Development and Learning Through Relationships in Children with Prenatal Substance Exposure.

8.0 INFORMATION ITEMS

- 8.1 Monthly Occupational & Physical Therapy Services Reports

- 8.2 Upcoming Professional Learning Opportunities

9.0 STEERING COMMITTEE MEMBERS COMMENTS / REPORTS

10.0 CEO COMMENTS

11.0 MATTERS BROUGHT BY CITIZENS

This is the time during the agenda when the Desert/Mountain Charter SELPA Steering Committee is again prepared to receive the comments of the public regarding items on this agenda or any school related special education issue.

When coming to the podium, citizens are requested to give their name and limit their remarks to three minutes.

Persons wishing to make complaints against Desert/Mountain Charter SELPA Steering Committee personnel must have filed an appropriate complaint form prior to the meeting.

When the Desert/Mountain Charter SELPA Steering Committee goes into Closed Session, there will be no further opportunity for citizens to address the Council on items under consideration.

12.0 ADJOURNMENT

The next regular meeting of the Desert/Mountain Charter SELPA Steering Committee will be held on Thursday, September 19, 2019, at 1:00 p.m., at the Desert Mountain Educational Service Center, Poppy/Willow Room, 17800 Highway 18, Apple Valley, CA 92307.

Individuals requiring special accommodations for disabilities are requested to contact Jamie Adkins at (760) 955-3555, at least seven days prior to the date of this meeting.

4.1 Disproportionality and Using the Self-Review
Verbal presentation, no materials

Brown Act Training

California's Open Meeting Law

August 22, 2019



Purpose of the Brown Act

The Brown Act states that it is the intent of the law that the actions of public legislative bodies be taken openly and that their deliberations be conducted openly (Government Code section 54950).





**Definition
of
Legislative
Body**

The Brown Act defines a “legislative body” as the governing body of a local agency or a commission, committee, board or other body of a local agency, whether permanent or temporary, decision making or advisory, created by resolution or formal action of the legislative body.

Definition of Meetings

The term “meeting” is defined in the Brown Act as including any congregation of a majority of the members of a legislative body at the same time and place to hear, discuss, or deliberate upon any matter which is under its subject matter jurisdiction.



Open Meeting Requirements

Under the Brown Act, all meetings of the legislative body of the local agency are required to be open and public, except for authorized closed sessions. All members of the public must be permitted to attend any meeting of the legislative body of a local agency, unless they are disruptive (Government Code section 54953).



Action Items

All actions taken by the legislative body must be taken in open session unless authorized in closed session. Action taken is defined as a collective decision made by a majority of the members to make a positive or negative decision, and may include an actual vote by a majority of the members (Government Code section 54952.6)





**Open Meeting
Requirements,
continued**

The Brown Act prohibits taking action by secret ballot and prohibits the legislative bodies of a local agency from restricting the broadcast of open and public meetings unless it is disruptive. Members of the public may record open public meetings (Government Code section 54953.5).

Teleconferencing Open Meetings

Teleconferencing (either audio or video, or both) may be used during meetings under limited circumstances. All votes taken during a teleconference must be by roll call. If the legislative body elects to use teleconferencing, the legislative body must post agendas at all teleconference locations, and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of the local agency (Government Code section 54953 (b)).



Time and Place of meeting with agenda must be posted 72 hours in advance of the meeting

Meetings to be held within the boundaries of the territory over which the local agency exercises jurisdiction

Time and Place of Meetings



What is Not a Meeting?

Attempts to generate consensus of majority or quorum outside of a formal meeting are improper. However, the vetting of topics with less than a quorum as needs arise is fine, i.e., officers meeting or a President-VP discussion, or a discussion by Board Member with staff is not a “Brown Act Meeting”.



Agenda Requirements

- Availability of Agenda
- Agenda for Regular Meeting
- Amendment of Agenda
- Special Meetings
- Sufficiency of Agenda
- Adjournment and Emergency Meetings



Closed Sessions

- Must be announced in open session the item or items to be discussed in closed session
- Students
- Personnel
- Real Property Negotiations
- Labor Negotiations



Distribution of Documents

All agendas and other writings of public meetings are disclosable public records under the California Public Records Act and shall be made available upon request without delay (Government Code section 54957.5)



Public Comment

The Brown Act provides for two types of public comments periods:

- A general audience comment period at the start allowing the public to comment on any item of interest that is within the subject matter jurisdiction of the local agency that can be scheduled at any time during the meeting. Recommended.
- A specific comment period pertaining to the items on the meeting's agenda that must be allowed prior to consideration of each agenda item. Not recommended.



Public Comment Restrictions

- A public agency may adopt reasonable regulations limiting the total amount of time allocated to each person for public comment and the total time allotted for public comment.
- Typical time limits restrict individual speakers to three to five minutes.
- The Brown Act prohibits preclusion of public comments criticizing the policies, procedures, programs, services or acts or omissions of the public agency.





**Voting Members
of the
Desert/Mountain
SELPA Steering
Committee**

- One representative of the LEA may be a voting member
 - Assistant Superintendent of Pupil Services
 - Director of Special Education or Pupil Services
- In the event of an absence from this person, the person may submit a name as a proxy to vote on their behalf

Quorum

- A quorum for CAHELP steering committee is considered to be:
 - 1/3 of members present at roll call





See Attached Policies



Organizational Policy Statement: The Ralph M. Brown Act

SECTION A: DESERT/MOUNTAIN SELPA

SECTION B: DESERT/MOUNTAIN CHARTER SELPA

SECTION C: CAHELP FINANCE COMMITTEE

SECTION D: DESERT/MOUNTAIN CHARTER SELPA EXECUTIVE COUNCIL

Introduction

The California Association of Health and Education Linked Professions (CAHELP) Joint Powers Authority (JPA) conducts all ancillary meetings under the governing rules of The Ralph M. Brown Act. The following entity meetings are subject to the Brown Act:

- Desert/Mountain SELPA Steering Committee
- Desert/Mountain Charter SELPA Steering Committee
- CAHELP Finance Committee
- Desert/Mountain Charter SELPA Executive Council

Section A – Desert/Mountain SELPA

The Desert/Mountain Special Education Local Plan Area (“D/M SELPA”) Steering Committee shall consist of the Special Education Director, Assistant Superintendent, Superintendent or CEO representing each LEA member of the D/M SELPA. A representative representing multiple LEAs shall count as a single member of the Steering Committee. Each member of the Steering Committee shall have one vote. Each member of the Steering Committee may designate in writing an alternate representative, including but not limited to another member of the Steering Committee (“proxy”). If the Special Education Director or Assistant Superintendent is unable to attend a

meeting, the designated alternate representative or designee shall have the full authority of the Special Education Director or Assistant Superintendent for the purpose of decision-making. Such a designation must be received by the Chief Executive Officer (“CEO”) of California Association of Health and Education Linked Professions Joint Powers Authority (“CAHELP JPA”), prior to the commencement of a scheduled meeting of the Steering Committee, which will be effective only for that meeting. One-third of the members, represented in person or by proxy, shall constitute a quorum at a meeting of members.

The chairperson for the D/M SELPA Steering Committee will be the CEO from the CAHELP JPA. The Vice-President of the Steering Committee is the Operations Officer (“COO”) from the CAHELP JPA and the secretary is appointed by the CEO. If the CEO from the CAHELP JPA is unable to attend and chair the meeting, the COO from the CAHELP JPA shall chair the meeting. If both the CEO and COO from the CAHELP JPA are unable to attend and chair the meeting, the CEO shall appoint a designee to chair the meeting.

Section B – Desert/Mountain Charter SELPA

The Desert/Mountain Charter Special Education Local Plan Area (“D/M Charter SELPA”) Steering Committee shall consist of the Special Education Director, Assistant Superintendent, Superintendent or CEO representing each LEA member of the D/M Charter SELPA. A representative representing multiple LEAs shall count as a single member of the Charter Steering Committee. Each member of the Charter Steering Committee shall have one vote. Each member of the Charter Steering Committee may designate in writing an alternate representative, including but not limited to another member of the Charter Steering Committee (“proxy”). If the representative is unable to attend a meeting, the designated alternate representative or designee shall have the full authority of the representative for the purpose of decision-making. Such a designation must be received by the Chief Executive Officer (“CEO”) of California Association of Health and Education Linked Professions Joint Powers Authority (“CAHELP JPA”), prior to the commencement of a scheduled meeting of the Charter Steering Committee, which will be effective only for that meeting. One-third of the members, represented in person or by proxy, shall constitute a quorum at a meeting of members.

The chairperson for the D/M Charter SELPA Steering Committee will be the CEO from the CAHELP JPA. The Vice-President of the Charter Steering Committee is the Operations Officer (“COO”) from the CAHELP JPA and the secretary is appointed by the CEO. If the CEO from the CAHELP JPA is unable to attend and chair the meeting, the COO from the CAHELP JPA shall chair the meeting. If both the CEO and COO from the CAHELP JPA are unable to attend and chair the meeting, the CEO shall appoint a designee to chair the meeting.

Section C – CAHELP Finance Committee

- Desert/Mountain SELPA
- Desert/Mountain Charter SELPA

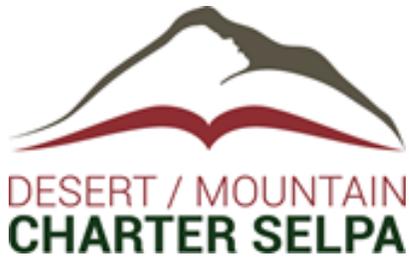
The California Association of Health and Education Linked Professions (“CAHELP”) Finance Committee shall consist of the Special Education Director, Assistant Superintendent, Business Officer of the LEA, Superintendent or CEO representing each LEA member of the D/M SELPA and D/M Charter SELPA. A representative representing multiple LEAs shall count as a single member of the Finance Committee. Each member of the Finance Committee shall have one vote. Each member of the Finance Committee may designate in writing an alternate representative, including but not limited to another member of the Finance Committee (“proxy”). If the representative is unable to attend a meeting, the designated alternate representative or designee shall have the full authority of the absent representative for the purpose of decision-making. Such a designation must be received by the Chief Executive Officer (“CEO”) of California Association of Health and Education Linked Professions Joint Powers Authority (“CAHELP JPA”), prior to the commencement of a scheduled meeting of the Finance Committee, which will be effective only for that meeting. One-third of the members, represented in person or by proxy, shall constitute a quorum at a meeting of members.

The chairperson for the D/M SELPA Finance Committee will be the CEO from the CAHELP JPA. The Vice-President of the Steering Committee is the Operations Officer (“COO”) from the CAHELP JPA and the secretary is appointed by the CEO. If the CEO from the CAHELP JPA is unable to attend and chair the meeting, the COO from the CAHELP JPA shall chair the meeting. If both the CEO and COO from the CAHELP JPA are unable to attend and chair the meeting, the CEO shall appoint a designee to chair the meeting.

Section D – Desert/Mountain Charter SELPA Executive Council

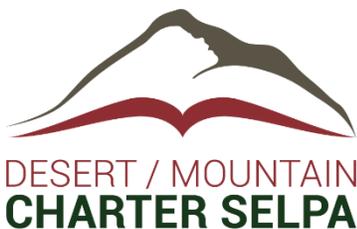
The Desert/Mountain Charter Special Education Local Plan Area (“D/M Charter SELPA”) Executive Council shall consist of the Chief Executive Officer or his/her appointee representing each LEA member of the D/M Charter SELPA. A representative representing multiple LEAs shall count as a single member of the Executive Council. Each member of the Charter Executive Council shall have one vote. Each member of the Executive Council may designate in writing an alternate representative, including but not limited to another member of the Executive Council (“proxy”). If the representative is unable to attend a meeting, the designated alternate representative or designee shall have the full authority of the representative for the purpose of decision-making. Such a designation must be received by the Chief Executive Officer (“CEO”) of California Association of Health and Education Linked Professions Joint Powers Authority (“CAHELP JPA”), prior to the commencement of a scheduled meeting of the Executive Council, which will be effective only for that meeting. One-third of the members, represented in person or by proxy, shall constitute a quorum at a meeting of members.

The chairperson for the D/M Charter SELPA Executive Council will be the CEO from the CAHELP JPA. The Vice-President of the D/M Charter SELPA Executive Council is the Operations Officer (“COO”) from the CAHELP JPA and the secretary is appointed by the CEO. If the CEO from the CAHELP JPA is unable to attend and chair the meeting, the COO from the CAHELP JPA shall chair the meeting. If both the CEO and COO from the CAHELP JPA are unable to attend and chair the meeting, the CEO shall appoint a designee to chair the meeting.



Revised Desert/Mountain Charter SELPA Policies & Procedures

Section	Proposed Revision(s)	Rev. Date
<p>Chapter 22: Supports and Services</p>	<p>Updated Appendix B: Determining the Need for a Temporary Intensive Supports Assessment (TISA); this appendix was formerly called Determining the Need for Special Circumstance Instructional Assistance (SCIA). In general, references to Special Circumstance Instructional Assistance or SCIA were changed to Temporary Intensive Supports Assessment or TISA, to include references to SELPA forms D/M 157A – D/M 157J, which are currently being revised to reflect the TISA language and process be effective for the 2019/2020 school year.</p> <p><i>Title 20 USC § 1401(26), 34 C.F.R. § 300.34; 5 CCR § § 3001 and 3052, and Education Code § 56363(a)</i></p>	<p>8/22/19</p>



Chapter 22: Supports and Services

SECTION A: LEAST RESTRICTIVE ENVIRONMENT (LRE): A CONTINUUM OF SERVICES AND PLACEMENT

SECTION B: RELATED SERVICES

SECTION C: SERVICE ANIMALS

SECTION D: ASSISTIVE TECHNOLOGY

APPENDIX A: GUIDELINE STATEMENT: LEAST RESTRICTIVE ENVIRONMENT (LRE) CONTINUUM OF PLACEMENT OPTIONS, THE HOLLAND FACTORS

APPENDIX B: DETERMINING THE NEED FOR TEMPORARY INTENSIVE SUPPORTS ASSESSMENT (TISA)

APPENDIX C: TRANSPORTATION GUIDELINES/FLOWCHART

APPENDIX D: CARS+ GUIDANCE FOR RSP TEACHERS

APPENDIX E: SELPA REFERRAL PROCEDURES

Introduction

It is the philosophy of the Desert/Mountain Charter Special Education Local Plan Area (SELPA) that children with disabilities be provided a free appropriate public education (FAPE) in the least restrictive environment (LRE). This philosophy is in accordance with state and federal mandates.

If a related service or services cannot be provided by a Charter Local Education Agency (LEA), the Charter LEA may contract with a California Department of Education (CDE) certified nonpublic, nonsectarian school or agency (NPS/NPA) in accordance with the requirements of a Master Contract and an Individual Service Agreement (ISA). For mental health services, employees, vendors or contractors of the State Department of Mental Health, or any designated local public mental health agency, may provide related services in accordance with procedures outlined in local interagency agreements.

NOTE: All services may not be available in all areas. Please check with the program specialist assigned to the specific Charter LEA with any questions regarding this chapter.

APPENDIX B: Determining the Need for Temporary Intensive Supports Assessment (TISA)

Section A: Rationale

Section B: Least Restrictive Environment (LRE)

Section C: Factors for Special Circumstances

Section D: Temporary Intensive Supports Assessment

Section E: Procedures for Requesting Temporary Intensive Supports Assessment (TISA)

Section F: Training

Introduction

The purpose of this section is to provide Charter Local Education Agency (LEA) personnel information and guidance in determining a student’s need for temporary intensive supports. A recommendation for temporary intensive supports is a significant programmatic decision and one that should only be made after a comprehensive discussion of other options considered and clear documentation of as to why those options are not appropriate. While some students may need temporary intensive supports to receive a free appropriate public education (FAPE), for other students, the assignment of such supports may be unnecessary and inappropriately restrictive.

A goal for all students with disabilities is to promote and maximize independence. Charter LEAs are responsible for developing and implementing individualized education programs (IEPs) that promote such independence. When an IEP team determines that a student needs temporary intensive supports, it should always be considered a time-limited recommendation and specific conditions/goals must be established to fade the use of such supports.

California Education Code states,

***E.C. § 56363 (a)** As used in this part, the term “designated instruction and services” means “related services” as that term is defined in Section 1401(26) of Title 20 of the United States Code and Section 300.34 of Title 34 of the Code of Federal Regulations. The term “related services” means transportation, and such developmental, corrective, and other supportive services (including speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, social work services, school nurse services designed to enable an individual with exceptional needs to receive a free appropriate public education as described in the individualized education program of the child, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services, except that such medical services shall be for diagnostic and evaluation purpose only) as may be required to assist an individual with exceptional needs to*

benefit from special education, and includes the early identifications and assessment of disabling conditions in children.

Section A: Rationale

Every Charter LEA within the Desert/Mountain Charter Special Education Local Plan Area (SELPA) is required to provide a full continuum of placement options for students with identified disabilities who are receiving special education services. The Individuals with Disabilities Education Act (IDEA 2004) and California laws and regulations describe a continuum of alternative placements such as instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions [*Title 34 of the Code of Federal Regulations (CFR) 300.551(b)(1)*]. Both federal and state laws also contain provisions to ensure that children with disabilities are educated to the maximum extent possible with children who are not disabled, and that children are removed from the general education environment only when the nature and severity of the disability is such that education in the regular classroom cannot be satisfactorily achieved with the use of related services.

Section B: Least Restrictive Environment (LRE)

By law, services to students with special needs must be delivered in the "least restrictive environment." When an IEP team is considering temporary intensive supports for a student, all aspects of the student's program must be considered with the intent of maximizing student independence. The teacher(s) is responsible for the design and implementation of the student's program.

Section C: Factors for Temporary Intensive Supports

Whenever temporary intensive supports are being considered by an IEP team for a student with special needs, the following factors need to be considered:

Personal Independence

First and foremost, an important goal for all special education students is to encourage, promote, and maximize independence. If not carefully monitored, temporary intensive supports can easily and unintentionally foster dependence. A student's total educational program must be carefully evaluated to determine where support is indicated. Natural support and existing staff support should be used whenever possible to promote the least restrictive environment.

The general categories to be considered for temporary intensive supports include:

1. Health/Personal Care Issues
2. Behavioral Support
3. Instruction
4. Inclusion/Mainstreaming

Section D: Temporary Intensive Supports Assessment

1. IEP teams should identify the need for related services based on appropriate documentation and assessment. If the IEP team recommends such services, the following statements must be considered for inclusion in the IEP:
 - a) The related service is necessary to the child to benefit from his/her special education program;
 - b) The program modifications or supports for school personnel are necessary to assist the child to:
 - (1) Advance appropriately toward the annual goals;
 - (2) Be involved in and progress in the general curriculum;
 - (3) Participate in extracurricular and other nonacademic activities; and
 - (4) Be educated and participate with other disabled and non-disabled children.
2. The IEP team shall address the means for reviewing and evaluating the necessity of continuing temporary intensive services to the student. It is recommended that these intensive supports be monitored every six months and reconsidered at every annual IEP.
3. The IEP team shall also include a statement of the anticipated frequency and duration for the services and modifications.
4. If it is determined that additional personnel support is required, the IEP team should periodically review the effectiveness of this additional support. A systematic, written plan needs to address how additional personnel support will be monitored.
5. For services requiring additional personnel support as a result of a student's behavioral difficulties, the student's IEP needs to include appropriate goals. In addition, a Behavioral Intervention Plan (BIP) should be developed in accordance with Sections 3001 and 3052 in Title 5 of the California Code of Regulations (CCR). The BIP needs to include a provision describing how and when support, including personnel, will be utilized to implement the plan, and when the plan will be reviewed and modified.
6. When determining the need for additional personnel support due to an instructional need, the IEP team must utilize appropriate assessment information to support this recommendation. The written plan must be developed by the IEP team in collaboration with a general and special education teachers specifying how the additional personnel will be utilized to support the teacher in implementing the student's goals and objectives and what attempts will be made to transition other available classroom resources and supports.
7. When a need for additional support is due to medical need, a specialized health care plan will need to be developed. (Utilize D/M SELPA Form 93, 94, and 95, as appropriate)

8. When temporary intensive supports in the form of personnel are being considered for a specific student, a Charter LEA representative shall be required to participate in the decision-making process of the IEP meeting.

Section E: Procedures for Requesting a Temporary Intensive Supports Assessment (TISA)

Temporary intensive supports may be provided for students with disabilities when additional support is necessary to the student in order to meet his or her goals and to benefit educationally. Whenever possible, additional assistance is assigned to a school environment, class, or case manager. Occasionally, however, a student requires individual support for a designated period of time to address a unique need. By law, services to students with special needs must be delivered in the "least restrictive environment." When the IEP team is considering a temporary intensive support, all aspects of the student's program must be considered. A request for Temporary Intensive Supports Assessment (TISA) is made only after other site interventions have proven to be ineffective. A student's educational program must be carefully evaluated to determine when and where the additional support is required. Additionally, the IEP team must plan for periodic reviews to assess the continued need for this type of individualized assistance.

It is expected that students enrolling in a non-public school (NPS) will not require temporary intensive supports. For students currently in NPS, if the need for temporary intensive supports becomes evident, the NPS should contact the student's Charter LEA of residence to initiate a referral for a Temporary Intensive Supports Assessment (TISA). The Charter LEA will evaluate the student and present findings and recommendations to the IEP team. Whether in public school or NPS, if the student already has designated temporary intensive supports, it is recommended that the Charter LEA conduct an evaluation to determine the continued need for that level of support prior to the next annual IEP meeting. When a student new to the Charter LEA enrolls with an existing IEP that indicates assistance is needed, a temporary substitute should be assigned until the evaluation process is completed.

- **Step 1: Referral for Temporary Intensive Supports Assessment (TISA)**
If the principal and special education team at the site believe extra support may be necessary to meet the student's goals, they must conduct an assessment of the student's needs prior to an IEP meeting, at which time this topic will be considered. The *Referral for Temporary Intensive Supports Assessment (D/M 157A)* needs to be completed. Use the *Student Needs for Additional Support Rubric (D/M 157B)* to assist in quantifying the severity of student need. Supporting documentation should include *Review of IEP Goals (D/M 157C)*, *Review of Behavioral Intervention Plan (BIP) (D/M 157D)* and review of other documents as appropriate, such as a nurse's assessment, health report, discipline records, independent assessments, etc.

If the parent requests additional support, the school principal, designee, or special education director shall confer with the parent to clarify his or her concerns, discuss options, and assist the parent in completing the *Referral for Temporary Intensive Supports Assessment (D/M 157A)*. The parent should sign as the person requesting

referral. The 15-day timeline for developing the evaluation plan begins on the date of the parent signature.

If Temporary intensive supports are is requested during an IEP meeting without a previous referral, the procedure for requesting TISA must be initiated at that time. The IEP meeting should be completed and the referral for a TISA should be indicated in the IEP notes. Another IEP meeting will need to be scheduled to review the results of the evaluation.

Submit the *Referral for Temporary Intensive Supports Assessment (D/M 157A)*, *Student Needs for Additional Support Rubric (D/M 157B)*, *Review of IEP Goals (D/M 157C)*, and *Review of Behavioral Intervention Plan (BIP) (D/M 157D)* if appropriate, with additional supplemental documentation, if necessary, to the director of special education. The TISA evaluation should be completed by any certificated staff who received training in the completion of such evaluation, and by an individual who can objectively consider all circumstances and make recommendations in the best interest of the student.

- **Step 2: Assessment Plan and Parent Permission**

The director of special education will assign the referral to appropriate staff who will be responsible for securing written parent permission/consent on an *Assessment Plan (D/M 66)*, within 15 days of completion of the referral.

- **Step 3: Parent/Teacher/Student Interviews**

Best practices would be for the interviews to be completed at the beginning of the evaluation process. The TISA case manager/coordinator should complete the *TISA Parent Interview (D/M 157E)* and the *TISA Teacher Interview (D/M 157F)* to identify specific areas of concern. When appropriate the *TISA Student Interview (D/M 157G)* should be completed.

- **Step 4: Complete Observations**

It is necessary for, and the responsibility of the TISA case manager/coordinator to ensure that observations of the student are conducted, using the *TISA Student Observation Worksheet (D/M 157H)*. The TISA case manager/coordinator, in addition to the other appropriate assessors, will review strategies, materials, modifications, and/or accommodations currently in place to assist the student toward achieving goals and objectives. To the maximum extent possible and whenever appropriate, quantifiable data should be collected as part of the observation process. The data collected will later be used to develop independence goals, should the IEP team determine that temporary intensive supports are needed. When necessary and appropriate, the assessors should also utilize the *TISA Evidence-Based Classroom practices Observation Checklist (D/M 157 Appendix A)* in order to assist the IEP team in determining the educational environment of the student.

- **Step 5: Develop TISA Evaluation Report**

When an IEP team is considering temporary intensive supports for a student, all aspects of the student's program must be considered with the intent of maximizing student

independence. The *TISA Evaluation Report (D/M 157I)* should address the areas of concern identified in the referral, background information and educational history, summary of interviews, and summary of observations, and include the assessor's results and recommendations. The TISA case manager/coordinator will ensure the *TISA Evaluation Report (D/M 157I)* is developed.

- **Step 6: Review Evaluation at IEP Meeting**

Within 60 days following the receipt of parent consent to evaluate for temporary intensive supports, an IEP team shall review the results of the evaluation and recommendations at an IEP meeting. If the IEP team determines a need for temporary intensive supports, it is written on the IEP with specific goals, monitoring strategies, fading strategies, and review dates. Regardless of the circumstances that may indicate the need for support, it is imperative for every IEP to address the skills that will be taught in order for the temporary intensive supports to be faded. The level of support required for the student to advance appropriately toward annual goals needs to be defined. A systematic, written plan should specify how additional support should be utilized and monitored. The *TISA Initial Plan (D/M 157J)* should be used to develop the initial plan. An IEP meeting should be convened if necessary to modify the temporary intensive supports. Discussion at this meeting should be concluded with a written plan outlining the team's criteria and possible timeline for phasing out the necessity for temporary intensive supports.

To assist Charter LEAs in developing appropriate independence and fading plans, IEP teams should refer to the *TISA Terms and Definitions of Fading (D/M 157 Appendix B)*, *TISA Checklist to Support Independence (D/M 157 Appendix C)*, and the *TISA Independence/Fading Resources (D/M 157 Appendix D)*.

- **Step 7: Request/Assign Temporary Intensive Support: Personnel**

When an IEP team has determined that temporary intensive supports in the form of additional staff is required, the special education director or designee will process the appropriate paperwork in accordance with Charter LEA procedures.

- **Step 8: Annual Review**

The goal for any student with special needs is to encourage, promote, and maximize independence. Periodic observations and review of data may be required to assess the effectiveness of this additional support and to monitor the duration of services. The IEP team should identify the next scheduled observation date, often within six months and no later than the next annual IEP review, to continually monitor the effectiveness of the temporary intensive supports provided to the student. The *TISA Annual Review Fading Plan (D/M 157K)* should be used to review and determine the current needs of the student.

Section F: Training

It is critical that all staff receive appropriate training on the student's health issues, curriculum modifications, the student's instructional environment, behavioral interventions, using and fading prompts, data collection and reporting, etc.

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DESERT/MOUNTAIN SPECIAL EDUCATION LOCAL PLAN AREA DESERT/MOUNTAIN CHARTER SPECIAL EDUCATION LOCAL PLAN AREA 17800 HIGHWAY 18 • APPLE VALLEY, CA 92307 (760) 552-6700 • (760) 242-5363 FAX			
SCIA Checklist			
STUDENT INFORMATION			
Student Name:		Date of Birth:	Age:
Disability:		Grade:	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female
School Site:		Program/Placement:	
General Education Teacher:		Contact Phone:	
Special Education Teacher:		Contact Phone:	
SCIA Case Manager/Coordinator:		Contact Phone:	
DIRECTIONS: The following information to be completed by the school site staff. Initial and date as items are completed.			
		Initial	Date
STEP 1: Make Referral			
<input type="checkbox"/>	Complete SCIA Rubric (D/M 157C & D)		
<input type="checkbox"/>	Complete Review of IEP Goals (D/M 157E)		
<input type="checkbox"/>	Complete Review of BIP (D/M 157F)		
<input type="checkbox"/>	Review other records, as appropriate		
<input type="checkbox"/>	Complete Referral for SCIA (D/M 157B)		
<input type="checkbox"/>	Send Packet to district Director of Special Education		
STEP 2: Complete Assessment			
<input type="checkbox"/>	Complete Assessment Plan (D/M 66)		
<input type="checkbox"/>	Obtain written parent permission to assess and provide parents with a copy of the Procedural Safeguards (D/M 77)		
STEP 3: Complete Interviews			
<input type="checkbox"/>	Complete Parent Interview (D/M 157G)		
<input type="checkbox"/>	Complete Teacher Interview (D/M 157H)		
<input type="checkbox"/>	Complete Student Interview (D/M 157I)		
STEP 4: Complete Evaluation			
<input type="checkbox"/>	Complete Observational Evaluation for SCIA (D/M 157J)		
<input type="checkbox"/>	Complete Assessments		
STEP 5: Develop Evaluation Report			
<input type="checkbox"/>	Develop SCIA Evaluation Report (D/M 157K)		
STEP 6: Review Evaluation at IEP Meeting			
<input type="checkbox"/>	Hold IEP meeting (within 60 days of receipt of consent)		
<input type="checkbox"/>	SCIA Not Recommended - process ends as per IEP		
<input type="checkbox"/>	SCIA Recommended - develop IEP goals to be supported by SCIA		
STEP 7: Request / Assign SCIA			
<input type="checkbox"/>	Request/Assign SCIA (LEA Personnel Forms)		
STEP 8: Observational Review			
<input type="checkbox"/>	Observational Review to Determine Continued Need for SCIA (D/M 157L)		
	will be completed by		
	Name/Title	Date	

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Referral for SCIA				
STUDENT INFORMATION				
Student Name:		Date of Birth:	Age:	
Disability:		Grade:	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female	
School Site:		Program/Placement:		
General Education Teacher:		Contact Phone:		
Special Education Teacher:		Contact Phone:		
SCIA Case Manager/Coordinator:		Contact Phone:		
<p>DIRECTIONS: Please complete the following information. Submit the Referral for SCIA and the following forms: SCIA Rubric (D/M 157C and D), Review of IEP Goals (D/M 157E), and Review of Behavioral Intervention Plan (BIP) (D/M 157F) to the special education office.</p>				
Reason for referral:				
Areas of student need based on SCIA Rubric (D/M 157C and D):				
Concerns identified on Review of IEP Goals (D/M 157E):				
Concerns identified on Review of BIP (D/M 157F):				
Previous interventions and results: <i>(including frequency, duration, and location)</i>				
Other unique needs:				
This referral is made at the request of the:				
<input type="checkbox"/> Teacher	<input type="checkbox"/> Case Manager	<input type="checkbox"/> Parent/Guardian	<input type="checkbox"/> Other:	
Individual Requesting Referral:		Date:		
Site Administrator/Designee:		Date:		

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SCIA Student Needs for Additional Support Rubric

STUDENT INFORMATION

Student Name: _____ Date of Birth: _____ Age: _____
 Disability: _____ Program Placement: _____ Teacher: _____
 Review Date: _____

Health/Personal Care Rating	Behavior Rating	Instruction Rating	Inclusion/Mainstreaming Rating
<p>0 General good health. No specialized health care procedure, medications taken, or time for health care. Independently maintains all "age appropriate" personal care.</p> <input type="checkbox"/>	<p>Follows adult directions without frequent prompts or close supervision. Handles change and redirection. Usually gets along with peers and adults. Seeks out friends.</p> <input type="checkbox"/>	<p>Participates fully in whole class instruction. Stays on task during typical instruction activity. Follows direction with few to no additional prompts.</p> <input type="checkbox"/>	<p>Participates in some core curriculum within general education class and requires few modifications. Can find classroom. Usually socializes well with peers.</p> <input type="checkbox"/>
<p>1 Mild or occasional health concerns. Allergies or other chronic health conditions. No specialized health care procedures. Medication administration takes less than 10 minutes. Needs reminders to complete "age appropriate" personal care activities.</p> <input type="checkbox"/>	<p>Follows adult direction but occasionally requires additional encouragement and prompts. Occasional difficulty with peers or adults. Does not always seek out friends but plays if invited.</p> <input type="checkbox"/>	<p>Participates in groups at instructional level but may require additional prompts, cues or reinforcement. Requires reminders to stay on task, follow directions, and to remain engaged in learning.</p> <input type="checkbox"/>	<p>Participates with modifications and accommodations. Needs occasional reminders of room and schedule. Requires some additional support to finish work and be responsible. Needs some social cueing to interact with peers appropriately.</p> <input type="checkbox"/>
<p>2 Chronic health issues, generic specialized health care procedure. Takes medication. Health care intervention for 10-15 minutes daily (diet, blood sugar, medication). Requires reminders and additional prompts or limited hands-on assistance for washing hands, using bathroom, wiping mouth, shoes, outdoors, zippers, etc. Occasional toileting accidents.</p> <input type="checkbox"/>	<p>Has problems following directions and behaving appropriately. Can be managed adequately with a classroom behavioral management plan, but unable to experience much success without behavioral intervention plan implementation.</p> <input type="checkbox"/>	<p>Cannot always participate in whole class instruction. Requires smaller groups and frequent verbal prompts, cues, or reinforcement. On task about 50% of the time with support. Requires more verbal prompts to follow directions.</p> <input type="checkbox"/>	<p>Participates with visual supervision and occasional verbal prompts. Requires visual shadowing to get to class. Needs modifications and accommodations to benefit from class activities. Regular socialization may require adult facilitation.</p> <input type="checkbox"/>
<p>3 Very specialized health care procedure and medication. Limited mobility. Physical limitations requiring assistance (staircase, walker, gait trainer, or wheelchair). Special food prep or feeding. Health related interventions 15-45 minutes daily. Frequent physical prompts and direction assistance for personal care. Food prep required regularly. Requires toilet schedule, training, direct help, and diapering.</p> <input type="checkbox"/>	<p>Serious behavioral problems almost daily. Defiant and/or prone to physical aggression. Requires a Behavioral Intervention Plan (BIP) and behavioral goals and objectives on the IEP. Requires close visual supervision to implement BIP. Medication for ADD/ADHD or other behaviors.</p> <input type="checkbox"/>	<p>Difficult to participate in a large group. Requires low student staff ratio, close adult proximity and prompts including physical assistance to stay on task. Primarily complies only with 1:1 directions and monitoring. Cognitive abilities and skills likely require modifications not typical for class as a whole. Needs additional support(s) as determined by the IEP team.</p> <input type="checkbox"/>	<p>Participation may require additional staff for direct instructional and behavioral support. Requires direct supervision going to and from class. Always requires modifications and accommodations for class work. Requires adult to facilitate social interaction with peers.</p> <input type="checkbox"/>
<p>4 Specialized health care procedure requiring care by specially trained employee (G tube, tracheostomy, catheterization). Takes medication, requires positioning or bracing multiple times daily. Health related interventions 45 minutes daily. Direct assistance with most personal care. Requires two-person lift. Direct 1:1 assistance 45 or more minutes daily.</p> <input type="checkbox"/>	<p>Serious behavioral problems with potential for injury to self and others, runs away, aggressive on a daily basis. Functional Behavioral Analysis (FBA) has been completed and the student has a well-developed BIP, which must be implemented to allow the student to safely attend school. Staff has been trained in the management of assaultive behaviors.</p> <input type="checkbox"/>	<p>Cannot participate in a group without constant 1:1 support. Requires constant verbal and physical prompting to stay on task and follow directions. Regularly requires specific 1:1 instructional strategies to benefit from the IEP. Cognitive abilities and skills require significant accommodations and modifications not typical for the class group.</p> <input type="checkbox"/>	<p>Always requires 1:1 staff in close proximity for direct instruction, safety, mobility, or behavior monitoring. Requires 1:1 assistance to go to and from class 80% of the time. Requires adult to facilitate social interaction with peers and remain in close proximity at all times.</p> <input type="checkbox"/>

* Attach a copy of documentation indicating frequency and duration over a period of time to determine further consideration of special circumstance instructional assistance. If monthly ratings of 3's and 4's, in two or more areas, continue with needs assessment process.

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Summary of SCIA Rubric		
STUDENT INFORMATION		
Student Name:	Date of Birth:	Age:
Disability:	Grade:	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female
School Site:	Program/Placement:	
Parent/Guardian:	Contact Phone:	
DIRECTIONS: Please mark the boxes that best describes the health/personal care, behavior, instruction, and program supports for the student.		
HEALTH / PERSONAL CARE		
<input type="checkbox"/> Specialized Health Plan	<input type="checkbox"/> G-Tube	<input type="checkbox"/> Medications
<input type="checkbox"/> Diaper Changing	<input type="checkbox"/> Feeding Full Support	<input type="checkbox"/> Seizures Weekly
<input type="checkbox"/> Other:	<input type="checkbox"/> Suctioning	<input type="checkbox"/> Food Preparation
<input type="checkbox"/> Lifting / Transfers		
BEHAVIOR		
<input type="checkbox"/> Behavior Plan in Place	<input type="checkbox"/> Physically Aggressive Weekly	<input type="checkbox"/> Non-compliant in Class
<input type="checkbox"/> Runs Away Weekly	<input type="checkbox"/> ADHD Medicated	<input type="checkbox"/> Mental Health Client
<input type="checkbox"/> Other:		
INSTRUCTION		
<input type="checkbox"/> Discrete Trial / ABA	<input type="checkbox"/> Physical Prompts 80% +	<input type="checkbox"/> Verbal Prompts 80% +
<input type="checkbox"/> Assistive Technology	<input type="checkbox"/> PECS	<input type="checkbox"/> Signing 80% +
<input type="checkbox"/> Other:		
INCLUSION / MAINSTREAM		
<input type="checkbox"/> Direct Adult Instruction	<input type="checkbox"/> Physical Support/Positioning	<input type="checkbox"/> Safety Supervision 80% +
<input type="checkbox"/> Other:	<input type="checkbox"/> Close Visual Supervision 80% +	
Describe <u>each</u> area of intensive need marked above and indicate if there is an IEP goal/objective written to address the area. Use additional paper if needed to describe all of the needs.		
Describe interventions used to support referred student in <u>each</u> of the areas marked above. Provide data that documents the prior success or failure of interventions and attach. School day description and assistance needed.		

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SCIA Review of IEP Goals				
STUDENT INFORMATION				
Student Name:	Date of Birth:	Age:		
Disability:	Grade:	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female		
School Site:	Program/Placement:			
General Education Teacher:	Contact Phone:			
Special Education Teacher:	Contact Phone:			
SCIA Case Manager/Coordinator:	Contact Phone:			
* PROGRESS CODE 1 = No Progress 2 = 1 - 50% Met 3 = 51 - 99% Met 4 = Goal Met		** LEVELS OF ASSISTANCE P = Physical Prompt M = Modeling V = Verbal Cue I = Independent		
AREA	Measurable Goal	Progress Code *	Assistance Levels **	Comments (Including frequency, duration, location of assistance requested)
ACADEMIC				
MOTOR				
COMMUNICATION				
SELF-HELP				
SOCIAL / EMOTIONAL AND BEHAVIOR				
PRE-VOCATIONAL				
OTHER				

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SCIA Review of BIP		
STUDENT INFORMATION		
Student Name:	Date of Birth:	Age:
Disability:	Grade:	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female
School Site:	Program/Placement:	
General Education Teacher:	Contact Phone:	
Special Education Teacher:	Contact Phone:	
Behavior Case Manager:	Contact Phone:	
<p>DIRECTIONS: The following information to be completed by the school site staff. Initial and date as items are completed.</p>		
What are the targeted behaviors in the Behavioral Intervention Plan (BIP)?		
[Empty text box for targeted behaviors]		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	The request for SCIA is related to the identified targeted behaviors in the BIP.
<input type="checkbox"/> Yes	<input type="checkbox"/> No	All interventions are developmentally appropriate for the student.
<input type="checkbox"/> Yes	<input type="checkbox"/> No	BIP is written with enough clarity and detail for any new staff to understand and implement.
<input type="checkbox"/> Yes	<input type="checkbox"/> No	All implementers have a copy of the plan.
<input type="checkbox"/> Yes	<input type="checkbox"/> No	The BIP is being fully implemented.
<input type="checkbox"/> Yes	<input type="checkbox"/> No	All implementers understand and/or have training in the strategies contained in the plan.
<input type="checkbox"/> Yes	<input type="checkbox"/> No	Behavior support for the plan is adequate.
The student is making progress in the targeted behaviors. Indicate supporting evidence (e.g., grades, rate of homework completion, duration of on-task behavior, frequency and quality of social interactions).		
[Empty text box for supporting evidence]		
Actions:		
<input type="checkbox"/>	BIP is appropriate, and no modifications are needed	
<input type="checkbox"/>	Revise BIP	
<input type="checkbox"/>	Develop BIP	
<input type="checkbox"/>	Additional staff training needed. Describe: _____	
<input type="checkbox"/>	Other: _____	
Comments:		
[Empty text box for comments]		

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SCIA Parent Interview		
STUDENT INFORMATION		
Student Name:	Date of Birth:	Age:
Disability:	Grade:	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female
School Site:	Program/Placement:	
General Education Teacher:	Contact Phone:	
Special Education Teacher:	Contact Phone:	
SCIA Case Manager/Coordinator:	Contact Phone:	
Interviewee Name:	Interviewed By:	
What does your child's typical school day look like?		
What's working? When is he/she successful?		
What are areas of difficulty or concern?		
What staff supports are provided?		
What natural supports from other students and/or other school programs does your child respond to?		
What skills would you like your child to develop to be more independent?		
Is there anything else you would like us to consider?		

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SCIA Teacher Interview		
STUDENT INFORMATION		
Student Name:	Date of Birth:	Age:
Disability:	Grade:	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female
School Site:	Program/Placement:	
General Education Teacher:	Contact Phone:	
Special Education Teacher:	Contact Phone:	
SCIA Case Manager/Coordinator:	Contact Phone:	
Interviewee Name:	Interviewed By:	
What does the child's typical school day look like?		
What's working? When is he/she successful?		
What are areas of difficulty or concern?		
What staff supports are provided?		
What natural supports from other students and/or other school programs does the child respond to?		
What skills would you like the child to develop to be more independent?		
Is there anything else you would like us to consider?		

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SCIA Student Interview		
STUDENT INFORMATION		
Student/Interviewee Name:		Date of Birth: Age:
Disability:	Grade:	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female
School Site:	Program/Placement:	
General Education Teacher:		Contact Phone:
Special Education Teacher:		Contact Phone:
SCIA Case Manager/Coordinator:		Contact Phone:
Interviewed By:		
What does your typical school day look like? █		
What do you like about school? When are you successful? █		
When do you have problems during your school day? █		
How do school staff members help you during the day? █		
Who else helps you in school? █		
What programs do you participate in that help you? █		
What are some things you would like to learn to help you to be more independent? █		
Is there anything else you would like us to know about you? █		

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Observational Evaluation for SCIA		
STUDENT INFORMATION		
Student Name:	Date of Birth:	Age:
Disability:	Grade:	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female
School Site:	Program/Placement:	
General Education Teacher:	Contact Phone:	
Special Education Teacher:	Contact Phone:	
SCIA Case Manager/Coordinator:	Contact Phone:	
Observation Setting:	Observed By: (Name/Title)	
A. Classroom: Please review the visual and the physical structure of the classroom, curriculum design, data collection, and planning.		
1. Is the individual student/classroom schedule visually posted? <input type="checkbox"/> Yes <input type="checkbox"/> No		
2. Is the transition between activities quick and smooth? <input type="checkbox"/> Yes <input type="checkbox"/> No (Explain)		
3. Is the room organized with work areas defined and materials readily available for instruction? <input type="checkbox"/> Yes <input type="checkbox"/> No (Describe)		
4. Do students follow the established classroom procedures and routines? <input type="checkbox"/> Yes <input type="checkbox"/> No (Describe)		
5. Indicate the level of prompt needed for the student to follow the schedule: <input type="checkbox"/> Independent <input type="checkbox"/> Physical Prompt <input type="checkbox"/> Indirect Verbal or Gesture Prompt <input type="checkbox"/> Direct Verbal Prompt <input type="checkbox"/> Other:		
Describe:		
6. Indicate the student's use of the schedule: <input type="checkbox"/> Student Carries Schedule <input type="checkbox"/> Schedule Not Used At All <input type="checkbox"/> Teacher Carries and Shows the Schedule <input type="checkbox"/> Student Goes to Schedule Board <input type="checkbox"/> Student Goes to Schedule Board <input type="checkbox"/> Other:		
Describe:		
Comments:		

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Observational Evaluation for SCIA	
Student Name: _____	Date of Birth: _____
B. Curriculum and Instructional Planning: Check the curricular domains included in the student's program.	
1. Is the transition between activities quick and smooth? <input type="checkbox"/> Yes <input type="checkbox"/> No (Explain) _____	
2. Is the room organized with work areas defined and materials readily available for instruction? <input type="checkbox"/> Yes <input type="checkbox"/> No (Describe) _____	
3. Do students follow the established classroom procedures and routines? <input type="checkbox"/> Yes <input type="checkbox"/> No (Describe) _____	
4. Indicate level of prompt needed for the student to follow the schedule:	
<input type="checkbox"/> Independent <input type="checkbox"/> Physical Prompt <input type="checkbox"/> Indirect Verbal or Gesture Prompt <input type="checkbox"/> Direct Verbal Prompt <input type="checkbox"/> Other: _____	
Describe: _____	
5. Student's use of the schedule:	
<input type="checkbox"/> Student Carries Schedule <input type="checkbox"/> Schedule Not Used At All <input type="checkbox"/> Teacher Carries and Shows the Schedule <input type="checkbox"/> Student Goes to Schedule Board <input type="checkbox"/> Student Goes to Schedule Board <input type="checkbox"/> Other: _____	
Describe: _____	
Comments: _____	
C. Current Data Systems and Collection of Data	
1. Has data been collected on student performance? <input type="checkbox"/> Yes <input type="checkbox"/> No	
2. How often is data collected? <input type="checkbox"/> Daily <input type="checkbox"/> Weekly <input type="checkbox"/> Bi-weekly <input type="checkbox"/> Monthly	
3. How is data summarized? <input type="checkbox"/> Graphed <input type="checkbox"/> Written Narrative <input type="checkbox"/> Other: _____	
4. What evidence is there that accommodations and/or modifications are being used? (Describe) _____	

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Observational Evaluation for SCIA	
Student Name:	Date of Birth:
Comments: <input type="text"/>	
D. Behavior and Safety	
1. Describe the behavior management system in the classroom, including positive re-enforces and consequences. Is it appropriate for the student or does it need to be modified? <input type="text"/>	
2. Are specific positive behavior supports utilized for the student? <input type="checkbox"/> Yes <input type="checkbox"/> No (Describe) <input type="text"/>	
3. Is there appropriate safety equipment in place? <input type="checkbox"/> Yes <input type="checkbox"/> No	
4. Are appropriate safety and medical procedures being used? <input type="checkbox"/> Yes <input type="checkbox"/> No	
5. Does it appear appropriate training has been provided? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Comments: <input type="text"/>	
E. Student Behavior In Independent Activities	
1. Describe the student's interaction with peers. <input type="text"/>	
2. Describe the student's interaction with non-classroom staff in a less structured environment. <input type="text"/>	
3. What activities does the student choose during break? <input type="text"/>	
4. What problems are evident? <input type="text"/>	

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Observational Evaluation for SCLIA	
Student Name: _____	Date of Birth: _____
Comments: _____	
F. Describe the school day and assistance now provided. Include natural supports such as peers, school staff, volunteers, etc.	

G. How is existing assistance utilized?	

H. Can current conditions be modified to meet the student's goals and objectives and/or personal care needs?	

I. What other types of assistance is needed? Why?	

J. Are there any other issues that need to be addressed?	

Comments: _____	

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SCIA Evaluation Report		
STUDENT INFORMATION		
Student Name:	Date of Birth:	Age:
Disability:	Grade:	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female
School Site:	Program/Placement:	
General Education Teacher:	Contact Phone:	
Special Education Teacher:	Contact Phone:	
SCIA Case Manager/Coordinator:	Contact Phone:	
Psychologist:	Contact Phone:	
Evaluation Report Prepared By:	Date Completed:	
1. Background Information and Educational Setting: <i>(Summarize previous interventions and outcomes, include information regarding educationally relevant health, developmental, and medical findings; and include the results of any independent educational evaluations.)</i>		
2. Assessment Procedures: <i>(Include information regarding the administration of tests in the primary language of the student by qualified personnel, the validity of the evaluation, and the validity of tests for the purposes in which they were used.)</i>		
3. Summary of Interviews and Observations: <i>(Summarize results of the parent, teacher, and student interviews, include information regarding relevant behavior noted during the observation of the student.)</i>		
4. Assessment Results: <i>(Summary the results of standardized and/or curriculum-based testing.)</i>		
5. Recommendations: <i>(Include information regarding the need for specialized services, materials, and equipment and indicate if the student's needs can be met in the regular education classroom with the current level of support.)</i>		

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Observational Review to Determine Continued Need for SCIA	
STUDENT INFORMATION	
Student Name:	Date of Birth:
Disability:	Grade:
School Site:	Program/Placement:
General Education Teacher:	Contact Phone:
Special Education Teacher:	Contact Phone:
Observation Setting:	Observer's Name/Title:
Start Time:	End Time:
	Previous Observation Date:
Name(s) and positions of SCIA provider(s):	
Current status per teacher, support staff, and student:	
Description of current SCIA provided: <i>(time, setting, specific tasks)</i>	
Observation of student behavior:	
Description of results of efforts to increase student independence and/or progress on goal(s):	
Comments:	



DESERT / MOUNTAIN
CHARTER SELPA

Chapter 22: Supports and Services

SECTION A: LEAST RESTRICTIVE ENVIRONMENT (LRE): A
CONTINUUM OF SERVICES AND PLACEMENT

SECTION B: RELATED SERVICES

SECTION C: SERVICE ANIMALS

SECTION D: ASSISTIVE TECHNOLOGY

APPENDIX A: GUIDELINE STATEMENT: LEAST RESTRICTIVE
ENVIRONMENT (LRE) CONTINUUM OF PLACEMENT OPTIONS, THE
HOLLAND FACTORS

APPENDIX B: DETERMINING THE NEED FOR ~~SPECIAL
CIRCUMSTANCE INSTRUCTIONAL ASSISTANCE (SCIA)~~ TEMPORARY
INTENSIVE SUPPORTS ASSESSMENT (TISA)

APPENDIX C: TRANSPORTATION GUIDELINES/FLOWCHART

APPENDIX D: CARS+ GUIDANCE FOR RSP TEACHERS

APPENDIX E: SELPA REFERRAL PROCEDURES

Introduction

It is the philosophy of the Desert/Mountain Charter Special Education Local Plan Area (SELPA) that children with disabilities be provided a free appropriate public education (FAPE) in the least restrictive environment (LRE). This philosophy is in accordance with state and federal mandates.

If a related service or services cannot be provided by a Charter Local Education Agency (LEA), the Charter LEA may contract with a California Department of Education (CDE) certified nonpublic, nonsectarian school or agency (NPS/NPA) in accordance with the requirements of a Master Contract and an Individual Service Agreement (ISA). For mental health services, employees, vendors or contractors of the State Department of Mental Health, or any designated local public mental health agency, may provide related services in accordance with procedures outlined in local interagency agreements.

APPENDIX B: Determining the Need for ~~Special Circumstance Instructional Assistance (SCIA)~~ Temporary Intensive Supports Assessment (TISA)

Section A: Rationale

Section B: Least Restrictive Environment (LRE)

Section C: Factors for Special Circumstances

Section D: ~~Special Circumstance Assistance/Support~~ Temporary Intensive Supports Assessment

Section E: Procedures for Requesting ~~Special Circumstance Instructional Assistance-Temporary Intensive Supports Assessment (TISA)~~

Section F: Training

Introduction

The purpose of this ~~handbook section~~ is to provide Charter Local Education Agency (LEA) personnel information and guidance in determining a student's ~~with a disability's~~ need for ~~special circumstance instructional assistance (SCIA) support~~ temporary intensive supports. A recommendation for ~~a SCIA temporary intensive supports~~ is a significant programmatic decision and one that should only be made after a comprehensive discussion of other options considered and clear documentation of as to why those options are not appropriate. While some students may temporarily need ~~the support of a SCIA temporary intensive supports~~ to receive a free appropriate public education (FAPE), for other students, the assignment of ~~a SCIA such supports~~ may be unnecessary and inappropriately restrictive.

A goal for all students with disabilities is to promote and maximize independence. Charter LEAs are responsible for developing and implementing individualized education programs (IEPs) that promote such independence. When an IEP team determines that a student needs ~~a SCIA temporary intensive supports~~, it should always be considered a time-limited recommendation and specific conditions/goals must be established to fade the use of ~~a SCIA such supports~~.

California Education Code states,

E.C. § 56363 (a) As used in this part, the term "designated instruction and services" means "related services" as that term is defined in Section 1401(26) of Title 20 of the United States Code and Section 300.34 of Title 34 of the Code of Federal Regulations. The term "related services" means transportation, and such developmental, corrective, and other supportive services (including speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, social work services, school nurse services designed to enable an

individual with exceptional needs to receive a free appropriate public education as described in the individualized education program of the child, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services, except that such medical services shall be for diagnostic and evaluation purpose only) as may be required to assist an individual with exceptional needs to benefit from special education, and includes the early identifications and assessment of disabling conditions in children.

Section A: Rationale

Every Charter LEA within the Desert/Mountain Charter Special Education Local Plan Area (SELPA) is required to provide a full continuum of placement options for students with identified disabilities who are receiving special education services. The Individuals with Disabilities Education Act (IDEA 2004) and California laws and regulations describe a continuum of alternative placements such as instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions [*Title 34 of the Code of Federal Regulations (CFR) 300.551(b)(1)*]. Both federal and state laws also contain provisions to ensure that children with disabilities are educated to the maximum extent possible with children who are not disabled, and that children are removed from the general education environment only when the nature and severity of the disability is such that education in the regular classroom cannot be satisfactorily achieved with the use of related services.

Section B: Least Restrictive Environment (LRE)

By law, services to students with special needs must be delivered in the "least restrictive environment." When an IEP team is considering ~~special-circumstance-support~~ **temporary intensive supports** for a student, all aspects of the student's program must be considered with the intent of maximizing student independence. The teacher(s) is responsible for the design and implementation of the student's program.

Section C: Factors for ~~Special-Circumstances~~ Temporary Intensive Supports

Whenever ~~special-circumstance-support~~ **temporary intensive supports** are ~~is~~ being considered by an IEP team for a student with special needs, the following factors need to be considered:

Personal Independence

First and foremost, an important goal for all special education students is to encourage, promote, and maximize independence. If not carefully monitored, ~~special-circumstance-assistance~~ **temporary intensive supports** can easily and unintentionally foster dependence. A student's total educational program must be carefully evaluated to determine where support is indicated. Natural support and existing staff support should be used whenever possible to promote the least restrictive environment.

The general categories to be considered for ~~special circumstance instructional assistance~~ temporary intensive supports include:

1. Health/Personal Care Issues
2. Behavioral Support
3. Instruction
4. Inclusion/Mainstreaming

Section D: ~~Special Circumstance Instructional Assistance/Support~~ Temporary Intensive Supports Assessment

1. ~~Special Circumstance Assistance/Support~~ IEP teams should identify the need for related services based on appropriate documentation and assessment. If the IEP team recommends such services, the following statements must be considered for inclusion in the IEP:

~~IEP teams should identify the need for related services based on appropriate documentation and assessment. If the IEP team recommends such services, the following statements must be considered for inclusion in the IEP:~~

- a) The related service is necessary to the child to benefit from his/her special education program;
- b) The program modifications or supports for school personnel are necessary to assist the child to;

~~The related service will assist the child to:~~

- (1) Advance appropriately toward the annual goals;
 - (2) Be involved in and progress in the general curriculum;
 - (3) Participate in extracurricular and other nonacademic activities; and
 - (4) Be educated and participate with other disabled and non-disabled children.
2. The IEP team shall address the means for reviewing and evaluating the necessity of continuing ~~special circumstance instructional assistance~~ temporary intensive services to the student. ~~It is recommended that these intensive supports be monitored every six months and reconsidered at every annual IEP.~~
 3. The IEP team shall also include a statement of the anticipated frequency and duration for the services and modifications.

4. If it is determined that additional personnel support is required, the IEP team should periodically review the effectiveness of this additional support. A systematic, written plan needs to address how additional personnel support will be monitored.
5. For services requiring additional personnel support as a result of a student's behavioral difficulties, the student's IEP needs to include appropriate goals. In addition, a Behavioral Intervention Plan (BIP) should be developed in accordance with Sections 3001 and 3052 in Title 5 of the California Code of Regulations (CCR). The BIP needs to include a provision describing how and when support, including personnel, will be utilized to implement the plan, and when the plan will be reviewed and modified.
6. When determining the need for additional personnel support due to an instructional need, the IEP team must utilize appropriate assessment information to support this recommendation. The written plan must be developed by **the IEP team in collaboration with a** general and ~~or~~ special education teachers specifying how the additional personnel will be utilized to support the teacher in implementing the student's goals and objectives and what attempts will be made to transition other available classroom resources and supports.
7. When a need for additional support is due to medical need, a specialized health care plan will need to be developed. (Utilize D/M SELPA Form 93, 94, and 95, as appropriate)
8. When ~~special circumstance assistance~~ **temporary intensive supports in the form of personnel are is** being considered for a specific student, a Charter LEA representative shall be required to participate in the decision-making process of the IEP meeting.

Section E: Procedures for Requesting a **SCIA Temporary Intensive Supports Assessment (TISA)**

~~A SCIA Temporary intensive supports~~ may be provided for students with disabilities when additional support is necessary to the student in order to meet his or her goals and to benefit educationally. Whenever possible, additional assistance is assigned to a school environment, class, or case manager. Occasionally, however, a student requires individual support for a designated period of time to address a unique need. By law, services to students with special needs must be delivered in the "least restrictive environment." When the IEP team is considering a **SCIA temporary intensive support**, all aspects of the student's program must be considered. A request for **SCIA Temporary Intensive Supports Assessment (TISA)** is made only after other site interventions have proven to be ineffective. A student's educational program must be carefully evaluated to determine when and where the additional support is required. Additionally, the IEP team must plan for periodic reviews to assess the continued need for this type of individualized assistance.

It is expected that students enrolling in a non-public school (NPS) will not require **SCIA temporary intensive supports**. For students currently in NPS, if the need for **SCIA temporary intensive supports** becomes evident, the NPS should contact the student's Charter LEA of residence to initiate a referral for a ~~SCIA evaluation~~ **Temporary Intensive Supports Assessment (TISA)**. The Charter LEA will evaluate the student and present findings and recommendations to the IEP team.

Whether in public school or NPS, if the student already has a **SCIA designated temporary intensive supports**, it is recommended that the Charter LEA conduct an evaluation to determine the continued need for **a SCIA that level of support** prior to the next annual IEP meeting. When a student new to the Charter LEA enrolls with an existing IEP that indicates assistance is needed, a temporary substitute should be assigned until the evaluation process is completed.

- **Step 1: Referral for SCIA Temporary Intensive Supports Assessment (TISA)**
If the principal and special education team at the site believe extra support may be necessary to meet the student's goals, they must conduct an **evaluation assessment** of the student's needs prior to an IEP meeting, at which time this topic will be considered. The **Referral for Temporary Intensive Supports Assessment (D/M 157A) ~~Special Circumstance Instructional Assistance (D/M 157B)~~** needs to be completed. Use the **Student Needs for Additional Support Rubric (D/M 157B) ~~(D/M 157C)~~** to assist in quantifying the severity of student need. Supporting documentation should include **Review of IEP Goals (D/M 157C) ~~(D/M 157E)~~**, **Review of Behavioral Intervention Plan (BIP) (D/M 157D) ~~(D/M 157F)~~** and review of other documents as appropriate, such as a nurse's assessment, health report, discipline records, independent assessments, etc.

If the parent requests additional support, the school principal, designee, or special education director shall confer with the parent to clarify his or her concerns, discuss options, and assist the parent in completing the **Reason for Referral and Other Unique Needs sections of the Referral for Temporary Intensive Supports Assessment (D/M 157A) ~~Special Circumstance Instructional Assistance (D/M 157B)~~**. The parent should sign as the person requesting referral. The 15-day timeline for developing the evaluation plan begins on the date of the parent signature.

If **SCIA Temporary intensive supports are is** requested during an IEP meeting without a previous referral, the procedure for requesting **SCIA TISA** must be initiated at that time. The IEP meeting should be completed and the referral for **SCIA a TISA** should be indicated in the IEP notes. Another IEP meeting will need to be scheduled to review the results of the evaluation.

Submit the **Referral for Temporary Intensive Supports Assessment (D/M 157A) ~~Special Circumstance Instructional Assistance (D/M 157B)~~**, **Student Needs for Additional Support Rubric (D/M 157B) ~~(D/M 157C and 157D)~~**, **Review of IEP Goals (D/M ~~157E~~ 157C)**, and **Review of Behavioral Intervention Plan (BIP) (D/M ~~157F~~ 157D)** if appropriate, with additional supplemental documentation, if necessary, to the director of special education. **The TISA evaluation should be completed by any certificated staff who received training in the completion of such evaluation, and by an individual who can objectively consider all circumstances and make recommendations in the best interest of the student.**

- **Step 2: Assessment Plan and Parent Permission**
The director of special education will assign the referral to appropriate staff who will be responsible for securing written parent permission/consent on an **Assessment Plan (D/M 66)**, within 15 days of completion of the referral.

- **Step 3: Parent/Teacher/Student Interviews**

Best practices would be for the interviews to be completed at the beginning of the evaluation process. The **SCIA TISA** case manager/coordinator should complete the **SCIA TISA Parent Interview (D/M 157G 157E)** and the **SCIA TISA Teacher Interview (D/M 157H 157F)** to identify specific areas of concern. ~~It is usually~~ When appropriate the **TISA Student Interview (D/M 157G)** should be completed. ~~to also complete the SCIA Student Interview (D/M 157I).~~

- **Step 4: Complete Observations Evaluation including Observational Evaluation**

It is necessary for, and the responsibility of the **SCIA TISA** case manager/coordinator to ensure that ~~the~~ observations of the student are conducted ~~is completed~~, using the **Observational Evaluation for SCIA (D/M 157J) TISA Student Observation Worksheet (D/M 157H)**. The **TISA SCIA** case manager/coordinator, in addition to the other appropriate assessors, will review strategies, materials, modifications, and/or accommodations currently in place to assist the student toward achieving goals and objectives. To the maximum extent possible and whenever appropriate, quantifiable data should be collected as part of the observation process. The data collected will later be used to develop independence goals, should the IEP team determine that temporary intensive supports are needed. When necessary and appropriate, the assessors should also utilize the **TISA Evidence-Based Classroom practices Observation Checklist (D/M 157 Appendix A)** in order to assist the IEP team in determining the educational environment of the student.

- **Step 5: Develop TISA SCIA Evaluation Report**

When an IEP team is considering **temporary intensive supports SCIA** for a student, all aspects of the student's program must be considered with the intent of maximizing student independence. The **SCIA TISA Evaluation Report (D/M 157K 157I)** should address the areas of concern identified in the referral, **background information and educational history, summary of interviews, and summary of observations, and include the assessor's results and recommendations.** ~~assessments, interviews, and observations.~~ The **SCIA TISA** case manager/coordinator will ensure the **SCIA TISA Evaluation Report (D/M 157K 157I)** is developed.

- **Step 6: Review Evaluation at IEP Meeting**

Within 60 days following the receipt of parent consent to evaluate for **SCIA temporary intensive supports**, an IEP team shall review the results of the evaluation and recommendations at an IEP meeting. If the IEP team determines a need for **SCIA temporary intensive supports**, it is written on the IEP with specific goals, monitoring strategies, fading strategies, and review dates. Regardless of the circumstances that may indicate the need for support, it is imperative for every IEP to address the skills that will be taught in order for **the temporary intensive supports SCIA** to be faded. The level of support required for the student to advance appropriately toward annual goals needs to be defined. A systematic, written plan should specify how additional support should be utilized and monitored. **The TISA Initial Plan (D/M 157J) should be used to develop the initial plan.** An IEP meeting should be convened if necessary to modify **the temporary intensive supports SCIA**. Discussion at this meeting should be concluded

with a written plan outlining the team's criteria and possible timeline for phasing out the necessity for **temporary intensive supports SCIA**.

To assist Charter LEAs in developing appropriate independence and fading plans, IEP teams should refer to the *TISA Terms and Definitions of Fading (D/M 157 Appendix B)*, *TISA Checklist to Support Independence (D/M 157 Appendix C)*, and the *TISA Independence/Fading Resources (D/M 157 Appendix D)*.

- **Step 7: Request/Assign Temporary Intensive Support SCIA: Personnel**

When an IEP team has determined that **SCIA** temporary intensive supports in the form of **additional staff** is required, the special education director or designee will process the appropriate paperwork in accordance with Charter LEA procedures.

- **Step 8: Annual Observational Review**

The goal for any student with special needs is to encourage, promote, and maximize independence. Periodic observations and review of data may be required to assess the effectiveness of this additional support and to monitor the duration of services. **The IEP team should identify the next scheduled observation date, often within six months and no later than the next annual IEP review, to continually monitor the effectiveness of the temporary intensive supports provided to the student. The *Observational Review to Determine Continued Need for SCIA (D/M 157L)* TISA Annual Review Fading Plan (D/M 157K) should be used to review and determine the current needs of the student. ~~is used if direct observation of the student is required. The IEP team should identify the next scheduled observation date, often within six months and no later than the next annual IEP review, to continually monitor the effectiveness of SCIA provided to the student.~~**

Section F: Training

It is critical that all staff receive appropriate training on the student's health issues, curriculum modifications, the student's instructional environment, behavioral interventions, using and fading prompts, data collection and reporting, etc.

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SCIA Checklist			
STUDENT INFORMATION			
Student Name:		Date of Birth:	Age:
Disability:		Grade:	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female
School Site:		Program/Placement:	
General Education Teacher:		Contact Phone:	
Special Education Teacher:		Contact Phone:	
SCIA Case Manager/Coordinator:		Contact Phone:	
DIRECTIONS: The following information to be completed by the school site staff. Initial and date as items are completed.			
		Initial	Date
STEP 1: Make Referral			
<input type="checkbox"/>	Complete SCIA Rubric (D/M 157C & D)		
<input type="checkbox"/>	Complete Review of IEP Goals (D/M 157E)		
<input type="checkbox"/>	Complete Review of BIP (D/M 157F)		
<input type="checkbox"/>	Review other records, as appropriate		
<input type="checkbox"/>	Complete Referral for SCIA (D/M 157B)		
<input type="checkbox"/>	Send Packet to district Director of Special Education		
STEP 2: Complete Assessment			
<input type="checkbox"/>	Complete Assessment Plan (D/M 66)		
<input type="checkbox"/>	Obtain written parent permission to assess and provide parents with a copy of the Procedural Safeguards (D/M 77)		
STEP 3: Complete Interviews			
<input type="checkbox"/>	Complete Parent Interview (D/M 157G)		
<input type="checkbox"/>	Complete Teacher Interview (D/M 157H)		
<input type="checkbox"/>	Complete Student Interview (D/M 157I)		
STEP 4: Complete Evaluation			
<input type="checkbox"/>	Complete Observational Evaluation for SCIA (D/M 157J)		
<input type="checkbox"/>	Complete Assessments		
STEP 5: Develop Evaluation Report			
<input type="checkbox"/>	Develop SCIA Evaluation Report (D/M 157K)		
STEP 6: Review Evaluation at IEP Meeting			
<input type="checkbox"/>	Hold IEP meeting (within 60 days of receipt of consent)		
<input type="checkbox"/>	SCIA Not Recommended - process ends as per IEP		
<input type="checkbox"/>	SCIA Recommended - develop IEP goals to be supported by SCIA		
STEP 7: Request / Assign SCIA			
<input type="checkbox"/>	Request/Assign SCIA (LEA Personnel Forms)		
STEP 8: Observational Review			
<input type="checkbox"/>	Observational Review to Determine Continued Need for SCIA (D/M 157L)		
	will be completed by		
	Name/Title	Date	

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Referral for SCIA		
STUDENT INFORMATION		
Student Name:	Date of Birth:	Age:
Disability:	Grade:	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female
School Site:	Program/Placement:	
General Education Teacher:	Contact Phone:	
Special Education Teacher:	Contact Phone:	
SCIA Case Manager/Coordinator:	Contact Phone:	
<p>DIRECTIONS: Please complete the following information. Submit the Referral for SCIA and the following forms: SCIA Rubric (D/M 157C and D), Review of IEP Goals (D/M 157E), and Review of Behavioral Intervention Plan (BIP) (D/M 157F) to the special education office.</p>		
Reason for referral:		
Areas of student need based on SCIA Rubric (D/M 157C and D):		
Concerns identified on Review of IEP Goals (D/M 157E):		
Concerns identified on Review of BIP (D/M 157F):		
Previous interventions and results: <i>(including frequency, duration, and location)</i>		
Other unique needs:		
This referral is made at the request of the: <input type="checkbox"/> Teacher <input type="checkbox"/> Case Manager <input type="checkbox"/> Parent/Guardian <input type="checkbox"/> Other:		
Individual Requesting Referral:	Date:	
Site Administrator/Designee:	Date:	

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SCIA Student Needs for Additional Support Rubric

STUDENT INFORMATION

Student Name: _____ Date of Birth: _____ Age: _____
 Disability: _____ Program Placement: _____ Teacher: _____
 Review Date: _____

Health/Personal Care Rating	Behavior Rating	Instruction Rating	Inclusion/Mainstreaming Rating
<p>0</p> <p>General good health. No specialized health care procedure, medications taken, or time for health care. Independently maintains all "age appropriate" personal care.</p>	<p>Follows adult directions without frequent prompts or close supervision. Handles change and redirection. Usually gets along with peers and adults. Seeks out friends.</p>	<p>Participates fully in whole class instruction. Stays on task during typical instruction activity. Follows direction with few to no additional prompts.</p>	<p>Participates in some core curriculum within general education class and requires few modifications. Can find classroom. Usually socializes well with peers.</p>
<p>1</p> <p>Mild or occasional health concerns. Allergies or other chronic health conditions. No specialized health care procedures. Medication administration takes less than 10 minutes. Needs reminders to complete "age appropriate" personal care activities.</p>	<p>Follows adult direction but occasionally requires additional encouragement and prompts. Occasional difficulty with peers or adults. Does not always seek out friends but plays if invited.</p>	<p>Participates in groups at instructional level but may require additional prompts, cues or reinforcement. Requires reminders to stay on task, follow directions, and to remain engaged in learning.</p>	<p>Participates with modifications and accommodations. Needs occasional reminders of room and schedule. Requires some additional support to finish work and be responsible. Needs some social cueing to interact with peers appropriately.</p>
<p>2</p> <p>Chronic health issues, generic specialized health care procedure. Takes medication. Health care intervention for 10-15 minutes daily (diet, blood sugar, medication). Requires reminders and additional prompts or limited hands-on assistance for washing hands, using bathroom, wiping mouth, shoes, outdoors, zippers, etc. Occasional toileting accidents.</p>	<p>Has problems following directions and behaving appropriately. Can be managed adequately with a classroom behavioral management plan, but unable to experience much success without behavioral intervention plan implementation.</p>	<p>Cannot always participate in whole class instruction. Requires smaller groups and frequent verbal prompts, cues, or reinforcement. On task about 50% of the time with support. Requires more verbal prompts to follow directions.</p>	<p>Participates with visual supervision and occasional verbal prompts. Requires visual shadowing to get to class. Needs modifications and accommodations to benefit from class activities. Regular socialization may require adult facilitation.</p>
<p>3</p> <p>Very specialized health care procedure and medication. Limited mobility. Physical limitations requiring assistance (staircase, walker, gait trainer, or wheelchair). Special food prep or feeding. Health related interventions 15-45 minutes daily. Frequent physical prompts and direction assistance for personal care. Food prep required regularly. Requires toilet schedule, training, direct help, and diapering.</p>	<p>Serious behavioral problems almost daily. Defiant and/or prone to physical aggression. Requires a Behavioral Intervention Plan (BIP) and behavioral goals and objectives on the IEP. Requires close visual supervision to implement BIP. Medication for ADD/ADHD or other behaviors.</p>	<p>Difficult to participate in a large group. Requires low student staff ratio, close adult proximity and prompts including physical assistance to stay on task. Primarily completes only with 1:1 directions and monitoring. Cognitive abilities and skills likely require modifications not typical for class as a whole. Needs additional support(s) as determined by the IEP team.</p>	<p>Participation may require additional staff for direct instructional and behavioral support. Requires direct supervision going to and from class. Always requires modifications and accommodations for class work. Requires adult to facilitate social interaction with peers.</p>
<p>4</p> <p>Specialized health care procedure requiring care by specially trained employee (G tube, tracheostomy, catheterization). Takes medication, requires positioning or bracing multiple times daily. Health related interventions 45 minutes daily. Direct assistance with most personal care. Requires two-person lift. Direct 1:1 assistance 45 or more minutes daily.</p>	<p>Serious behavioral problems with potential for injury to self and others, runs away, aggressive on a daily basis. Functional Behavioral Analysis (FBA) has been completed and the student has a well-developed BIP, which must be implemented to allow the student to safely attend school. Staff has been trained in the management of assaultive behaviors.</p>	<p>Cannot participate in a group without constant 1:1 support. Requires constant verbal and physical prompting to stay on task and follow directions. Regularly requires specific 1:1 instructional strategies to benefit from the IEP. Cognitive abilities and skills require significant accommodations and modifications not typical for the class group.</p>	<p>Always requires 1:1 staff in close proximity for direct instruction, safety, mobility, or behavior monitoring. Requires 1:1 assistance to go to and from class 80% of the time. Requires adult to facilitate social interaction with peers and remain in close proximity at all times.</p>

* Attach a copy of documentation indicating frequency and duration over a period of time to determine further consideration of special circumstance instructional assistance.

If monthly ratings of 3's and 4's, in two or more areas, continue with needs assessment process.

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Summary of SCIA Rubric		
STUDENT INFORMATION		
Student Name:	Date of Birth:	Age:
Disability:	Grade:	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female
School Site:	Program/Placement:	
Parent/Guardian:	Contact Phone:	
DIRECTIONS: Please mark the boxes that best describes the health/personal care, behavior, instruction, and program supports for the student.		
HEALTH / PERSONAL CARE		
<input type="checkbox"/> Specialized Health Plan	<input type="checkbox"/> G-Tube	<input type="checkbox"/> Medications
<input type="checkbox"/> Diaper Changing	<input type="checkbox"/> Feeding Full Support	<input type="checkbox"/> Seizures Weekly
<input type="checkbox"/> Other:	<input type="checkbox"/> Suctioning	<input type="checkbox"/> Food Preparation
<input type="checkbox"/> Lifting / Transfers		
BEHAVIOR		
<input type="checkbox"/> Behavior Plan in Place	<input type="checkbox"/> Physically Aggressive Weekly	<input type="checkbox"/> Non-compliant in Class
<input type="checkbox"/> Runs Away Weekly	<input type="checkbox"/> ADHD Medicated	<input type="checkbox"/> Mental Health Client
<input type="checkbox"/> Other:		
INSTRUCTION		
<input type="checkbox"/> Discrete Trial / ABA	<input type="checkbox"/> Physical Prompts 80% +	<input type="checkbox"/> Verbal Prompts 80% +
<input type="checkbox"/> Assistive Technology	<input type="checkbox"/> PECS	<input type="checkbox"/> Signing 80% +
<input type="checkbox"/> Other:		
INCLUSION / MAINSTREAM		
<input type="checkbox"/> Direct Adult Instruction	<input type="checkbox"/> Physical Support/Positioning	<input type="checkbox"/> Safety Supervision 80% +
<input type="checkbox"/> Other:	<input type="checkbox"/> Close Visual Supervision 80% +	
Describe <u>each</u> area of intensive need marked above and indicate if there is an IEP goal/objective written to address the area. Use additional paper if needed to describe all of the needs.		
Describe interventions used to support referred student in <u>each</u> of the areas marked above. Provide data that documents the prior success or failure of interventions and attach. School day description and assistance needed.		

8/8/19 - This form is under revision; sample will be updated with new form when available.

DESERT/MOUNTAIN SPECIAL EDUCATION LOCAL PLAN AREA DESERT/MOUNTAIN CHARTER SPECIAL EDUCATION LOCAL PLAN AREA 17800 HIGHWAY 18 • APPLE VALLEY, CA 92307 (760) 552-6700 • (760) 242-5363 FAX					
SCIA Review of IEP Goals					
STUDENT INFORMATION					
Student Name:		Date of Birth:		Age:	
Disability:		Grade:		Gender:	<input type="checkbox"/> Male <input type="checkbox"/> Female
School Site:		Program/Placement:			
General Education Teacher:		Contact Phone:			
Special Education Teacher:		Contact Phone:			
SCIA Case Manager/Coordinator:		Contact Phone:			
* PROGRESS CODE 1 = No Progress 2 = 1 - 50% Met 3 = 51 - 99% Met 4 = Goal Met			** LEVELS OF ASSISTANCE P = Physical Prompt M = Modeling V = Verbal Cue I = Independent		
AREA	Measurable Goal	Progress Code *	Assistance Levels **	Comments (Including frequency, duration, location of assistance requested)	
ACADEMIC					
MOTOR					
COMMUNICATION					
SELF-HELP					
SOCIAL / EMOTIONAL AND BEHAVIOR					
PRE-VOCATIONAL					
OTHER					

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DESERT/MOUNTAIN SPECIAL EDUCATION LOCAL PLAN AREA DESERT/MOUNTAIN CHARTER SPECIAL EDUCATION LOCAL PLAN AREA 17800 HIGHWAY 18 • APPLE VALLEY, CA 92307 (760) 552-6700 • (760) 242-5363 FAX		
SCIA Review of BIP		
STUDENT INFORMATION		
Student Name:	Date of Birth:	Age:
Disability:	Grade:	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female
School Site:	Program/Placement:	
General Education Teacher:	Contact Phone:	
Special Education Teacher:	Contact Phone:	
Behavior Case Manager:	Contact Phone:	
<p>DIRECTIONS: The following information to be completed by the school site staff. Initial and date as items are completed.</p>		
What are the targeted behaviors in the Behavioral Intervention Plan (BIP)?		
[Empty text box for targeted behaviors]		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	The request for SCIA is related to the identified targeted behaviors in the BIP.
<input type="checkbox"/> Yes	<input type="checkbox"/> No	All interventions are developmentally appropriate for the student.
<input type="checkbox"/> Yes	<input type="checkbox"/> No	BIP is written with enough clarity and detail for any new staff to understand and implement.
<input type="checkbox"/> Yes	<input type="checkbox"/> No	All implementers have a copy of the plan.
<input type="checkbox"/> Yes	<input type="checkbox"/> No	The BIP is being fully implemented.
<input type="checkbox"/> Yes	<input type="checkbox"/> No	All implementers understand and/or have training in the strategies contained in the plan.
<input type="checkbox"/> Yes	<input type="checkbox"/> No	Behavior support for the plan is adequate.
The student is making progress in the targeted behaviors. Indicate supporting evidence (e.g., grades, rate of homework completion, duration of on-task behavior, frequency and quality of social interactions).		
[Empty text box for supporting evidence]		
Actions:		
<input type="checkbox"/>	BIP is appropriate, and no modifications are needed	
<input type="checkbox"/>	Revise BIP	
<input type="checkbox"/>	Develop BIP	
<input type="checkbox"/>	Additional staff training needed. Describe: [Empty text box]	
<input type="checkbox"/>	Other: [Empty text box]	
Comments: [Empty text box]		

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DESERT/MOUNTAIN SPECIAL EDUCATION LOCAL PLAN AREA DESERT/MOUNTAIN CHARTER SPECIAL EDUCATION LOCAL PLAN AREA 17800 HIGHWAY 18 • APPLE VALLEY, CA 92307 (760) 552-6700 • (760) 242-5363 FAX	
SCIA Parent Interview	
STUDENT INFORMATION	
Student Name:	Date of Birth:
Disability:	Grade:
School Site:	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female
General Education Teacher:	Program/Placement:
Special Education Teacher:	Contact Phone:
SCIA Case Manager/Coordinator:	Contact Phone:
Interviewee Name:	Interviewed By:
What does your child's typical school day look like?	
What's working? When is he/she successful?	
What are areas of difficulty or concern?	
What staff supports are provided?	
What natural supports from other students and/or other school programs does your child respond to?	
What skills would you like your child to develop to be more independent?	
Is there anything else you would like us to consider?	

8/8/19 - This form is under revision; sample will be updated with new form when available.

DESERT/MOUNTAIN SPECIAL EDUCATION LOCAL PLAN AREA DESERT/MOUNTAIN CHARTER SPECIAL EDUCATION LOCAL PLAN AREA 17800 HIGHWAY 18 • APPLE VALLEY, CA 92307 (760) 552-6700 • (760) 242-5363 FAX		
SCIA Teacher Interview		
STUDENT INFORMATION		
Student Name:	Date of Birth:	Age:
Disability:	Grade:	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female
School Site:	Program/Placement:	
General Education Teacher:	Contact Phone:	
Special Education Teacher:	Contact Phone:	
SCIA Case Manager/Coordinator:	Contact Phone:	
Interviewee Name:	Interviewed By:	
What does the child's typical school day look like?		
What's working? When is he/she successful?		
What are areas of difficulty or concern?		
What staff supports are provided?		
What natural supports from other students and/or other school programs does the child respond to?		
What skills would you like the child to develop to be more independent?		
Is there anything else you would like us to consider?		

8/8/19 - This form is under revision; sample will be updated with new form when available.

DESERT/MOUNTAIN SPECIAL EDUCATION LOCAL PLAN AREA DESERT/MOUNTAIN CHARTER SPECIAL EDUCATION LOCAL PLAN AREA 17800 HIGHWAY 18 • APPLE VALLEY, CA 92307 (760) 552-6700 • (760) 242-5363 FAX		
SCIA Student Interview		
STUDENT INFORMATION		
Student/Interviewee Name:		Date of Birth: Age:
Disability:	Grade:	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female
School Site:	Program/Placement:	
General Education Teacher:		Contact Phone:
Special Education Teacher:		Contact Phone:
SCIA Case Manager/Coordinator:		Contact Phone:
Interviewed By:		
What does your typical school day look like? <input type="text"/>		
What do you like about school? When are you successful? <input type="text"/>		
When do you have problems during your school day? <input type="text"/>		
How do school staff members help you during the day? <input type="text"/>		
Who else helps you in school? <input type="text"/>		
What programs do you participate in that help you? <input type="text"/>		
What are some things you would like to learn to help you to be more independent? <input type="text"/>		
Is there anything else you would like us to know about you? <input type="text"/>		

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DESERT/MOUNTAIN SPECIAL EDUCATION LOCAL PLAN AREA DESERT/MOUNTAIN CHARTER SPECIAL EDUCATION LOCAL PLAN AREA 17800 HIGHWAY 18 • APPLE VALLEY, CA 92307 (760) 552-6700 • (760) 242-5363 FAX		
Observational Evaluation for SCIA		
STUDENT INFORMATION		
Student Name:	Date of Birth:	Age:
Disability:	Grade:	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female
School Site:	Program/Placement:	
General Education Teacher:	Contact Phone:	
Special Education Teacher:	Contact Phone:	
SCIA Case Manager/Coordinator:	Contact Phone:	
Observation Setting:	Observed By: (Name/Title)	
A. Classroom: Please review the visual and the physical structure of the classroom, curriculum design, data collection, and planning.		
1. Is the individual student/classroom schedule visually posted? <input type="checkbox"/> Yes <input type="checkbox"/> No		
2. Is the transition between activities quick and smooth? <input type="checkbox"/> Yes <input type="checkbox"/> No (Explain)		
3. Is the room organized with work areas defined and materials readily available for instruction? <input type="checkbox"/> Yes <input type="checkbox"/> No (Describe)		
4. Do students follow the established classroom procedures and routines? <input type="checkbox"/> Yes <input type="checkbox"/> No (Describe)		
5. Indicate the level of prompt needed for the student to follow the schedule: <input type="checkbox"/> Independent <input type="checkbox"/> Physical Prompt <input type="checkbox"/> Indirect Verbal or Gesture Prompt <input type="checkbox"/> Direct Verbal Prompt <input type="checkbox"/> Other:		
Describe:		
6. Indicate the student's use of the schedule: <input type="checkbox"/> Student Carries Schedule <input type="checkbox"/> Schedule Not Used At All <input type="checkbox"/> Teacher Carries and Shows the Schedule <input type="checkbox"/> Student Goes to Schedule Board <input type="checkbox"/> Student Goes to Schedule Board <input type="checkbox"/> Other:		
Describe:		
Comments:		

8/8/19 - This form is under revision; sample will be updated with new form when available.

Observational Evaluation for SCIA	
Student Name: _____	Date of Birth: _____
B. Curriculum and Instructional Planning: Check the curricular domains included in the student's program.	
1. Is the transition between activities quick and smooth? <input type="checkbox"/> Yes <input type="checkbox"/> No (Explain) _____	
2. Is the room organized with work areas defined and materials readily available for instruction? <input type="checkbox"/> Yes <input type="checkbox"/> No (Describe) _____	
3. Do students follow the established classroom procedures and routines? <input type="checkbox"/> Yes <input type="checkbox"/> No (Describe) _____	
4. Indicate level of prompt needed for the student to follow the schedule: <input type="checkbox"/> Independent <input type="checkbox"/> Physical Prompt <input type="checkbox"/> Indirect Verbal or Gesture Prompt <input type="checkbox"/> Direct Verbal Prompt <input type="checkbox"/> Other: _____ Describe: _____	
5. Student's use of the schedule: <input type="checkbox"/> Student Carries Schedule <input type="checkbox"/> Schedule Not Used At All <input type="checkbox"/> Teacher Carries and Shows the Schedule <input type="checkbox"/> Student Goes to Schedule Board <input type="checkbox"/> Student Goes to Schedule Board <input type="checkbox"/> Other: _____ Describe: _____	
Comments: _____	
C. Current Data Systems and Collection of Data	
1. Has data been collected on student performance? <input type="checkbox"/> Yes <input type="checkbox"/> No	
2. How often is data collected? <input type="checkbox"/> Daily <input type="checkbox"/> Weekly <input type="checkbox"/> Bi-weekly <input type="checkbox"/> Monthly	
3. How is data summarized? <input type="checkbox"/> Graphed <input type="checkbox"/> Written Narrative <input type="checkbox"/> Other: _____	
4. What evidence is there that accommodations and/or modifications are being used? (Describe) _____	

8/8/19 - This form is under revision; sample will be updated with new form when available.

Observational Evaluation for SCIA	
Student Name: _____	Date of Birth: _____
Comments: _____	
D. Behavior and Safety	
1. Describe the behavior management system in the classroom, including positive re-enforces and consequences. Is it appropriate for the student or does it need to be modified? _____	
2. Are specific positive behavior supports utilized for the student? <input type="checkbox"/> Yes <input type="checkbox"/> No (Describe) _____	
3. Is there appropriate safety equipment in place? <input type="checkbox"/> Yes <input type="checkbox"/> No	
4. Are appropriate safety and medical procedures being used? <input type="checkbox"/> Yes <input type="checkbox"/> No	
5. Does it appear appropriate training has been provided? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Comments: _____	
E. Student Behavior In Independent Activities	
1. Describe the student's interaction with peers. _____	
2. Describe the student's interaction with non-classroom staff in a less structured environment. _____	
3. What activities does the student choose during break? _____	
4. What problems are evident? _____	

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Observational Evaluation for SCLIA	
Student Name: _____	Date of Birth: _____
Comments: _____	
F. Describe the school day and assistance now provided. Include natural supports such as peers, school staff, volunteers, etc.	

G. How is existing assistance utilized?	

H. Can current conditions be modified to meet the student's goals and objectives and/or personal care needs?	

I. What other types of assistance is needed? Why?	

J. Are there any other issues that need to be addressed?	

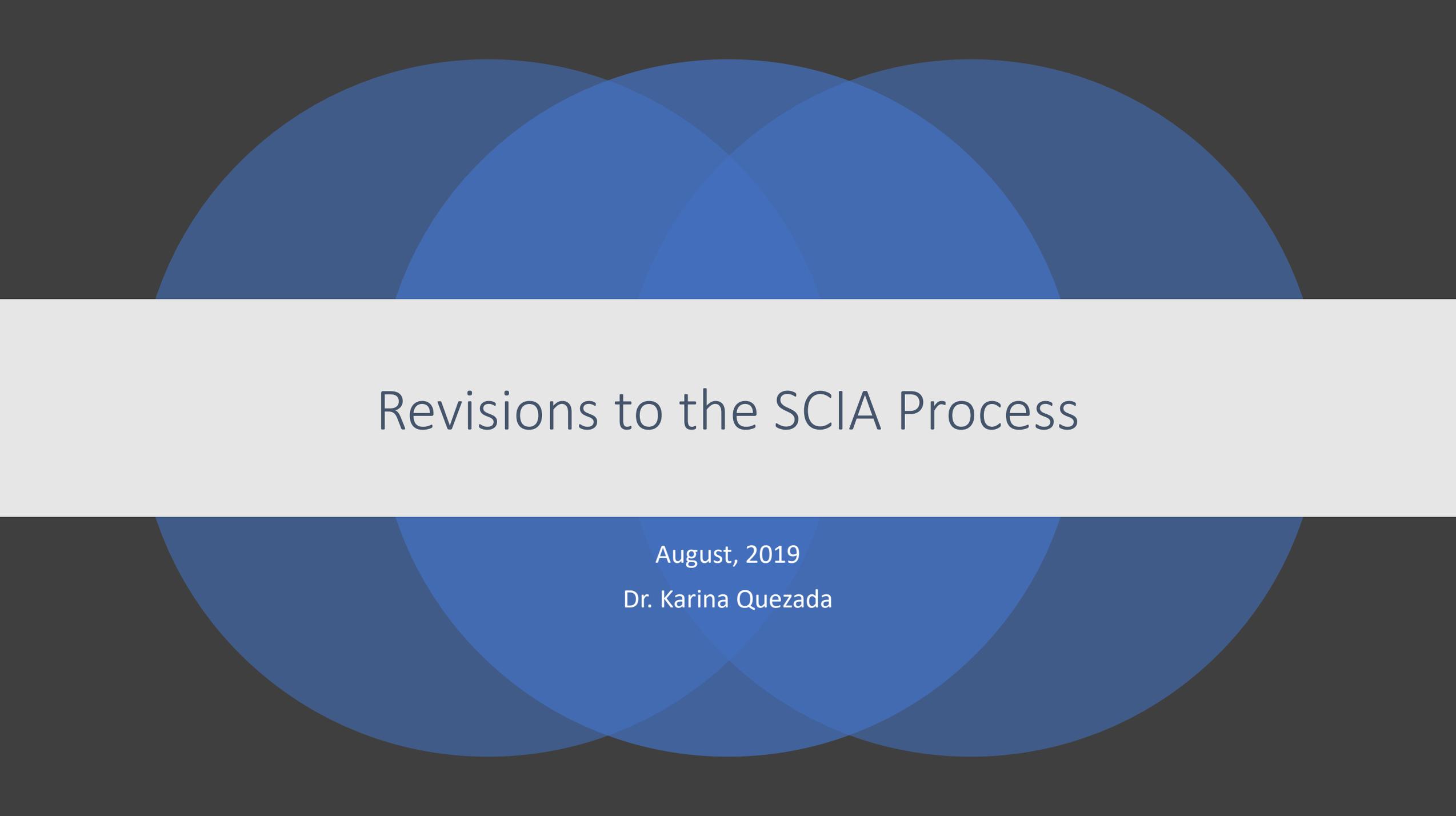
Comments: _____	

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DESERT/MOUNTAIN SPECIAL EDUCATION LOCAL PLAN AREA DESERT/MOUNTAIN CHARTER SPECIAL EDUCATION LOCAL PLAN AREA 17800 HIGHWAY 18 • APPLE VALLEY, CA 92307 (760) 552-6700 • (760) 242-5363 FAX		
SCIA Evaluation Report		
STUDENT INFORMATION		
Student Name:	Date of Birth:	Age:
Disability:	Grade:	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female
School Site:	Program/Placement:	
General Education Teacher:	Contact Phone:	
Special Education Teacher:	Contact Phone:	
SCIA Case Manager/Coordinator:	Contact Phone:	
Psychologist:	Contact Phone:	
Evaluation Report Prepared By:		Date Completed:
1. Background Information and Educational Setting: <i>(Summarize previous interventions and outcomes, include information regarding educationally relevant health, developmental, and medical findings; and include the results of any independent educational evaluations.)</i>		
2. Assessment Procedures: <i>(Include information regarding the administration of tests in the primary language of the student by qualified personnel, the validity of the evaluation, and the validity of tests for the purposes in which they were used.)</i>		
3. Summary of Interviews and Observations: <i>(Summarize results of the parent, teacher, and student interviews, include information regarding relevant behavior noted during the observation of the student.)</i>		
4. Assessment Results: <i>(Summary the results of standardized and/or curriculum-based testing.)</i>		
5. Recommendations: <i>(Include information regarding the need for specialized services, materials, and equipment and indicate if the student's needs can be met in the regular education classroom with the current level of support.)</i>		

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DESERT/MOUNTAIN SPECIAL EDUCATION LOCAL PLAN AREA DESERT/MOUNTAIN CHARTER SPECIAL EDUCATION LOCAL PLAN AREA 17800 HIGHWAY 18 • APPLE VALLEY, CA 92307 (760) 552-6700 • (760) 242-5363 FAX	
Observational Review to Determine Continued Need for SCIA	
STUDENT INFORMATION	
Student Name:	Date of Birth:
Disability:	Grade:
School Site:	Program/Placement:
General Education Teacher:	Contact Phone:
Special Education Teacher:	Contact Phone:
Observation Setting:	Observer's Name/Title:
Start Time:	End Time:
	Previous Observation Date:
Name(s) and positions of SCIA provider(s):	
Current status per teacher, support staff, and student:	
Description of current SCIA provided: <i>(time, setting, specific tasks)</i>	
Observation of student behavior:	
Description of results of efforts to increase student independence and/or progress on goal(s):	
Comments:	



Revisions to the SCIA Process

August, 2019

Dr. Karina Quezada

Current process

- Assigning this level of support without clear actual needs identified
- Lack of specificity of when and where the additional support is required
- Lack of instructional goals that focus on increasing student independence
- Lack of a fading/decreasing plan discussed and implemented from the beginning
- Lack of monitoring strategies
- Forms are not clear, don't yield the information needed to create an independence plan, and are repetitive

Rolling Up Our Sleeves!

- A SCIA Revision team was formed composed of psychologists and directors representing:
 - D/M Operations
 - Hesperia Unified School District
 - Victor Valley Union High School District
 - Victor Elementary School District
 - Apple Valley Unified School District
 - Snowline Joint Unified School District
 - Academy for Academic Excellence
 - Encore Charter Schools
- Additionally, input was sought via email from special education directors, coordinators, and school psychologists

SCIA Workgroup Mission

- The group met several times and worked on redefining the objective of this sort of evaluation, which resulted in:
 - Rebranding of the process
 - From **SCIA** (Special Circumstance Instructional Assistance) to
 - **TISA** (Temporary Intensive Supports Assessment)
 - Understanding of what results can be obtained from this evaluation
 - The identification of needed supports that don't necessarily mean additional personnel
 - Restructuring of the process
 - Streamlined
 - Data gathering driven
 - Refinement of the existing forms
 - Elimination of unnecessary & repetitive pieces
 - Creation of missing components
 - Independence/Fading Plan



Temporary Intensive Support (TIS) Types

The following options are considered as possibilities for Temporary Intensive Supports

Use of Specific Strategies/Tools/Assistive Technologies/Other Accommodations – for students requiring supports not involving personnel; and those for whom natural supports is sufficient

Additional Classroom Support As An Accommodation – for students who need additional support but do not have intense behavior intervention plans requiring frequent reinforcers or labor intensive data collection (***an accommodation***)

Reduced Teacher/Student Ratio As an Accommodation – this type of support is ideal for student needing adult support and reteaching, repeating of information in order to successfully participate in classroom instruction and activities

Intensive Individual Instruction – this support is listed as a service and it is the most restrictive in the continuum. Students require intensive behavior supports with constant data collection or may also be needed when student presents with complex health needs

The Need for
Data

*“Without data
you are just another person
with an opinion”*

William Deming

**34 C.F.R.
Sec.
300.532**

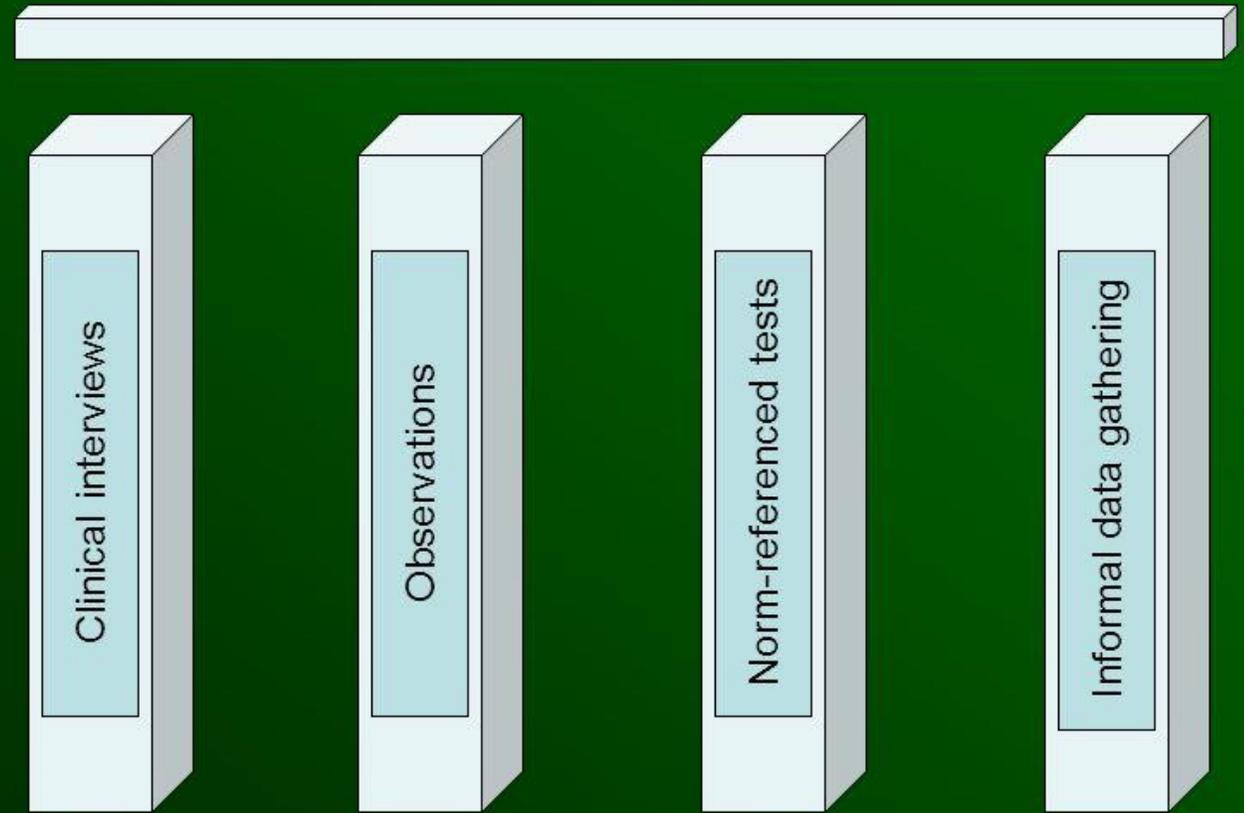
- (b) A variety of assessment tools and strategies are used to gather relevant functional and developmental information about the child, including information provided by the parent, and information related to enabling the child to be involved in and progress in the general curriculum...that may assist in determining whether a child is a child with a disability and for determining an appropriate educational program for the child ...

BEST PRACTICES IN EVALUATIONS

Jerome Sattler:
Assessment of Children,
Cognitive Foundations

Four Pillars of Psychological Assessment

Sattler (2001)



TISA Process ...

General categories to consider include:

Health/personal care

Mobility issues

Behavior support

Instruction/Inclusion

Step 1 – Pre-Referral: Identify Specific Concerns with Supporting Documentation

Referral
(D/M 157A)

Student Rubric
(D/M 157B)

Review of Progress on
IEP goals
(D/M 157 C)

Review of Behavior
Intervention Plan
(D/M 157D)

Other data/records
(health report, discipline
records, nurse's report,
independent
assessments, etc.)

Step 2 – Obtain Consent

If IEP team determines that an evaluation is warranted, complete an
Assessment Plan (DM 66)

Step 3 - Interviews

Parent/guardian
(D/M 157E)

Teacher (D/M 157F)

Student, if appropriate
(D/M 157G)

Step 4 - Observations

Multidisciplinary team approach

Review strategies, materials, modifications and/or accommodations currently in place (D/M 157 H and Appendix A)

Collect and provide quantifiable data – critical!

Step 4(B)– Additional Assessments

- Complete any additional assessments, as deemed necessary

Step 5 – Develop Evaluation Report

Summarize background
information (D/M 157 I)

Summarize interviews

Summarize observational data
collected

Results & recommendations

Step 6 – Hold IEP Meeting

- Review results of TISA and recommendations
- If TIS is recommended,
 - Specific goals and objectives, monitoring strategies, and fading strategies are written on IEP (D/M 157 J)
 - Schedule a review IEP meeting (recommended within 6 months)
- If TIS is NOT recommended,
 - Specify natural supports, accommodations, and/or modifications that are effective in student's program, add IEP goals if needed

At every annual IEP, a
TISA Annual Review
Fading Plan should be
completed

Step 7 – Review of TISA, annual Review D/M 157 K

End Result

- We believe that the result of the revisions made will:
 - Expedite the process
 - Components are required to be completed based on referral question
 - Eliminate frustrations
 - Repetitiveness
 - Non-relevance
 - Provide accountability
 - Decisions are made based on quantifiable data collected
 - Communicate from the beginning the temporary nature of this level of support to all parties involved, including parents
 - Provide for cost effectiveness

Questions





Gratitude

I would like to express my most sincere gratitude to the individuals who contributed to this project:

- Ethan Heck
- Katrina Beedle
- Brad Talley
- Dr. Rama Bassham
- Paul Rosell
- Judith Tyler
- Dr. Rebecca Hickey
- Linda Goodman
- Eric Buries
- Darla Bell
- Gabriele Carr

A Special Recognition

*Thank
you!*

A special thank you and recognition is owed to

Cindy Quan,

D/M SELPA MIS Program Technician

For her endless willingness, expertise and patience
throughout the completion of this work



Referral for Temporary Intensive Supports Assessment (TISA)

STUDENT INFORMATION

Student Name: _____	Date of Birth: _____	Age: _____
Disability: _____	Grade: _____	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female
School Site: _____	Program/Placement: _____	
General Education Teacher: _____	Contact Phone: _____	
Special Education Teacher: _____	Contact Phone: _____	
Case Manager/Coordinator: _____	Contact Phone: _____	

DIRECTIONS: Please complete the following information. Submit the Referral for TISA and the following forms: TISA Rubric (D/M 157C and D), Review of IEP Goals (D/M 157E), and Review of Behavioral Intervention Plan (BIP) (D/M 157F) to the special education office.

Behavior

- Non-compliant behaviors in class
- Non-compliant behaviors on campus
- Self-injurious
- Eloping
- Intense sensory needs
- Severe physical aggression
- Substantial attentional problems
- Significant disruptive behaviors
- Non-compliant behavior on bus
- Other: _____
- Comments: _____

Health

- Specialized physical health care plan
- G-tube feeding
- Medication
- Suction
- Food preparation
- Toileting assistance
- Feeding – full support
- Seizures
- Other: _____
- Comments: _____

Mobility

- Lifting/transfers
- Physical support/positioning
- Toileting assistance
- Mainstreaming needs
- Other: _____
- Comments: _____

Instructional/Mainstreaming

- AAC supports
- Significant need for verbal/physical prompts
- Severe attentional problems
- Significant transitional time needs
- Mainstreaming
- Other: _____
- Comments: _____

This referral is made at the request of the:

- Teacher Case Manager Parent/Guardian Other: _____

Individual Requesting Referral: _____ Date: _____

Site Administrator/Designee: _____ Date: _____



Student Needs for Additional Support Rubric

STUDENT INFORMATION

Student Name: _____ Date of Birth: _____ Age: _____ Review Date: _____
 Disability: _____ Program/Placement: _____ Teacher: _____

	Health/Personal Care/Mobility Rating	Behavior Rating	Instruction Rating	Inclusion/Mainstreaming Rating
0	General good health. No specialized health care procedure, medications taken, or time for health care. Independently maintains all "age appropriate" personal care. Is able to navigate environment without any excessive delays. Can transition from and within classrooms requiring few modifications. <input type="checkbox"/>	Follows adult directions without frequent prompts or close supervision. Handles change and redirection. Usually gets along with peers and adults. Seeks out friends. <input type="checkbox"/>	Participates fully in whole class instruction. Stays on task during typical instruction activity. Follows direction with few to no additional prompts. <input type="checkbox"/>	Participates in some core curriculum within general education class and requires few modifications. Can find classroom. Usually socializes well with peers. <input type="checkbox"/>
1	Mild or occasional health concerns. Allergies or other chronic health conditions. No specialized health care procedures. Medication administration takes less than 10 minutes. Needs reminders to complete "age appropriate" personal care activities. Can independently navigate from one location to another. Minimal assistance to transition from and within classrooms <input type="checkbox"/>	Follows adult direction but occasionally requires additional encouragement and prompts. Occasional difficulty with peers or adults. Does not always seek out friends but plays if invited. <input type="checkbox"/>	Participates in groups at instructional level but may require additional prompts, cues or reinforcement. Requires reminders to stay on task, follow directions, and to remain engaged in learning. <input type="checkbox"/>	Participates with modifications and accommodations. Needs occasional reminders of room and schedule. Requires some additional support to finish work and be responsible. Needs some social cueing to interact with peers appropriately. <input type="checkbox"/>
2	Chronic health issues, generic specialized health care procedure. Takes medication. Health care intervention for 10-15 minutes daily (diet, blood sugar, medication). Requires reminders and additional prompts or limited hands-on assistance for washing hands, using bathroom, wiping mouth, shoes, buttons, zippers, etc. Occasional toileting accidents. Requires limited assistance to mobilize from one location to another. Requires limited assistance with mobility in order to care for self. <input type="checkbox"/>	Has problems following directions and behaving appropriately. Can be managed adequately with a classroom behavioral management plan, but unable to experience much success without behavioral intervention plan implementation. <input type="checkbox"/>	Cannot always participate in whole class instruction. Requires smaller groups and frequent verbal prompts, cues, or reinforcement. On task about 50% of the time with support. Requires more verbal prompts to follow directions. <input type="checkbox"/>	Participates with visual supervision and occasional verbal prompts. Requires visual shadowing to get to class. Needs modifications and accommodations to benefit from class activities. Regular socialization may require adult facilitation. <input type="checkbox"/>
3	Very specialized health care procedure and medication. Limited mobility. Physical limitations requiring assistance (stander, walker, gait trainer, or wheelchair). Special food prep or feeding. Health related interventions 15-45 minutes daily. Frequent physical prompts and direction assistance for personal care. Food prep required regularly. Requires toilet schedule, training, direct help, and diapering. <input type="checkbox"/>	Serious behavioral problems almost daily. Defiant and /or prone to physical aggression. Requires a Behavioral Intervention Plan (BIP) and behavioral goals and objectives on the IEP. Requires close visual supervision to implement BIP. Medication for ADHD or other behaviors. <input type="checkbox"/>	Difficult to participate in a large group. Requires low student staff ratio, close adult proximity and prompts including physical assistance to stay on task. Primarily complies only with 1:1 directions and monitoring. Cognitive abilities and skills likely require modifications not typical for class as a whole. Needs additional support(s) as determined by the IEP team. <input type="checkbox"/>	Participation may require additional staff for direct instructional and behavioral support. Requires direct supervision going to and from class. Always requires modifications and accommodations for class work. Requires adult to facilitate social interaction with peers. <input type="checkbox"/>
4	Specialized health care procedure requiring care by specially trained employee (G tube, tracheotomy, cauterization). Takes medication, requires positioning or bracing multiple times daily. Health related interventions 45 minutes daily. Direct assistance with most personal care. Direct 1:1 assistance 45 or more minutes daily. Requires two-person lift. Requires direct supervision going to & from class. <input type="checkbox"/>	Serious behavioral problems with potential for injury to self and others, runs away, aggressive on a daily basis. Functional Behavioral Analysis (FBA) has been completed and the student has a well-developed BIP, which must be implemented to allow the student to safely attend school. Staff has been trained in the management of assaultive behaviors. <input type="checkbox"/>	Cannot participate in a group without constant 1:1 support. Requires constant verbal and physical prompting to stay on task and follow directions. Regularly requires specific 1:1 instructional strategies to benefit from the IEP. Cognitive abilities and skills require significant accommodations and modifications not typical for the class group. <input type="checkbox"/>	Always requires 1:1 staff in close proximity for direct instruction, safety, mobility, or behavior monitoring. Requires 1:1 assistance to go to and from class 80% of the time. Requires adult to facilitate social interaction with peers and remain in close proximity at all times. <input type="checkbox"/>

***Attach a copy of documentation indicating frequency and duration over a period of time to determine further consideration of special circumstance instructional assistance.
 If mostly ratings of 3's and 4's, in two or more areas, continue with needs assessment process.**

Student Name: _____ DOB: _____ Date: _____

Temporary Intensive Supports Assessment (TISA) Review of IEP Goals

TISA Case Manager/Coordinator: _____ Contact Phone: _____

DIRECTIONS: Attach IEP goals and latest progress of goals. The following information is to be completed by the school site staff. Initial and date where indicated as items are completed.

Date	Initial	Yes	No	
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	All goals are developmentally appropriate for student
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	All goals are current
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	All goals are clear and measurable
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	The goals address needs for which a TISA is needed (behavior, academic, independence, self-help, etc.)

Is the student making progress in the obtainment of goals? Yes No

Describe progress and indicate supporting evidence (e.g., grades, rate of work completion, etc.)

Level of assistance student requires to perform/achieve goals?

- Physical prompt: _____
- Modeling: _____
- Verbal cue: _____
- Independent: _____

Student Name: _____ DOB: _____ Date: _____

Temporary Intensive Supports Assessment (TISA) Review of Behavioral Intervention Plan

DIRECTIONS: Attach BIP. The following information to be completed by the school site staff. Initial and date as items are completed.

Does the student have a Behavioral Intervention Plan (BIP)? Yes Level 1 Level 2
 No If no, refer to ACTIONS Section

Date	Initial			
_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No	The request for TISA is related to the identified targeted behaviors in the BIP.
_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Does the BIP address the behavioral identified on the initial concern checklist?
_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No	All interventions are developmentally appropriate for the student.
_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No	BIP is written with enough clarity and detail for any new staff to understand and implement.
_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No	All implementers have a copy of the plan.
_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No	The BIP is being fully implemented.
_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No	All implementers understand and/or have training in the strategies contained in the plan.
_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Behavioral support for the plan is adequate.

Is the student making progress in the targeted behaviors? Indicate supporting evidence (e.g., grades, rate of homework completion, duration of on-task behavioral, frequency and quality of social interactions).

ACTIONS:

- Develop BIP
- BIP is appropriate, and no modifications are needed
- Revise BIP
- Behavioral Plan is based on a Functional Behavioral Analysis (FBA)
 Yes No In process Need to initiate if function of behavioral is unknown

Additional staff training needed:

Describe:

Other: Describe:

Comments:

Student Name: _____ DOB: _____ Date: _____

Temporary Intensive Supports (TISA) Parent Interview

Interviewee Name: _____ Interviewed By: _____

What are the educational concerns you have for your child?

What needs does your child have?

What recent changes have occurred in your child (health, medication, family status, etc.)?

What supports does your child receive outside of school? Frequency? How long?

What skills would you like your child to develop to be more independent?

Is there anything else you would like us to consider?

Student Name: _____ DOB: _____ Date: _____

Temporary Intensive Supports (TISA) Teacher Interview

Interviewee Name: _____ Interviewed By: _____

What supports/programs are working?

When is the student successful?

What are the areas of difficulty or concern?

What staff and classroom supports are provided?

What skills would you like the student to develop to be more independent?

Is there anything else you would like us to consider?

Student Name: _____ DOB: _____ Date: _____

Temporary Intensive Supports (TISA) Student Interview

Interviewed By: _____ Title: _____

What do you like about school?

When are you successful?

When do you have problems during your school day?

How do school staff members help you during the day?

Who else helps you in school?

What are some things you would like to learn to help you to be more independent?

Is there anything else you would like us to know about you?

Student Name: _____ DOB: _____ Date: _____

Temporary Intensive Supports (TISA) Student Observation Worksheet

DIRECTIONS: The individual conducting the observation should complete the domains that are applicable based on the referral. *It is recommended that the student be observed on **several occasions** at different times during the instructional day. **Quantifiable data** will be collected whenever possible as a way of establishing a baseline for the apparent need for additional intensive supports. Such data will be critical as a fading plan is designed later in the process. See Appendix A*

Instruction/Inclusion Domain

Is there an individual student schedule? Yes No

Student uses the following format for individualized schedule:

Object Picture Icon Photograph Word

Student's ability to follow the schedule:

Independent With indirect verbal or gestural prompts With direct verbal prompts With physical prompts Inconsistent

Student's use of the schedule:

Student carries schedule Student goes to schedule board Student carries transition cards Teacher carries and shows the schedule

Room is arranged with structure to correlate with tasks on schedule (check all that apply):

Area for one-to-one work Area for group work Area for independent work Area for leisure Not applicable

What curricular accommodations/modifications are being used for this student? (*Describe*):

What is the student's engagement in classroom activities? (*Describe*):

Check the curricular domains included in the student's program:

Communication Domestic skills Self-care Social skills
 Academics Pre-vocational/vocational Recreation/leisure Motor skills/mobility
 Other: _____

Describe, using **quantifiable data**, the student level of support needed to participate, remain on task, complete assignments (*i.e., frequency of reinforcement, prompting level, redirection*):

List equipment or device used/available that may relate to the need for assistance (*may be low incidence equipment or assistive technology devices*).

Describe at what level of independence the student is able to navigate the school campus.

Student Name: _____ Date of Birth: _____

Behavior Domain

Are there problem behaviors interfering with learning of self or others? Yes No

Brief description of problem behavior:

Where does the behavior(s) typically occur?

When do the behaviors occur?

Frequency: _____ Duration: _____ Intensity: _____

What activities can the student do without assistance? (*time of day, group, transitions, etc.*)

Describe the school day and assistance now provided and natural supports such as peers, school staff, volunteers, etc.

Is the classroom behavior system appropriate for the student? (*developmentally appropriate, engagement, effectiveness, etc.*)

Describe, using **quantifiable data**, the student's interaction with peers:

Describe, using **quantifiable data**, the student's interaction with staff in structured and non-structured environments:

Are there any adjustments that need to be made to help the student be successful?

Are there significant medical needs/concerns observed that could affect behavior?

Student Name: _____ Date of Birth: _____

Health Domain

Does that student have an existing health care plan? Yes (Is so, attach) No In process Need to initiate

Indicate which health/personal care the student requires:

Health/Personal Care	Frequency/Duration	Time of Day Support is Needed	Existing Support Available	Level of Support	Training Needed
G-tube feeding					
Medication					
Suctioning					
Food preparation					
Toileting assistance					
Diapering					
Feeding – full support					
Seizures					
Lifting/transfers					
Other:					

Are appropriate safety and medical procedures being used? Yes No

Comment:

What activities can the student do without assistance? (*time of day, group, transitions, etc.*)

Describe the school day and assistance now provided and natural supports such as peers, school staff, volunteers, etc.

Specify the student-teacher ratio:

Number of students requiring assistance in:

Health: _____ Personal Care: _____ Behavior: _____ Instruction: _____ Inclusion: _____

Can current conditions be modified to meet the student's goals and/or objectives and/or personal care needs? Yes No

Comment:

Student Name: _____ Date of Birth: _____

Mobility Domain

Does the student have an existing health care plan? Yes (If so, attach) No In process Need to initiate

Indicate which mobility/personal care the student requires:

Needs	Frequency/Duration	Time of Day Support is Needed	Existing Support Available	Level of Support	Training Needed
Lifting					
Transfer					
Physical Support/Positioning					
Toileting assistance					
Diapering					
Feeding – full support					
Bracing					

Use of mobility equipment (*Specify*):

Other:

Are there appropriate safety equipment(s) in place? Yes No

Comment:

What level of support is needed for the student to transition (*from one class to another, or from one activity to another, or mainstream*)?

What activities can the student do without assistance? (*time of day, group, transitions, etc.*)

Describe the school day and assistance now provided. Specify and include the student-teacher ratio, and natural supports such as peers, school staff, volunteers, etc.

Can current conditions be modified to meet the student's goals and/or objectives and/or personal care needs?

First Observation Date: _____ Time: _____
Completed by: _____ Title: _____

Second Observation Date: _____ Time: _____
Completed by: _____ Title: _____



Temporary Intensive Supports (TISA) Evaluation Report

Student Name: _____ DOB: _____ Date Completed: _____

Evaluation Report Prepared By: _____

1. **Reason for Referral:** *(Review of Behavioral Intervention Plan, disciplinary information, academic progress, and progress on IEP goals.)*

2. **Background Information and Educational Setting:** *(Summarize previous interventions and outcomes, include information regarding educationally relevant health, developmental, and medical findings; and include the results of any independent educational evaluations.)*

3. **Summary of Interviews:** *(Summarize results of the parent, teacher, and student interviews)*

4. **Summary of Observations:** *(Include quantifiable data collected during observations, include information regarding relevant behavior noted during the observation of the student.)*

5. **Results and Recommendations:** *(Include information regarding the need for specialized services, materials, and equipment and indicate if the student's needs can be met in the current setting with the current level of support; recommend goals for apparent need(s) observed.)*

Temporary Intensive Supports Assessment (TISA) Initial Plan

DIRECTIONS: When Temporary Intensive Support Assistance is determined by the IEP team to be necessary for a student, the IEP team should develop an independence and fading plan in order to promote the student's independence and to avoid potential harmful effects, such as dependency. This form should be completed by the IEP team with input from all members, including parents.

IDENTIFIED NEEDS

Time/Subject Area	Support Needed (ratio, equipment, materials, etc.)	Does support require additional staff? <i>(Please check)</i>
		<input type="checkbox"/>

INDEPENDENCE GOAL (TO BE ADDED TO IEP GOALS)

Comment

Present Level of Independence (Baseline)	
Independence Goal <i>(to reduce and/or eliminate Temporary Intensive Support Assistance)</i>	

FADING PLAN (See Appendix B)

MAY NOT BE APPLICABLE FOR STUDENTS WITH MOBILITY OR HEALTH NEEDS

Comment

Person(s) Responsible

<p>1. Procedure: <i>What will be taught so the student learns the replacement behavior/skills? (Task analysis of skill development. What does the teacher or staff do to get the student to perform the behavior?)</i></p>		
<p style="padding-left: 20px;">a. Level of Support: <i>Description of how and who support changes as student independence increases. Prompting type; frequency; proximity of personnel; role of teacher/paraprofessional.</i></p>		
<p>2. Progress Monitoring Method: <i>Who, how often, and how will the data be collected (If using a documentation sheet, please attach.)</i></p>		
<p style="padding-left: 20px;">a. Evaluation: <i>How will the data be evaluated to determine if intervention is working?</i></p>		
<p style="padding-left: 20px;">b. Measurement: <i>What are the criteria for fading and description of the level of TISA support?</i></p>		
<p>3. Maintenance: <i>What are the adaptations/accommodations that will be used to promote and sustain independence?</i></p>		

Temporary Intensive Supports (TISA) Annual Review Fading Plan

DIRECTIONS: When Temporary Intensive Support Assistance is determined by the IEP team to be necessary for a student, the IEP team should develop an independence and fading plan in order to promote the student’s independence and to avoid potential harmful effects, such as dependency. This form should be completed by the IEP team with input from all members, including parents.

INDEPENDENCE PLAN DISCUSSION

Team Discussion Questions	Comment
In what setting(s) and/or time of day is the highest level of assistance needed?	
What tasks/activity needs the highest level of assistance?	
What are the expectations and instructional demands on the student that requires intensive support?	
What natural student-teacher ratio supports are available?	
What environmental cues are currently available in the natural environment?	
Are there any schedule changes available to support independence?	
What is the prompting hierarchy needed for student to increase independence?	
Has assistive technology and/or equipment been considered to support independence?	
Has any staff and/or student training been considered to support independence?	
What are the next steps needed for the next level of independence?	
Other things for team to consider:	

	Student’s Independence Strengths What can student already do independently? <i>Consider setting, instruction, curriculum, activities, social interaction, and participation</i>	Student’s Independence Concerns What are the student’s areas of struggle/need?
Health/Personal Care/Mobility		
Communication		
Behavior		
Academic/Instruction (Task Initiation & Output)		
Social/Inclusion		

IDENTIFIED NEEDS

Time/Subject Area	Support Needed (ratio, equipment, materials, etc.)	Does support require additional staff? <i>(Please check)</i>
		<input type="checkbox"/>

INDEPENDENCE GOAL (TO BE ADDED TO IEP GOALS)

Comment

Present Level of Independence (Baseline)	
Independence Goal <i>(to reduce and/or eliminate Temporary Intensive Support Assistance)</i>	

FADING PLAN (See Appendix B)

MAY NOT BE APPLICABLE FOR STUDENTS WITH MOBILITY OR HEALTH NEEDS

Comment

Person(s) Responsible

1. Procedure: <i>What will be taught so the student learns the replacement behavior/skills? (Task analysis of skill development. What does the teacher or staff do to get the student to perform the behavior?)</i>		
a. Level of Support: <i>Description of how and who support changes as student independence increases. Prompting type; frequency; proximity of personnel; role of teacher/paraprofessional.</i>		
2. Progress Monitoring Method: <i>Who, how often, and how will the data be collected (If using a documentation sheet, please attach.)</i>		
a. Evaluation: <i>How will the data be evaluated to determine if intervention is working?</i>		
b. Measurement: <i>What are the criteria for fading and description of the level of TISA support?</i>		
3. Maintenance: <i>What are the adaptations/accommodations that will be used to promote and sustain independence?</i>		

Appendix A Temporary Intensive Supports (TISA) Evidence-Based Classroom Practices Observation Checklist

DIRECTIONS: To be used by the administrator, psychologist, or TISA case manager to examine a student’s current environment and supports. To be used prior to requesting help for a student not making progress on IEP goals or if more student support in an area is needed. *(Not to be used for student with medical/health needs).*

STRATEGIES

	Physical Design	Comments
<input type="checkbox"/>	Layout of the classroom is such that facilitates typical instructional activities (e.g., small group, whole group, learning center)	
<input type="checkbox"/>	Furniture is arranged to allow for smooth teacher and student movement	
<input type="checkbox"/>	Instructional materials are neat, orderly, and ready for use	
<input type="checkbox"/>	Posted materials that support critical learning content and learning strategies (e.g., word walls, steps for writing process, math formulas)	
<input type="checkbox"/>	Teacher demonstrates organization and how to use classroom areas	

	Routines	Comments
<input type="checkbox"/>	Evidence of predictable patterns and activities	
<input type="checkbox"/>	Evidence that routines and procedures are taught directly	
<input type="checkbox"/>	Students are recognized when they successfully follow classroom routines and procedures	
<input type="checkbox"/>	Students are encouraged to use self-management skills	
<input type="checkbox"/>	Evidence of student-guided schedules and routines	

	Expectations	Comments
<input type="checkbox"/>	Evidence of 3-5 school-wide expectations adopted in the classroom	
<input type="checkbox"/>	Expectations are observable, measurable, positively stated, understandable, and always applicable	
<input type="checkbox"/>	Expectations are taught using examples and non-examples and with opportunities to practice and receive feedback	
<input type="checkbox"/>	Evidence of student involvement in defining the 3-5 school-wide expectations within the classroom routines	
<input type="checkbox"/>	Students are committed to supporting the expectations	
<input type="checkbox"/>	Teacher manages classroom proactively and calmly	

Student Name: _____ Date of Birth: _____

Supervision		Comments
<input type="checkbox"/>	Teacher engages in active supervision which includes all the following: <ul style="list-style-type: none"> <input type="checkbox"/> Scanning: visual sweep of entire space <input type="checkbox"/> Moving: continuous movement, proximity <input type="checkbox"/> Interacting: verbal communication in a respectful manner, pre-corrections, non-contingent attention, specific verbal feedback 	

Opportunity		Comments
<input type="checkbox"/>	Instruction includes high rates of opportunities to respond, which includes at least one of the following during the observation: <ul style="list-style-type: none"> <input type="checkbox"/> Individual or small group questioning <input type="checkbox"/> Choral responding <input type="checkbox"/> Nonverbal responding 	

Academic Rigor		Comments
<input type="checkbox"/>	Instruction is engaging	
<input type="checkbox"/>	Instruction is differentiated to support all types of learners	
<input type="checkbox"/>	Visual supports are used as appropriate	
<input type="checkbox"/>	Manipulatives are used to support learning	
<input type="checkbox"/>	Communication systems/strategies with non-verbal students are used, as necessary	

Social/Emotional Supports		Comments
<input type="checkbox"/>	Teacher models identification of feelings	
<input type="checkbox"/>	Self-talk strategies are taught and practiced	
<input type="checkbox"/>	Relaxation techniques are employed	
<input type="checkbox"/>	Role-play social interactions	
<input type="checkbox"/>	Emotional cards are used when appropriate	
<input type="checkbox"/>	Praise and encouragement are provided	

Sensory Supports		Comments
<input type="checkbox"/>	Observed used in the classroom/or by student: <ul style="list-style-type: none"> <input type="checkbox"/> Stretchy kick bands for chairs <input type="checkbox"/> Vestibular cushions <input type="checkbox"/> Headphones <input type="checkbox"/> Music <input type="checkbox"/> Partitions/corrals (individual or for an area) <input type="checkbox"/> Flexible seating <input type="checkbox"/> Sensory tactile tables <input type="checkbox"/> Weighted vest <input type="checkbox"/> Compression shirts <input type="checkbox"/> Other: _____ 	

Completed by: _____ Title: _____

Appendix B

Temporary Intensive Supports (TISA)

Terms and Definitions of Fading

Prompt Hierarchy: Prompts range from the least to the most intrusive. The amount of assistance increases with each level in the hierarchy.

Natural Cue

Behavior independently occurs because of a natural cue to a stimulus in the environment. The individual performs the behavior without any assistance.

Example: John stands up to sing when he sees his peers stand up.

Gestural (Nonverbal) Prompt

Physical gestures that may include pointing, beckoning, pantomiming, or shaking one's head to indicate approval or disapproval.

Example: Mrs. Brown points to the yellow square to signal time for yellow reading group. Mr. Jones holds up two fingers to signal "quiet now."

Indirect Verbal Prompt

The instructor uses words to imply that some behaviors need to occur.

Example: Mr. Sanchez says, "Children, what should you be doing?" Students understand it is time to quiet down and open their books.

Modeling

Performing the desired behavior to encourage the initiation of the behavior by the individual.

Example: Ms. Nguyen sits up tall in her seat with her hands folded on top of the desk as students come to a reading group. She waits until they copy her behavior.

Symbolic (Pictorial or Written Prompt)

Symbols (pictures or words) are presented to guide the behavior. Often a sequence of pictures or a list of words is used, combined with a gestural prompt of pointing to the symbol of the desired behavior for that moment in time.

Example: Devon has 4 pictures of how to solve multi-digit addition which he uses in sequence to solve math problems. When he appears confused, his teacher gesturally redirects him to the correct picture.

Direct Verbal Prompt

The instructor explicitly states the behavior that needs to occur.

Example: "Boys and girls, please stand up now."

Minimal Physical Prompt

Slight physical contact that guides the individual towards the behavior.

*Example: When Katie does not open the door when verbally told to do so, Ms. Hernandez lightly touches her elbow. *Note: depending on the situation, a minimal physical prompt may be less intrusive and facilitate more independence than a direct verbal prompt.*

Partial Physical Prompt

The instructor physically starts the individual on the desired behavior, and then ceases the physical assistance to the individual to complete the behavior independently.

Example: When Katie does not open the door after being lightly touched on the elbow, Ms. Hernandez gently nudges her arm upward until the knob is touched and then releases contact.

Full Physical Prompt

The instructor physically guides the individual through the entire behavior.

Example: Amy's teacher physically positions her fingers on the pencil and guides Amy's hand as she writes her name.

Appendix C Temporary Intensive Supports (TISA) Checklist to Support Independence

DIRECTIONS: For the IEP team to discuss with the family in the IEP to ensure team is working toward student's increasing independence.

	Student has a measurable independence goal in the IEP with a proposed potential date to have the support faded out
	IEP informs the family of concerns of having extra adult support such as: prompt dependency, learned helplessness, decrease in independence and self-efficacy, social isolation, and social stigma
	IEP team discusses what Natural Supports will be utilized FIRST before using extra adult support (peers, teacher, visuals, rules and routines, task analysis, classroom structure, CHAMPS, etc.)
	IEP team tells family WHY the extra support is needed (to support behavior plan, academic on task, social facilitation, safety, medical reasons)
	IEP team describes exactly WHEN the support is needed and NOT needed (during math, PE, reading, writing, social, etc.)
	IEP team describes exactly WHAT the support will look like (will the paraprofessional roam around, sit next to the student, take small groups, use non-verbal gesture, point to and use visuals, or verbally prompt)
	IEP team discusses HOW they will support increasing the student's independence (through goals, visuals, teaching independence, gestures, task analysis, self-monitoring, peer support, and/or other evidenced-based practices)
	IEP team discusses ON-going progress monitoring , data collection, areas to teach independence, and gradual fading back of extra adult support
	IEP team discusses the student's progress on independence goal in all future IEP's or as needed

Appendix D Temporary Intensive Supports (TISA) Independence/Fading Resources

Area of Need	Criteria
Social – Emotional/Behavioral	Able to independently review his daily schedule/checklist and expectations first thing in the morning and prior to each transition
Social – Emotional/Behavioral	Able to independently follow classroom procedures to transition between activities with the class
Social – Emotional/Behavioral	Able to initiate a task with 2 or fewer prompts
Social – Emotional/Behavioral	Able to eliminate incidents of socially inappropriate interactions with peers
Social – Emotional/Behavioral	Able to independently use a sensory tool or strategy and return to task within 5 minutes
Social – Emotional/Behavioral	Able to attend lectures and discussions using eye contact, head nodding, hand raising, and/or verbal participation with 2 or fewer prompts
Social – Emotional/Behavioral	Independently demonstrate school-wide expected behaviors in common areas (playground, cafeteria, lunch line, restrooms, etc.)

Sample Specific Annual Goals and Objectives to Address Achieving Criteria for Independence

- Independently review daily schedule/checklist of expectations first thing in the morning and prior to each transition 80% of the time over 2 consecutive weeks as measured by teacher recorded data.
- Independently follow classroom procedures to transition between activities with the class 80% of the time over 2 consecutive weeks as measured by teacher recorded data.
- Initiate a task with 2 or fewer prompts in 80% of opportunities over 2 consecutive weeks as measured by teacher recorded data. Eliminate incidents of socially inappropriate physical interaction with peers in 90% of opportunities for a trimester as measured by teacher recorded data.
- Independently use a sensory tool or strategy and return to task within 5 minutes in 80% of opportunities over 2 consecutive weeks as measured by teacher recorded data.
- Attend to lectures and discussions using eye contact, head nodding, hand raising, and/or verbal participation with 2 or fewer prompts in 80% of opportunities over 2 consecutive weeks as measured by teacher recorded data.
- Independently demonstrate school-wide expected behaviors in common areas (playground, cafeteria, lunch line, restrooms) in 90% of opportunities for a trimester as measured by teacher recorded data.

Environmental/Teaching Strategies to Support Independence and Fading of Intensive Supports

Environmental Strategies	Teaching Strategies
Paraprofessionals and teachers should be reminded of the prompt hierarchy described below to avoid over- prompting. The least intrusive prompts possible will be utilized based on each individual situation.	Teach student how to independently utilize and review his schedule or checklist.
It is recommended that various individuals work with student over time so that he/she does not become over-accustomed to the support/style of any one individual. This will increase student’s flexibility and further develop independence.	Teach student to independently self-monitor his/her need for sensory breaks.
Utilize checklists whenever possible to ensure that student gains independence in task completion.	Utilize role playing a practice to teach student how to respect personal space and to conduct self on the school campus.
Identify effective reinforcers and provide positive reinforcement for independent work and appropriate social behaviors.	Teach student cause/ effect (decision making) strategies to help him learn to take ownership of choices.
Allow access to sensory breaks and tools when requested appropriately.	Teach student appropriate ways to request assistance.
Prime student prior to all transitions of expectations, plans, and materials needed.	
When redirecting student, provide the expected/replacement behaviors instead of negative behavior being displayed.	

POSTSECONDARY TRANSITION SERVICES

A Guide for Students Transitioning from
High School to Adult Living



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California Association of Health and Education Linked Professions
Joint Powers Authority (CAHELP JPA)
DESERT/MOUNTAIN CHARTER SELPA STEERING COMMITTEE MEETING
June 13, 2019
MINUTES

D/M CHARTER SELPA MEMBERS PRESENT:

Aveson Global Leadership Academy – Kelly Jung (via Web Ex), Aveson School of Leadership – Paula Giraldo, Desert Trails Preparatory Academy – Debbie Tarver, Elite Academic Academy – Susana Waisman (via Web Ex), Encore Jr/Sr High – Eric Buries, Julia Lee Performing Arts – Tanya Taylor, LaVerne Elementary Preparatory Academy –Debbie Tarver, Pasadena Rosebud Academy – Shawn Brumfield (via Web Ex), Pathways to College – Kasey Finerty, Taylion High Desert – Brenda Congo.

CAHELP, SELPA, & DMCC STAFF PRESENT:

Jamie Adkins, Heidi Chavez, Adrien Faamausili, Colette Garland, Jenae Holtz, Maurica Manibusan, Lisa Nash, Kathleen Peters, Karina Quezada, Daria Raines, Veronica Rousseau, Natalie Sedano.

1.0 CALL TO ORDER

The regular meeting of the California Association of Health and Education Linked Professions Joint Powers Authority (CAHELP JPA) Desert/Mountain Charter SELPA Steering Committee Meeting was called to order by Chairperson Jenae Holtz, at 1:01 p.m., at the Desert/Mountain Educational Service Center, Apple Valley. The Meeting Agenda for June 13, 2019 and the Meeting Minutes for May 9, 2019 were adopted as presented.

2.0 COMMITTEE MEMBERS COMMENTS/REPORTS

None.

3.0 DIRECTORS OF EDUCATION REPORTS

None.

4.0 CHIEF EXECUTIVE OFFICER’S REPORTS

4.1 Legislative Updates

Jenae Holtz presented the assembly and state bill summaries provided by State SELPA.

Jenae highlighted Assembly Bill (AB) 8 Pupil Health: Mental Health Professionals will likely to go into effect December 31, 2024. This bill pertains to LEAs having at least one mental health professional generally accessible to pupils on campus during school hours. Jenae said a charter school receiving mental health services from Desert/Mountain Children’s Center meets the requirements of the bill. She said if a copy of the Memorandum of Understanding (MOU) is needed, email her. Jenae continued that charter schools that are contracting with a nonpublic agency

California Association of Health and Education Linked Professions
Joint Powers Authority (CAHELP JPA)
DESERT/MOUNTAIN CHARTER SELPA STEERING COMMITTEE MEETING
June 13, 2019
MINUTES

(NPA) provider for mental health services should meet the requirements of the bill depending on the number of students and how often the mental health professional is at the school site.

- AB 197 Full-Day Kindergarten – this bill is in the first-read status. It will affect charter schools if they do not have all day kindergarten beginning 2022-23 school year. It will require a minimum school day to be the same number of minutes that is offered to pupils in first grade.
- AB 1651 Licensed Educational Psychologists; Supervision of Associates and Trainees – allows marriage and family therapists, social workers, and licensed professional clinical counselors to have hours supervised by licensed educational psychologists.
- SB 223 Pupil Health: Administration of Medical Cannabis: School Sites – this is one to watch. It will allow a parent or guardian of a pupil to possess and administer to the pupil who is a qualified patient entitled to the protections of the Compassionate Use Act of 1996 medicinal cannabis, excluding cannabis in a smokable or vapable form, at a school site. It will allow for pill form or chewable medicinal cannabis.
- SB 419 Pupil Discipline: Suspensions: Willful Defiance – The current law prohibits the suspension of a pupil enrolled in kindergarten or any of grades 1 through 3, inclusive, and recommending the expulsion of a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, for disrupting school activities or otherwise willfully defying the valid authority of those school personnel engaged in the performance of their duties. This bill will allow those provisions also in charter schools.
- SR 37 Relative to the Day of the Teacher – This measure has been adopted and proclaims May 8 as Day of the Teacher.

Jenae also shared information on a Request for Application (RFA) for a preschool grant. The subject is inclusive early education expansion program grant announcement. Jenae continued that it is a great grant to look at if interested in the preschool program. It has been established for the purpose of increasing access to inclusive early childhood programs in low income and high need communities for children with disabilities including children with severe disabilities. The grant period begins November 19, 2019 and ends June 30, 2023. Jenae said it is a competitive process.

Debbie Tarver shared AB 1505 and AB 1507 have passed. In regards to AB 1505, the task force has already met and has started their report.

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Jenae said the charter schools won the bill on the appeal process in denial of applications. For now, the process remains that the appeal is submitted to the district, then to the county and finally to the state, if needed.

Debbie added that there may be a state level oversight panel created. The final decision on AB 1505 will be made in July. Because Measure EE did not pass so there could be more pressure placed on the senate.

4.2 School Services of California – Fiscal Report

Jenae reported this item no longer applies. In the state budget revise, there was pressure on equalizing special education funding but it met with opposition. Jenae continued that the latest revision has not been signed but the lowest level SELPAs have been brought to the medium level. This helps D/M SELPA but does not impact the D/M Charter SELPA because we are already at the medium level.

4.3 Special Education Inter-District Transfer Procedure

Jenae Holtz shared that the inter-district transfer procedure does apply to some degree to D/M Charter SELPA but more so to D/M SELPA. This applies to districts that have Memorandums of Understanding (MOU) with districts to bridge the gap to provide FAPE. She continued that local charters that require FAPE from a district will use one form which is the Special Education Inter-District Transfer form. Some adjustments have been made and it is a simple form to use.

4.4 Memorandums of Understanding (MOU) with School Districts

Jenae Holtz reported that one of the D/M Charter SELPA schools is receiving many students that are Deaf and Hard of Hearing (DHH). The school does not have the programs to support the students' special education needs so FAPE must be provided with a district. Jenae has reviewed many MOUs and has decided to contact our attorney Megan Moore who will draft an MOU to share in August. Ms. Moore will ask the members to sign a waiver of consent so there is no conflict of interest. Jenae added that Ms. Moore will be contacting the directors regarding the waiver. Jenae concluded that LEAs must enroll a child even if there is not a program onsite to serve them.

4.5 Assembly Bill (AB) 1651 – Licensed Educational Psychologists: Supervision of Associates and Trainees

Jenae stated that AB 1651 was covered in agenda item 4.1. She concluded the entire bill is included in the meeting materials for review.

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4.6 CASEMIS 2 CALPADS Training

Colette Garland presented the CASEMIS 2 CALPADS Training flyer. The training will be on September 16, 2019, 9:00 a.m. to 12:00 p.m. Colette encouraged the directors to allow their MIS contacts and staff that work in CALPADS to attend.

Jenae Holtz emphasized that it is critical for LEA staff to attend the training.

4.7 D/M Charter SELPA Policy and Procedure, Chapters 12 and 22

Jenae Holtz reported that changes have been made in the low incidence funding policy for D/M SELPA because Desert Mountain Operations will be handling a majority of the process for children that are deaf and hard of hearing. In reviewing the policy, the D/M Charter SELPA policy also needed to be updated. The chapter was updated to include clarification regarding Low Incidence Equipment purchase pre-approval; update Appendix A for change in point-of-contact for Assistive Technology referrals; and update Appendix B for teacher responsibilities regarding Low Incidence Equipment. Jenae said some language has been changed since there is no longer a coordinator. She concluded the changes will be presented to Governance in September for approval.

5.0 DIRECTOR'S REPORTS

5.1 Desert/Mountain Children's Center Clients Services Reports

Jenae Holtz reported the monthly DMCC Client Services reports are included in the individual LEA folders as applicable. Jenae asked for any changes or questions to be reported to her or Linda Llamas.

6.0 PROGRAM MANAGER'S REPORTS

6.1 Professional Learning Summary

Heidi Chavez provided year to date professional learning summary. She reported that she has spoken to many of the directors about trainings for 2019-20. Heidi asked to be contacted with concerns and questions.

6.2 Resolution Support Services Summary

Kathleen Peters reminded the directors that each LEA has \$5000 towards independent educational evaluations (IEEs). Sometimes in settlements, the LEA is required to provide an IEE. The money also goes towards IEEs provided outside of due process.

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Jenae Holtz verified that it is \$5000 per year, not per IEE. She continued that the LEAs must submit for reimbursement.

Kathleen reported that in a recent case, a parent who did not have educational rights participated in IEPs and helped make decisions but did not identify himself properly to the school even though he has permission from parent who did have educational rights. Kathleen said a brief letter to the school stating the person is acting in the stead of the parent for the educational decisions and in participation for the IEP. D/M SELPA also has a Parent Appointment of Educational Representative Form DM 104.P that can be submitted to the school. Kathleen continued that when the family filed for due process rights, many issues came to light that should have been identified prior: child's address, who lived in the home, who had educational rights. The participant in this instance had a criminal background and did not have permission to be in the vicinity of the child but was participating in the educational process. Kathleen said it is important for the school policies to align with the laws governing student safety: attendance, who participates, screening visitors, discipline, grading, etc. The school did not have many policies and that can become an issue in due process.

Kathleen reminded the committee to turn off fax machines while on break. The timeline on due process filings starts as soon as the document is received. She also said to not open emails from unknown senders.

6.3 PBIS Year End Data

Natalie Sedano presented PBIS Year End Data. She said that the PBIS has grown in all three tiers and is above the state average.

6.4 Universal Screening Overview Flyer

Natalie Sedano presented the training flyer for *The Role of Universal Screening in Tiered Systems of Support Overview*. She said it is regarding being preventive instead of reactive when screening students. The training is on August 21, 2019 from 12:30 p.m. to 3:30 p.m.

6.5 Compliance Update

Colette Garland provided updated on Compliance as follows:

Prong II – No charter schools were identified.

Performance Indicator Review (PIR) – Peggy Dunn is working on the PIRs now and has received everything for the D/M Charter SELPA. Those will go to Jenae

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Holtz for review then will be submitted to CDE. Colette does not expect to hear from CDE until October or November.

Personnel Data Reports (PDR) – All PDRs have been submitted to Colette and will be submitted to CDE.

CASEMIS to CALPADS Training (C2C) – C2C training is scheduled for September 16 and is extremely important to attend.

Colette said CDE asked for a volunteer to test C2C software in July and Debbie Tarver has agreed be the volunteer. CDE is asking for a backup that has CALPADS access.

Eric Buries volunteered Encore - High Desert to be the back-up.

Jenae Holtz shared that she has started reading the PIRs. She has seen that if the root cause is a coding error, it is not being documented. Jenae said it is important for CDE to see that it is a coding error. She continued that minor adjustments are being made instead of sending them back to the LEAs. Once the changes are made, Peggy Dunn will send a copy back to the LEA. If the LEA wants to make their own adjustments, notify Peggy.

Jenae reported that disproportionality self-review information will be coming.

6.6 Nonpublic School/Nonpublic Agency Update

Jenae Holtz stated there are more contracts with nonpublic agencies this year for services like speech and language and OT/PT. Jenae said the services are not funded by the SELPA but the SELPA can assist in contracting with providers and can sometimes get a better rate if multiple LEAs are using the services.

Colette Garland said that nonpublic agencies must be certified with CDE for the specific services that are being contracted.

7.0 BUSINESS DEPARTMENT REPORTS

None.

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8.0 PROGRAM SPECIALISTS' REPORTS

8.1 Adapting Curriculum: Engaging All Learners Through Universal Design for Learning

Jenae Holtz presented the flyer for Adapting Curriculum: Engaging All Learners Through Universal Design for Learning (UDL). She said it is a great opportunity that is scheduled for September 26, 2019 and includes lunch. It is a great opportunity for teachers to learn to adapt curriculum through the use of UDL.

9.0 INFORMATION ITEMS

9.1 June Pupil Count Memo

9.2 Monthly Occupational & Physical Therapy Services Reports

9.3 Upcoming Professional Learning Opportunities

10.0 MOTIVATION AND INSPIRATION

Jenae Holtz shared a video, "TED Talk, Kids Need a Champion, Rita Pierson".

11.0 OTHER

None.

12.0 ADJOURNMENT

NEXT MEETING: AUGUST 22, 2019 IN THE DESERT MOUNTAIN EDUCATIONAL SERVICE CENTER, APPLE VALLEY

Individuals requiring special accommodations for disabilities are requested to contact Jamie Adkins at (760) 955-3555, at least seven days prior to the date of this meeting.

Tracked Bills Thursday, July 11, 2019

[AB 6](#)

([Reyes D](#)) Early childhood education: Early Childhood Education Branch.

Current Text: Amended: 4/2/2019 [html](#) [pdf](#)

Introduced: 12/3/2018

Last Amend: 4/2/2019

Status: 7/9/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 0.) (July 8). Re-referred to Com. on APPR.

Summary: Would establish in the State Department of Education, on or before January 1, 2021, the Early Childhood Education Branch, in order to ensure a holistic implementation of early childhood education programs and universal preschool. The bill would require the office to have specified responsibilities, including the responsibility of coordinating services with the State Department of Social Services and the California Health and Human Services Agency to ensure that social and health services are provided to children in early childhood education programs. The bill would express the intent of the Legislature to adequately finance the Early Childhood Education Branch when it is established.

Position

Watch

[AB 8](#)

([Chu D](#)) Pupil health: mental health professionals.

Current Text: Amended: 5/16/2019 [html](#) [pdf](#)

Introduced: 12/3/2018

Last Amend: 5/16/2019

Status: 7/8/2019-In committee: Hearing postponed by committee.

Summary: Would require, on or before December 31, 2024, a school of a school district or county office of education and a charter school to have at least one mental health professional, as defined, for every 600 pupils generally accessible to pupils on campus during school hours. The bill would require, on or before December 31, 2024, a school of a school district or county office of education and a charter school with fewer than 600 pupils to have at least one mental health professional generally accessible to pupils on campus during school hours, to employ at least one mental health professional to serve multiple schools, or to enter into a memorandum of understanding with a county agency or community-

Position

Watch

[AB 39](#)

([Muratsuchi D](#)) Education finance: local control funding formula: aspirational funding level: reports.

Current Text: Amended: 5/8/2019 [html](#) [pdf](#)

Introduced: 12/3/2018

Last Amend: 5/8/2019

Status: 6/24/2019-In committee: Referred to APPR. suspense file.

Summary: Current law requires funding pursuant to the local control funding formula to include, in addition to a base grant, supplemental and concentration grant add-ons that are based on the percentage of pupils who are English learners, foster youth, or eligible for free or reduced-price meals, as specified, served by the county superintendent of schools, school district, or charter school. Current law specifies the amount of the base grant in the 2013-14 fiscal year, as provided, and requires that amount to be adjusted for changes in cost of living in subsequent fiscal years. This bill would express the intent of the Legislature to increase the base grants to amounts equal to the national average per-pupil funding level, as provided.

Position

[AB 48](#)

([O'Donnell D](#)) Education finance: school facilities: Kindergarten-Community Colleges Public Education Facilities Bond Acts of 2020 and 2022.

Current Text: Amended: 7/8/2019 [html](#) [pdf](#)

Introduced: 12/3/2018

Last Amend: 7/8/2019

Status: 7/8/2019-Read second time and amended. Re-referred to Com. on APPR.

Summary: The Leroy F. Greene School Facilities Act of 1998 provides for the adoption of rules, regulations, and procedures, under the administration of the Director of General Services, for the allocation of state funds by the State Allocation Board for the construction and modernization of public school facilities. This bill would add provisions to the act to require the Department of General Services to process, and present to the State Allocation Board, all applications received under the act on and after July 1, 2020, within 120 days of receipt of the application. The bill would require applicants for

bond funding to supply designated information to the State Department of Education.

Position

Notes 1: Staff: Sophia Kwong Kim, Chief of Staff, Sophia.Kwong@asm.ca.gov

AB 70

(Berman D) Mental health in schools.

Current Text: Introduced: 12/3/2018 [html](#) [pdf](#)

Introduced: 12/3/2018

Status: 5/3/2019-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 12/3/2018) (May be acted upon Jan 2020)

Summary: Would state the intent of the Legislature to enact legislation that would support youth mental health in schools.

Position

AB 123

(McCarty D) Early childhood education: state preschool program: access: standards.

Current Text: Amended: 4/29/2019 [html](#) [pdf](#)

Introduced: 12/3/2018

Last Amend: 4/29/2019

Status: 7/10/2019-In committee: Hearing postponed by committee.

Summary: Would, commencing with the 2020–21 fiscal year, and notwithstanding any other law, authorize a provider operating a state preschool program within the attendance boundary of a public school, except as provided, where at least 70% of enrolled pupils are eligible for free or reduced-price meals, to enroll 4-year-old children meeting specified priorities. The bill would authorize any remaining slots to be open for enrollment to any other families not otherwise eligible, as provided. The bill would prohibit a state preschool classroom from exceeding 24 children.

Position

AB 125

(McCarty D) Early childhood education: reimbursement rates.

Current Text: Amended: 6/18/2019 [html](#) [pdf](#)

Introduced: 12/3/2018

Last Amend: 6/18/2019

Status: 7/10/2019-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 7. Noes 0.) (July 10). Re-referred to Com. on APPR.

Summary: The Child Care and Development Services Act establishes a system of childcare and development services for children up to 13 years of age. Current law requires the Superintendent of Public Instruction to implement a plan that establishes reasonable standards and assigned reimbursement rates, which vary with the length of the program year and the hours of service. Current law requires the reimbursement system to be submitted to the Joint Legislative Budget Committee. This bill would require the Superintendent to implement a reimbursement system plan that establishes reasonable standards and assigned reimbursement rates that would vary with additional factors, including a quality adjustment factor to address the cost of staffing ratios, as provided.

Position

AB 167

(Rubio, Blanca D) Childcare and development services: infants and toddlers: state funding.

Current Text: Amended: 4/3/2019 [html](#) [pdf](#)

Introduced: 1/8/2019

Last Amend: 4/3/2019

Status: 5/17/2019-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/8/2019)(May be acted upon Jan 2020)

Summary: Would create the California Partnership for Infants and Toddlers, and would provide that a state grant to support the partnership shall be made available and distributed, upon appropriation by the Legislature, to qualifying childcare and development programs and family childcare home education networks that serve infants and toddlers from birth to 3 years of age at a supplemental grant amount of \$4,000 annually per child.

Position

AB 189

(Kamlager-Dove D) Child abuse or neglect: mandated reporters: autism service personnel.

Current Text: Amended: 5/7/2019 [html](#) [pdf](#)

Introduced: 1/10/2019

Last Amend: 5/7/2019

Status: 7/1/2019-In committee: Referred to APPR. suspense file.

Summary: the Child Abuse and Neglect Reporting Act, requires a mandated reporter, as defined, to report whenever they, in their professional capacity or within the scope of their employment, have knowledge of or observed a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. This bill would add qualified autism service providers, qualified autism service professionals, and qualified autism service paraprofessionals, as defined, to the list of individuals who are mandated reporters.

Position

[AB 190](#) (Ting D) Budget Act of 2019.

Current Text: Amended: 5/29/2019 [html](#) [pdf](#)

Introduced: 1/10/2019

Last Amend: 5/29/2019

Status: 5/31/2019-Re-referred to Com. on BUDGET.

Summary: This bill would make appropriations for the support of state government for the 2019–20 fiscal year.

Position

[AB 194](#) (Reyes D) Childcare and development services.

Current Text: Amended: 3/19/2019 [html](#) [pdf](#)

Introduced: 1/10/2019

Last Amend: 3/19/2019

Status: 6/26/2019-Withdrawn from committee. Re-referred to Com. on GOV. & F.

Summary: Would provide that \$1,000,000,000 shall be made available, upon appropriation by the Legislature, to immediately improve access to alternative payment programs and general childcare and development programs.

Position

[AB 197](#) (Weber D) Full-day kindergarten.

Current Text: Amended: 5/17/2019 [html](#) [pdf](#)

Introduced: 1/10/2019

Last Amend: 5/17/2019

Status: 7/1/2019-In committee: Referred to APPR. suspense file.

Summary: Would require, commencing with the 2022–23 school year, schools in school districts offering kindergarten and charter schools serving pupils in early primary grades to implement at least 1 full-day kindergarten program, thereby imposing a state-mandated local program. The bill would provide that a minimum schoolday for full-day kindergarten is the same number of minutes per schoolday that is offered to pupils in 1st grade.

Position

Watch

[AB 216](#) (Weber D) Pupil discipline: restraint and seclusion.

Current Text: Amended: 4/9/2019 [html](#) [pdf](#)

Introduced: 1/15/2019

Last Amend: 4/9/2019

Status: 4/26/2019-Failed Deadline pursuant to Rule 61(a)(2). (Last location was ED. on 3/28/2019) (May be acted upon Jan 2020)

Summary: Would limit an educational provider’s use of seclusion or behavioral restraint to only control unpredictable and spontaneous behavior by a pupil that poses a clear and present danger of serious physical harm to the pupil or others, and when the behavior cannot be immediately prevented by a response that is less restrictive. The bill would require local educational agencies and nonpublic schools and agencies to implement positive behavioral intervention and supports, as defined, on all schoolsites, and would prohibit an educational provider from using seclusion or behavioral restraint before the provider receives emergency behavioral intervention training.

Position

[AB 236](#) (Garcia, Eduardo D) Special education programs: Family Empowerment Centers on Disability.

Current Text: Amended: 3/20/2019 [html](#) [pdf](#)

Introduced: 1/18/2019

Last Amend: 3/20/2019

Status: 7/1/2019-In committee: Referred to APPR. suspense file.

Summary: Would revise and recast provisions related to Family Empowerment Centers on Disability, including requiring the State Department of Education to give priority to grant applicants in those of the 32 regions in the state that do not have a center, increasing the minimum base rate for each center awarded a grant from \$150,000 to \$237,000 commencing with the start of the fiscal year after a center has been established in each of the 32 regions, and, commencing with the 2022–23 fiscal year, providing for an annual cost-of-living adjustment of the grant amount, as specified. The bill would also increase the base amount to be made available annually to the council from \$150,000 to \$237,000.

Position

Support

AB 258 (Jones-Sawyer D) Pupil health: School-Based Pupil Support Services Program Act.

Current Text: Amended: 4/1/2019 [html](#) [pdf](#)

Introduced: 1/23/2019

Last Amend: 4/1/2019

Status: 7/3/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 0.) (July 3). Re-referred to Com. on APPR.

Summary: The Healthy Start Support Services for Children Act requires the Superintendent of Public Instruction to award grants to local educational agencies or consortia to fund programs in qualifying schools that provide support services, which include case-managed health, mental health, social, and academic support services, to eligible pupils and their families. This bill would state the intent of the Legislature to enact legislation that would increase in-school support services to pupils in order to break down barriers to academic success.

Position

AB 324 (Aguiar-Curry D) Childcare services: state-subsidized childcare: professional support stipends.

Current Text: Amended: 6/27/2019 [html](#) [pdf](#)

Introduced: 1/30/2019

Last Amend: 6/27/2019

Status: 7/9/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 0.) (July 8). Re-referred to Com. on APPR.

Summary: Current law requires that moneys in a specified item of the Budget Act of 2000 be allocated to local child care and development planning councils based on the percentage of state-subsidized, center-based childcare funds received in the county in which the council is located, and requires that these funds be used to address the retention of qualified childcare employees in state-subsidized childcare centers. Current law authorizes these funds, and other specified funds, appropriated for these purposes, to be used in the County of Los Angeles if specified requirements met. This bill would instead require these funds to be used to address the professional support of qualified childcare employees in state-subsidized childcare centers.

Position

AB 347 (Choi R) Preschool: privately funded pilot program: tax credits.

Current Text: Amended: 3/19/2019 [html](#) [pdf](#)

Introduced: 2/4/2019

Last Amend: 3/19/2019

Status: 4/26/2019-Failed Deadline pursuant to Rule 61(a)(2). (Last location was REV. & TAX on 2/28/2019)(May be acted upon Jan 2020)

Summary: The Child Care and Development Services Act, administered by the State Department of Education, requires the Superintendent of Public Instruction to administer childcare and development programs that offer a full range of services for eligible children from infancy to 13 years of age. Current law requires the Superintendent to administer all California state preschool programs, including, but not limited to, part-day and full-day age and developmentally appropriate programs for 3- and 4-year-old children. This bill would, until January 1, 2025, authorize the department, as part of a pilot program, to accept monetary contributions made to the California Preschool Investment Fund, which this bill would create, by a person for purposes of preschool education, as provided.

Position

AB 385 (Calderon D) Medi-Cal: Early and Periodic Screening, Diagnosis, and Treatment mental health services: performance outcomes system: platform.

Current Text: Amended: 4/23/2019 [html](#) [pdf](#)

Introduced: 2/5/2019

Last Amend: 4/23/2019

Status: 5/17/2019-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/8/2019)(May be acted upon Jan 2020)

Summary: Existing law requires the State Department of Health Care Services, in collaboration with the California Health and Human Services Agency and in consultation with the Mental Health Services Oversight and Accountability Commission, to create a plan for a performance outcomes system for EPSDT mental health services, as specified. This bill would require the department to develop a platform, update an existing platform, or integrate with an existing platform, capable of automating the collection of data from a functional assessment tool that is established pursuant to the department's performance outcomes system plan.

Position

[AB 428](#) (Medina D) Special education funding.

Current Text: Introduced: 2/7/2019 [html](#) [pdf](#)

Introduced: 2/7/2019

Status: 6/24/2019-In committee: Referred to APPR. suspense file.

Summary: Current law requires the Superintendent of Public Instruction to determine the amount of funding to be provided for each special education local plan area in accordance with specified calculations. Current law requires the Superintendent, for the 2013-14 fiscal year, to compute an equalization adjustment for each special education local plan area for purposes of increasing the funding rates for special education local plan areas with funding rates below the 90th percentile, as specified. This bill would increase that percentile to the 95th percentile and would require the Superintendent to compute that equalization adjustment commencing with the first fiscal year after funds are apportioned pursuant to a specified formula and for each fiscal year thereafter in which an equalization appropriation is made, as specified.

Position

Support

[AB 525](#) (Rivas, Luz D) Teacher credentialing.

Current Text: Amended: 3/18/2019 [html](#) [pdf](#)

Introduced: 2/13/2019

Last Amend: 3/18/2019

Status: 6/27/2019-From Consent Calendar. Ordered to third reading.

Calendar: 7/11/2019 #134 SENATE ASSEMBLY BILLS - THIRD READING FILE

Summary: Would require the Commission on Teacher Credentialing to periodically provide reports and recommendations to the Legislature regarding the state's teacher workforce for purposes of developing and reviewing state policy, identifying workforce trends, and identifying future needs.

Position

[AB 598](#) (Bloom D) Hearing aids: minors.

Current Text: Amended: 7/2/2019 [html](#) [pdf](#)

Introduced: 2/14/2019

Last Amend: 7/2/2019

Status: 7/2/2019-Read second time and amended. Re-referred to Com. on APPR.

Summary: Would require a health care service plan contract or a health insurance policy issued, amended, or renewed on or after July 1, 2020, to include coverage for hearing aids, as defined, for an enrollee or insured under 18 years of age. The bill would require the coverage to be performed by contracted providers, except as specified. The bill would require the contracted providers to include a pediatric audiologist for children under 5 years of age. The bill would require hearing aids covered under the bill to be subject to the cost sharing imposed by the plan contract or health insurance policy for durable medical equipment, as specified.

Position

Support

[AB 605](#) (Maienschein D) Special education: assistive technology devices.

Current Text: Amended: 4/3/2019 [html](#) [pdf](#)

Introduced: 2/14/2019

Last Amend: 4/3/2019

Status: 7/5/2019-Withdrawn from Engrossing and Enrolling. Ordered to the Senate. In Senate. Held at Desk.

Summary: Would require a local educational agency, including a charter school, as defined, to provide, on a case-by-case basis pursuant to federal law, the use of school-purchased assistive technology devices in a child's home or in other settings if the child's individualized education program team determines that the child needs access to those devices in order to receive a free appropriate public

education. The bill would also require a local educational agency to be responsible for providing an individual with exceptional needs who requires the use of an assistive technology device with continued access to that device, or to a comparable device when that individual, due to graduation or enrollment in another local educational agency, ceases to be enrolled in that local educational agency.

Position

Watch

[AB 666](#) (Gabriel D) Pupil mental health: model referral protocols.

Current Text: Amended: 4/11/2019 [html](#) [pdf](#)

Introduced: 2/15/2019

Last Amend: 4/11/2019

Status: 5/17/2019-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/24/2019)(May be acted upon Jan 2020)

Summary: Would require the State Department of Education to develop model referral protocols, as provided, for addressing pupil mental health concerns. The bill would require the department to consult with various entities in developing the protocols, including current classroom teachers and administrators. The bill would require the department to post the model referral protocols on its internet website. The bill would make these provisions contingent upon funds being appropriated for its purpose in the annual Budget Act or other legislation, or state, federal, or private funds being allocated for this purpose.

Position

[AB 713](#) (Mullin D) Early Psychosis Intervention Plus (EPI Plus) Program.

Current Text: Amended: 3/28/2019 [html](#) [pdf](#)

Introduced: 2/19/2019

Last Amend: 3/28/2019

Status: 6/13/2019-In committee: Set, first hearing. Hearing canceled at the request of author.

Summary: Current law establishes the Early Psychosis and Mood Disorder Detection and Intervention Fund, and authorizes the commission to allocate moneys from that fund to provide grants through a competitive selection process to counties or other entities to create, or expand existing capacity for, early psychosis and mood disorder detection and intervention services and supports. Current law requires the commission to adopt regulations to implement these provisions, but provide that the adoption of those regulations and the implementation of the grant program are contingent upon the deposit into the fund of at least \$500,000 in nonstate funds for those purposes. Current law prohibits funds from being appropriated from the General Fund for purposes of these provisions. This bill would delete that prohibition on General Fund moneys being appropriated for purposes of those provisions and would delete the requirement that the minimum \$500,000 deposit be from nonstate funds.

Position

[AB 741](#) (Kalra D) Early and Periodic Screening, Diagnosis, and Treatment Program: trauma screening.

Current Text: Amended: 3/28/2019 [html](#) [pdf](#)

Introduced: 2/19/2019

Last Amend: 3/28/2019

Status: 5/17/2019-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/8/2019)(May be acted upon Jan 2020)

Summary: Current law requires the State Department of Health Care Services to convene an advisory working group to update, amend, or develop, if appropriate, tools and protocols for the screening of children for trauma, within the EPSDT benefit. Current law requires that the group be disbanded on December 31, 2019, and requires, on or before May 1, 2019, the department to identify an existing advisory working group to periodically review and consider the protocols for the screening of trauma in children at least once every 5 years, or upon the request of the department. This bill would require the department, in order to ensure the success and sustainability of trauma screenings for children as part of the EPSDT benefit, to provide trainings for certain personnel, including, among other things, instruction on how to identify and make appropriate referrals for patients who have tested positive in trauma screenings.

Position

[AB 743](#) (Garcia, Eduardo D) Pupil health: self-administration of prescribed asthma medication.

Current Text: Enrollment: 7/8/2019 [html](#) [pdf](#)

Introduced: 2/19/2019

Last Amend: 4/22/2019

Status: 7/8/2019-Enrolled and presented to the Governor at 3:30 p.m.

Summary: Would require a school district to accept a written statement provided by a physician or surgeon relating to a pupil carrying and self-administering inhaled asthma medication, from a physician or surgeon who is contracted with a prepaid health plan operating lawfully under the laws of Mexico that is licensed as a health care service plan in this state. The bill would require that written statement to be provided in both English and Spanish and to include the name and contact information for the physician or surgeon.

Position

[AB 751](#) (O'Donnell D) Pupil assessments: Pathways to College Act.

Current Text: Introduced: 2/19/2019 [html](#) [pdf](#)

Introduced: 2/19/2019

Status: 6/19/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 1.) (June 19). Re-referred to Com. on APPR.

Summary: Would require, pursuant to specified provisions of the federal Elementary and Secondary Education Act, the Superintendent of Public Instruction to approve a nationally recognized high school assessment that a local educational agency, as defined, may, at its own discretion, administer, if the alternative assessment is approved by the local educational agency's governing board or body in a public meeting, commencing with the 2021-22 school year, and each school year thereafter, in lieu of the consortium summative assessment in English language arts and mathematics for grade 11.

Position

[AB 760](#) (Cooper D) Education finance: local control funding formula: pupil transportation: cost-of-living adjustment and add-on.

Current Text: Amended: 3/18/2019 [html](#) [pdf](#)

Introduced: 2/19/2019

Last Amend: 3/18/2019

Status: 4/26/2019-Failed Deadline pursuant to Rule 61(a)(2). (Last location was ED. on 3/14/2019) (May be acted upon Jan 2020)

Summary: Would, commencing with the 2019-20 fiscal year, require the amount of funds received for specified pupil transportation programs to be adjusted by a specified cost-of-living calculation, and would require the Superintendent of Public Instruction to compute an add-on to the total sum of a county superintendent of schools', school district's, or charter school's base, supplemental, and concentration grants in accordance with a certain formula to incrementally equalize pupil transportation program funding to 90% of the approved cost expenditures of the county superintendent of schools's, school district's, and charter school's pupil transportation programs.

Position

[AB 875](#) (Wicks D) Pupil health: in-school support services.

Current Text: Amended: 4/11/2019 [html](#) [pdf](#)

Introduced: 2/20/2019

Last Amend: 4/11/2019

Status: 6/17/2019-In committee: Hearing postponed by committee.

Summary: The Healthy Start Support Services for Children Act establishes the Healthy Start Support Services for Children Program Council, specifies the members of the council, and provides for the duties of the council, which include assisting a local educational agency or consortium with local technical assistance, as provided. The act authorizes a local educational agency or consortium to contract with other entities, including county agencies and private nonprofit organizations or private partners, to provide services to pupils and their families. This bill would revise the list of entities that qualify for a grant and the eligibility criteria for a grant, as provided. The bill would rename the council to the Healthy Start Support Services for Children Initiative Council and would revise its membership.

Position

[AB 898](#) (Wicks D) Early and Periodic Screening, Diagnostic, and Treatment services: behavioral health.

Current Text: Amended: 6/13/2019 [html](#) [pdf](#)

Introduced: 2/20/2019

Last Amend: 6/13/2019

Status: 6/24/2019-In committee: Referred to APPR. suspense file.

Summary: Would require the California Health and Human Services Agency, under the oversight of the Secretary of California Health and Human Services or their designee, to convene, by March 30, 2020, and monthly thereafter, the Children's Behavioral Health Action Team, which would consist of no fewer than 30 individuals, including the Director of Health Care Services, Director of Social Services, the Director of Managed Health Care, and representatives from community-based behavioral health

agencies, to maximize the Medi-Cal program's investment in the social, emotional, and developmental health and well-being of children in California who receive health care through the Medi-Cal program.

Position

Support

AB 918 (Smith D) Local educational agencies: mental health professionals.

Current Text: Amended: 4/4/2019 [html](#) [pdf](#)

Introduced: 2/20/2019

Last Amend: 4/4/2019

Status: 5/17/2019-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/24/2019)(May be acted upon Jan 2020)

Summary: Would require the State Department of Education, on or before November 1, 2020, in coordination with other relevant state and local agencies, to develop and submit recommendations to the Legislature and the Governor to develop a system through which qualified mental health professionals and other key school personnel employed by local educational agencies throughout the state could be rapidly deployed on a short- or long-term basis to an area of the state that has experienced a natural disaster or other traumatic event, in order to provide support to pupils and staff.

Position

AB 947 (Quirk-Silva D) Visually impaired pupils: expanded core curriculum.

Current Text: Amended: 4/2/2019 [html](#) [pdf](#)

Introduced: 2/20/2019

Last Amend: 4/2/2019

Status: 6/24/2019-In committee: Referred to APPR. suspense file.

Summary: Would express legislative findings and declarations relating to the need for blind or visually impaired pupils to receive instruction in the expanded core curriculum. The bill would authorize school districts, county offices of education, and charter schools to consider elements of the expanded core curriculum when developing individualized education programs for a pupil who is blind, has low vision, or is visually impaired.

Position

AB 988 (Berman D) Teacher credentialing: out-of-state prepared teachers: education specialist credential.

Current Text: Enrollment: 7/8/2019 [html](#) [pdf](#)

Introduced: 2/21/2019

Last Amend: 4/4/2019

Status: 7/8/2019-Enrolled and presented to the Governor at 3:30 p.m.

Summary: Would authorize the Commission on Teacher Credentialing to allow an applicant for an education specialist credential to demonstrate the area of concentration based on 2 years of experience in California, while the candidate holds the preliminary credential. The bill would also make nonsubstantive changes in this provision.

Position

Support

AB 996 (Bigelow R) Special education: pilot program.

Current Text: Introduced: 2/21/2019 [html](#) [pdf](#)

Introduced: 2/21/2019

Status: 4/26/2019-Failed Deadline pursuant to Rule 61(a)(2). (Last location was ED. on 3/7/2019)(May be acted upon Jan 2020)

Summary: Would, until January 1, 2023, would establish a pilot program to be administered by the county offices of education in the Counties of El Dorado, Monterey, Sacramento, San Diego, and Sonoma to improve the social and behavioral skills of pupils who are autistic or have other special needs, as specified. The bill would require those county offices of education and school districts to submit a specified report to the Assembly Budget Subcommittee 2 on Education Finance no later than January 1, 2022.

Position

AB 1004 (McCarty D) Developmental screening services.

Current Text: Amended: 7/8/2019 [html](#) [pdf](#)

Introduced: 2/21/2019

Last Amend: 7/8/2019

Status: 7/8/2019-Read second time and amended. Re-referred to Com. on APPR.

Summary: Current federal law provides that EPSDT services include periodic screening services, vision services, dental services, hearing services, and other necessary services to correct or ameliorate defects and physical and mental illnesses and conditions discovered by the screening services, whether or not the services are covered under the state plan. This bill would require, consistent with federal law, that screening services provided as an EPSDT benefit include developmental screening services for individuals zero to 3 years of age, inclusive, and would require Medi-Cal managed care plans to ensure that providers who contract with these plans render those services in conformity with specified standards.

Position

AB 1075 (Holden D) California State University: speech-language pathologist programs.

Current Text: Amended: 5/16/2019 [html](#) [pdf](#)

Introduced: 2/21/2019

Last Amend: 5/16/2019

Status: 7/8/2019-In committee: Referred to APPR. suspense file.

Summary: Current law establishes the California State University, under the administration of the Trustees of the California State University, as one of the segments of public postsecondary education in this state. The California State University comprises 23 institutions of higher education throughout the state, and the Chancellor of the California State University serves as the university's chief executive officer. This bill would provide, contingent upon the enactment of an appropriation for this purpose to the trustees from the General Fund for the 2019–20 fiscal year, for allocation of those funds by the chancellor through competitive grants to speech-language pathologist programs at campuses of the university, as specified.

Position

AB 1119 (Garcia, Eduardo D) Teacher and Substitute Shortage Workgroup: small school districts.

Current Text: Amended: 4/11/2019 [html](#) [pdf](#)

Introduced: 2/21/2019

Last Amend: 4/11/2019

Status: 5/17/2019-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/24/2019)(May be acted upon Jan 2020)

Summary: Would require the Commission on Teacher Credentialing to establish a Teacher and Substitute Shortage Workgroup to identify steps that can be taken to improve both the substitute pool and the qualified teacher workforce in small school districts, defined as a school district with fewer than 2,501 units of average daily attendance. The bill would require the workgroup to examine, at a minimum, current laws and regulations governing the issuance of substitute permits and recommend changes to those laws and regulations.

Position

AB 1126 (O'Donnell D) Mental Health Services Oversight and Accountability Commission.

Current Text: Amended: 4/1/2019 [html](#) [pdf](#)

Introduced: 2/21/2019

Last Amend: 4/1/2019

Status: 5/16/2019-In committee: Held under submission.

Summary: Would require the Mental Health Services Oversight and Accountability Commission, by January 1, 2021, to establish technical assistance centers and one or more clearinghouses to support counties in addressing mental health issues of statewide concern, with a focus on school mental health and reducing unemployment and criminal justice involvement due to untreated mental health issues.

Position

AB 1172 (Frazier D) Special education: nonpublic, nonsectarian schools or agencies.

Current Text: Amended: 6/24/2019 [html](#) [pdf](#)

Introduced: 2/21/2019

Last Amend: 6/24/2019

Status: 7/3/2019-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 7. Noes 0.) (July 3). Re-referred to Com. on APPR.

Summary: Current law authorizes a master contract for special education and related services provided by a nonpublic, nonsectarian school or agency only if the school or agency has been certified as meeting specified standards. Current law sets forth the certification process and procedures for the nonpublic, nonsectarian schools or agencies that seek certification from the Superintendent of Public

Instruction. This bill would instead require a contracting local educational agency to pay the full amount of the tuition or fees, as applicable, for individuals with exceptional needs who are enrolled in programs or receiving services provided pursuant to such a contract.

Position

AB 1214 (Melendez R) School employees: training: cardiopulmonary resuscitation.

Current Text: Amended: 6/18/2019 [html](#) [pdf](#)

Introduced: 2/21/2019

Last Amend: 6/18/2019

Status: 7/8/2019-In committee: Referred to APPR. suspense file.

Summary: Would require a school district, county office of education, or charter school to offer a course in CPR for purposes of allowing school staff and teachers to participate in CPR training that includes certain instruction. This bill would describe a course in CPR as including, but not being limited to, an individual program of professional growth that includes a basic course in CPR that includes certain instruction. By requiring local educational agencies to offer a course in CPR, the bill would impose a state-mandated local program.

Position

AB 1219 (Jones-Sawyer D) Teacher credentialing: certificated employee assignment monitoring.

Current Text: Amended: 7/1/2019 [html](#) [pdf](#)

Introduced: 2/21/2019

Last Amend: 7/1/2019

Status: 7/10/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 0.) (July 10). Re-referred to Com. on APPR.

Summary: Current law requires a county superintendent of schools to submit an annual report to the Commission on Teacher Credentialing and the State Department of Education summarizing the results of all assignment monitoring and reviews. Current law requires the commission to submit biennial reports to the Legislature concerning teacher assignments and misassignments based, in part, on the annual reports of the county superintendents of schools. This bill would repeal those provisions relating to teacher assignment monitoring. The bill would require the commission to administer a State Assignment Accountability System to provide local educational agencies with a data system for assignment monitoring.

Position

AB 1256 (Bonta D) Early childhood education: learning readiness measures: report.

Current Text: Introduced: 2/21/2019 [html](#) [pdf](#)

Introduced: 2/21/2019

Status: 4/26/2019-Failed Deadline pursuant to Rule 61(a)(2). (Last location was ED. on 3/11/2019) (May be acted upon Jan 2020)

Summary: Would require the Superintendent to provide a report to the Legislature and the Governor, no later than January 1, 2021, with recommendations to guide state policy on learning readiness measures, as provided.

Position

AB 1322 (Berman D) School-based health programs.

Current Text: Amended: 7/8/2019 [html](#) [pdf](#)

Introduced: 2/22/2019

Last Amend: 7/8/2019

Status: 7/8/2019-Read second time and amended. Re-referred to Com. on APPR.

Summary: Would require the State Department of Education to, no later than July 1, 2020, establish an Office of School-Based Health Programs for the purpose of, among other things, administering health-related programs under the purview of the State Department of Education and advising on issues related to the delivery of school-based Medi-Cal services in the state. The bill would authorize the office to form additional advisory groups, as specified, and would require the State Department of Education to make available to the office any information on other school-based dental, health, and mental health programs.

Position

AB 1337 (Maienschein D) Teaching as a Priority Block Grant program.

Current Text: Amended: 3/26/2019 [html](#) [pdf](#)

Introduced: 2/22/2019

Last Amend: 3/26/2019

Status: 4/26/2019-Failed Deadline pursuant to Rule 61(a)(2). (Last location was ED. on 3/25/2019) (May be acted upon Jan 2020)

Summary: Would establish the Teaching as a Priority Block Grant program as a competitive grant program administered by the State Department of Education with the approval of the State Board of Education. The bill would require the department to allocate funding on a per-pupil basis to schools identified for comprehensive or targeted support under federal law. The bill would require funding allocated under the program to be used for teacher recruitment and retention incentives with the goal of reducing the number of teachers on emergency permits, as provided. The bill would require the state board to submit an evaluation of the program to the Legislature by January 1, 2024.

Position

AB 1466 (Irwin D) Employee classification: professional classification: specified educational employees.

Current Text: Amended: 6/14/2019 [html](#) [pdf](#)

Introduced: 2/22/2019

Last Amend: 6/14/2019

Status: 7/9/2019-Read second time. Ordered to Consent Calendar.

Calendar: 7/11/2019 #254 SENATE CONSENT CALENDAR SECOND LEGISLATIVE DAY

Summary: Current law, Wage Order No. 4-2001 of the Industrial Welfare Commission, applies to specified professions, including professional, technical, and clerical occupations. The wage order exempts specified persons, including a person who is employed in a professional capacity who meets specified requirements. This bill would require that a person who is employed in the education field be classified as employed and therefore exempt from the wage and hour provisions of Wage Order No. 4-2001, if that person meets specified criteria, including certain salary or collective bargaining requirements.

Position

AB 1546 (Kiley R) Pupil health: mental health.

Current Text: Amended: 3/28/2019 [html](#) [pdf](#)

Introduced: 2/22/2019

Last Amend: 3/28/2019

Status: 5/17/2019-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 4/23/2019) (May be acted upon Jan 2020)

Summary: Would authorize a county mental health plan to contract with a local educational agency (LEA) to provide EPSDT services, including mental health assessments, and mental health, social work, and counseling services, to Medi-Cal eligible pupils. The bill would require the department to permit an LEA to make claims for federal financial participation directly to the department for EPSDT services, to examine methodologies for increasing LEA participation in the Medi-Cal program, and to seek federal approval to implement these provisions.

Position

Support

AB 1547 (Kiley R) Special education funding: mental health services.

Current Text: Introduced: 2/22/2019 [html](#) [pdf](#)

Introduced: 2/22/2019

Status: 5/3/2019-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/22/2019) (May be acted upon Jan 2020)

Summary: Would express the intent of the Legislature to later enact legislation that would increase the flexibility of the use of funds appropriated in the Budget Act of 2011 for providing educationally related mental health services, including out-of-home residential services for emotionally disturbed pupils, required by an individualized education program.

Position

AB 1623 (Rivas, Robert D) Teaching credential: teacher recruitment: Golden State Teacher Grant Program.

Current Text: Amended: 5/16/2019 [html](#) [pdf](#)

Introduced: 2/22/2019

Last Amend: 5/16/2019

Status: 6/25/2019-In committee: Set, first hearing. Hearing canceled at the request of author.

Summary: Would, subject to an appropriation of moneys by the Legislature, would establish the Golden State Teacher Grant Program under the administration of the commission to provide a grant to

each student enrolled in an approved teacher credentialing program who commits to working in a high-need field, as defined, for 4 years after the student receives a preliminary teaching credential. The bill would require a grant recipient to agree to repay the grant to the state in specified circumstances.

Position

AB 1624 (Rivas, Robert D) School climate: surveys: report.

Current Text: Amended: 4/11/2019 [html](#) [pdf](#)

Introduced: 2/22/2019

Last Amend: 4/11/2019

Status: 5/17/2019-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/1/2019)(May be acted upon Jan 2020)

Summary: Would require, on or before March 1, 2020, the department, in collaboration with the State Department of Health Care Services and the State Department of Public Health, to submit a report to the Legislature, the Governor, and the Department of Finance on how to monitor, using a survey, certain aspects relating to school climate, including a pupil's use of marijuana and other drugs, tobacco, and alcohol. The bill would also require the report to identify specific and ongoing funding sources that could be used to conduct the surveys, as well as a recommended implementation plan that can provide local educational agencies, including charter schools, with the tools and resources to administer annual surveys, as provided. The bill would require the department to identify those core questions in the survey that shall not be removed.

Position

AB 1651 (Medina D) Licensed educational psychologists: supervision of associates and trainees.

Current Text: Amended: 5/30/2019 [html](#) [pdf](#)

Introduced: 2/22/2019

Last Amend: 5/30/2019

Status: 6/25/2019-Read second time. Ordered to third reading.

Calendar: 7/11/2019 #122 SENATE ASSEMBLY BILLS - THIRD READING FILE

Summary: The Licensed Marriage and Family Therapist Act, the Clinical Social Worker Practice Act, and the Licensed Professional Clinical Counselor Act, provides for the licensure and regulation of the practices of marriage and family therapy, clinical social work, and professional clinical counseling, respectively, by the Board of Behavioral Sciences. Under those acts, certain unlicensed persons, including an applicant for licensure, an associate, an intern, or a trainee, are authorized to perform specified services under the supervision of a healing arts practitioner who is included in the definition of "supervisor." This bill would expand the definition of "supervisor" under each of those acts to include a licensed educational psychologist supervising the provision of educationally related mental health services. For purposes of these provisions and the provisions in paragraph (2), the bill would define "educationally related mental health services."

Position

AB 1719 (Kiley R) Special education programs: Family Empowerment Centers on Disability: grants.

Current Text: Introduced: 2/22/2019 [html](#) [pdf](#)

Introduced: 2/22/2019

Status: 4/26/2019-Failed Deadline pursuant to Rule 61(a)(2). (Last location was ED. on 3/18/2019) (May be acted upon Jan 2020)

Summary: Current law requires the State Department of Education to award grants for the establishment of Family Empowerment Centers on Disability in 32 regions in the state to provide training and services to children and young adults with disabilities and their families. Current law establishes a minimum base rate of \$150,000 for each center awarded a grant and requires a center that receives a grant to complete specified actions related to providing that training and those services. This bill would require the department to give priority to grant applicants in those of the 32 regions in the state that do not have a center.

Position

AB 1722 (Kiley R) School safety plans.

Current Text: Amended: 4/29/2019 [html](#) [pdf](#)

Introduced: 2/22/2019

Last Amend: 4/29/2019

Status: 5/17/2019-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/8/2019)(May be acted upon Jan 2020)

Summary: Would require a comprehensive school safety plan, and the school safety plan of a charter

school, to include a targeted violence prevention plan that, among other things, establishes a multidisciplinary threat assessment team of school personnel who will direct, manage, and document the threat assessment process, as prescribed. The bill would authorize, upon a preliminary determination by the threat assessment team that an individual poses a threat of violence to himself or others, any state or local agency or program that provides services to the individual to share with any other state or local agency or program records or information that are confidential or exempt from disclosure if the records or information are reasonably necessary to evaluate the threat, ensure access to appropriate services for the individual, or ensure the safety of the individual or others.

Position

AB 1739 (Medina D) Pupil health: mental health.

Current Text: Introduced: 2/22/2019 [html](#) [pdf](#)

Introduced: 2/22/2019

Status: 5/3/2019-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/22/2019) (May be acted upon Jan 2020)

Summary: Current law requires the governing board of a school district to give diligent care to the health and physical development of pupils and authorizes the governing board of a school district to employ properly certified persons for this purpose. This bill would express the intent of the Legislature to enact legislation that would promote mental health and the prevention of mental illness for California's pupils.

Position

AB 1797 (Smith D) State Department of Education: report: teacher induction.

Current Text: Amended: 3/25/2019 [html](#) [pdf](#)

Introduced: 2/22/2019

Last Amend: 3/25/2019

Status: 4/26/2019-Failed Deadline pursuant to Rule 61(a)(2). (Last location was ED. on 3/21/2019) (May be acted upon Jan 2020)

Summary: Would require the State Department of Education to submit a report providing recommendations on teacher induction and teacher credentialing to the Legislature and Governor on or before December 31, 2020.

Position

SB 2 (Glazer D) Statewide Longitudinal Student Database.

Current Text: Amended: 5/23/2019 [html](#) [pdf](#)

Introduced: 12/3/2018

Last Amend: 5/23/2019

Status: 6/17/2019-June 19 set for first hearing canceled at the request of author.

Summary: Would express the intent of the Legislature to establish the Statewide Longitudinal Student Database to collect and store data regarding individual students as they matriculate from preschool through entry into the workforce. The bill would require the Office of Higher Education Coordination, Accountability, and Performance, proposed to be established by SB 3 of the 2019-20 Regular Session, to convene a review committee for purposes of advising the office on the establishment, implementation, funding, and ongoing administration of the database.

Position

Support if Amend

SB 12 (Beall D) Mental health services: youth.

Current Text: Amended: 5/17/2019 [html](#) [pdf](#)

Introduced: 12/3/2018

Last Amend: 5/17/2019

Status: 6/26/2019-June 26 set for first hearing. Placed on APPR. suspense file.

Summary: The Mental Health Services Act an initiative statute enacted by the voters as Proposition 63 at the November 2, 2004, statewide general election, also funds a system of county mental health plans for the provision of mental health services, as specified. Current law provides for the operation and administration of various mental health programs by the Mental Health Services Oversight and Accountability Commission This bill would require the commission, subject to an appropriation, to administer an Integrated Youth Mental Health Program for purposes of establishing local centers to provide integrated youth mental health services, as specified.

Position

[SB 73](#)

(Mitchell D) Budget Act of 2019.

Current Text: Amended: 5/24/2019 [html](#) [pdf](#)

Introduced: 1/10/2019

Last Amend: 5/24/2019

Status: 5/24/2019-From committee with author's amendments. Read second time and amended. Re-referred to Com. on B. & F.R.

Summary: This bill would make appropriations for the support of state government for the 2019–20 fiscal year. This bill would declare that it is to take effect immediately as a Budget Bill.

Position

[SB 75](#)

(Committee on Budget and Fiscal Review) Education finance: education omnibus budget trailer bill.

Current Text: Chaptered: 7/1/2019 [html](#) [pdf](#)

Introduced: 1/10/2019

Last Amend: 6/20/2019

Status: 7/1/2019-Approved by the Governor. Chaptered by Secretary of State. Chapter 51, Statutes of 2019.

Summary: Would require the Secretary of California Health and Human Services, in concurrence with the executive director of the State Board of Education, and in consultation with the Superintendent, to prepare a report, or series of reports, on or before October 1, 2020, to be used to develop a master plan to ensure comprehensive, quality, and affordable childcare and universal preschool for children from birth to school age. The bill would establish a 27-member Early Childhood Policy Council with specified duties relating to statewide early learning and care policy.

Position

[SB 174](#)

(Leyva D) Early childhood education: reimbursement rates.

Current Text: Amended: 6/13/2019 [html](#) [pdf](#)

Introduced: 1/28/2019

Last Amend: 6/13/2019

Status: 7/10/2019-VOTE: Do pass and be re-referred to the Committee on [Appropriations] with recommendation: To Consent Calendar (PASS)

Summary: Current law requires the cost of childcare services to be governed by regional market rates, as provided. Current law requires the regional market rate ceilings to be established at the 75th percentile of the 2016 regional market survey for that region or the regional market rate ceiling that existed in that region on December 31, 2017, whichever is greater. Current law requires reimbursement to license-exempt childcare providers to not exceed 70% of the family childcare home rate, as provided. This bill would instead require, until January 1, 2021, the regional market rate ceilings to be established at the 75th, and thereafter, at the 85th, percentile of the 2018 regional market survey for that region or the regional market rate ceiling that existed in that region on December 31, 2017, whichever is greater.

Position

[SB 217](#)

(Portantino D) Special education: individuals with exceptional needs.

Current Text: Amended: 5/17/2019 [html](#) [pdf](#)

Introduced: 2/6/2019

Last Amend: 5/17/2019

Status: 6/12/2019-June 19 hearing postponed by committee.

Summary: Would require, for the 2019–20 school year and each school year thereafter, a school district or charter school to admit a child to a transitional kindergarten program who will have their 5th birthday after December 2 but during that same school year if the child is an individual with exceptional needs, subject to specified conditions.

Position

Watch

[SB 223](#)

(Hill D) Pupil health: administration of medicinal cannabis: schoolsites.

Current Text: Amended: 6/26/2019 [html](#) [pdf](#)

Introduced: 2/7/2019

Last Amend: 6/26/2019

Status: 6/27/2019-Read second time. Ordered to third reading.

Calendar: 7/11/2019 #73 ASSEMBLY THIRD READING FILE - SENATE BILLS

Summary: Would enact Jojo’s Act, which would authorize the governing board of a school district, a county board of education, or the governing body of a charter school maintaining kindergarten or any

of grades 1 to 12, inclusive, to adopt, at a regularly scheduled meeting of the governing board or body, a policy, as provided, that allows a parent or guardian of a pupil to possess and administer to the pupil who is a qualified patient entitled to the protections of the Compassionate Use Act of 1996 medicinal cannabis, as defined, excluding cannabis, as defined, in a smokeable or vapeable form, at a schoolsite.

Position

SB 328 (Portantino D) Pupil attendance: school start time.

Current Text: Amended: 5/8/2019 [html](#) [pdf](#)

Introduced: 2/15/2019

Last Amend: 5/8/2019

Status: 7/10/2019-VOTE: Do pass and be re-referred to the Committee on [Appropriations] (PASS)

Summary: Would require the schoolday for middle schools and high schools, including those operated as charter schools, to begin no earlier than 8:00 a.m. and 8:30 a.m., respectively, by July 1, 2022, or the date on which a school district's or charter school's respective collective bargaining agreement that is operative on January 1, 2020, expires, whichever is later, except for rural school districts. To the extent the bill imposes new duties on school districts and charter schools, the bill would impose a state-mandated local program.

Position

SB 398 (Durazo D) Protection and advocacy agency.

Current Text: Amended: 7/1/2019 [html](#) [pdf](#)

Introduced: 2/20/2019

Last Amend: 7/1/2019

Status: 7/5/2019-From consent calendar on motion of Assembly Member Bonta. Ordered to third reading.

Calendar: 7/11/2019 #87 ASSEMBLY THIRD READING FILE - SENATE BILLS

Summary: Current law prescribes, in accordance with federal law, the powers of the protection and advocacy agency, which is a private, nonprofit corporation, charged with protecting and advocating for the rights of persons with developmental disabilities and mental disorders. This bill would make various changes to the protection and advocacy agency's access to facilities, program, and records by, among other things, authorizing the protection and advocacy agency to exercise the authority to take certain actions if the agency receives a complaint or report of alleged abuse or neglect or makes a related determination, as specified.

Position

SB 419 (Skinner D) Pupil discipline: suspensions: willful defiance.

Current Text: Amended: 7/3/2019 [html](#) [pdf](#)

Introduced: 2/21/2019

Last Amend: 7/3/2019

Status: 7/10/2019-VOTE: Do pass as amended. (PASS)

Summary: Current law prohibits the suspension of a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, and recommending the expulsion of a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, for disrupting school activities or otherwise willfully defying the valid authority of those school personnel engaged in the performance of their duties. This bill, commencing July 1, 2020, would apply those provisions to charter schools. Commencing July 1, 2020, the bill would additionally prohibit the suspension of a pupil enrolled in a school district or charter school in grades 4 and 5 for disrupting school activities or otherwise willfully defying the valid authority of those school personnel engaged in the performance of their duties. The bill, from July 1, 2020, until July 1, 2024, would prohibit the suspension of a pupil enrolled in a school district or charter school in any of grades 6 to 8, inclusive, for those acts.

Position

SB 428 (Pan D) Pupil health: school employee training: youth mental and behavioral health.

Current Text: Amended: 7/5/2019 [html](#) [pdf](#)

Introduced: 2/21/2019

Last Amend: 7/5/2019

Status: 7/5/2019-Read second time and amended. Re-referred to Com. on APPR.

Summary: Current law requires a school of a school district or county office of education and a charter school to notify pupils and parents or guardians of pupils no less than twice during the school year on how to initiate access to available pupil mental health services on campus or in the community, or both, as provided. This bill, contingent on an appropriation made for these purposes, would require the

State Department of Education to identify an evidence-based training program for a local educational agency to use to train classified and certificated school employees having direct contact with pupils on youth mental and behavioral health, as specified.

Position

SB 582 (Beall D) Youth mental health and substance use disorder services.

Current Text: Amended: 5/17/2019 [html](#) [pdf](#)

Introduced: 2/22/2019

Last Amend: 5/17/2019

Status: 7/10/2019-VOTE: Do pass and be re-referred to the Committee on [Appropriations] with recommendation: To Consent Calendar (PASS)

Summary: Would require the Mental Health Services Oversight and Accountability Commission, when making grant funds available on and after July 1, 2021, to allocate at least 1/2 of those funds to local educational agency and mental health partnerships, as specified, if moneys are appropriated for this purpose. The bill would require this funding to be made available to support prevention, early intervention, and direct services, as determined by the commission. The bill would require the commission, in consultation with the Superintendent of Public Instruction, to consider specified criteria when determining grant recipients.

Position

SB 585 (Wieckowski D) Education governance: school district reorganization: unified school districts: report.

Current Text: Amended: 4/23/2019 [html](#) [pdf](#)

Introduced: 2/22/2019

Last Amend: 4/23/2019

Status: 5/17/2019-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/6/2019)(May be acted upon Jan 2020)

Summary: Current law establishes a system of public elementary and secondary education in this state that includes, among other local educational agencies, school districts. School districts are generally divided into 3 types: unified school districts, high school districts, and elementary school districts. Current law authorizes the reorganization of school districts pursuant to specified procedures. This bill would prohibit a reorganization from converting any of the territory of a unified school district into territory of a school district of a different kind and would make conforming changes

Position

SB 614 (Rubio D) Teacher credentialing: reading instruction.

Current Text: Amended: 7/1/2019 [html](#) [pdf](#)

Introduced: 2/22/2019

Last Amend: 7/1/2019

Status: 7/8/2019-July 10 set for first hearing canceled at the request of author.

Summary: Current law requires the Commission on Teacher Credentialing to develop, adopt, and administer a reading instruction competence assessment consisting of one or more instruments to measure an individual's knowledge, skill, and ability relative to effective reading instruction, as provided. Current law requires the requirements for the issuance of the preliminary multiple subject teaching credential to include successful passage of one of specified components of the reading instruction competence assessment. This bill would repeal those requirements, and other requirements relating to the reading instruction competence assessment, and would provide that the reading instruction competence assessment is not required for the issuance of a teaching credential, as specified.

Position

SB 729 (Portantino D) Local control funding formula: school districts and charter schools.

Current Text: Amended: 3/27/2019 [html](#) [pdf](#)

Introduced: 2/22/2019

Last Amend: 3/27/2019

Status: 5/30/2019-Referred to Com. on ED.

Summary: Current law requires funding pursuant to the local control funding formula to include, in addition to a base grant, supplemental and concentration grant add-ons that are based on the percentage of pupils who are English learners, foster youth, or eligible for free or reduced-price meals, as specified, served by the school district or charter school. Current law specifies the amount of the base grant in the 2013-14 fiscal year and requires that amount to be increased by a specified cost-of-

living adjustment in subsequent fiscal years. Current law requires the Superintendent of Public Instruction to compute the supplemental and concentration grant add-ons as certain percentages of the amount of the base grant .This bill, notwithstanding that specified cost-of-living adjustment, would require the amount of the base grant for the 2019–20 fiscal year to be increased by a 5.16% cost-of-living adjustment.h

Position

SJR 8

(Wilk R) Special education funding.

Current Text: Amended: 4/25/2019 [html](#) [pdf](#)

Introduced: 3/27/2019

Last Amend: 4/25/2019

Status: 7/10/2019-VOTE: Be adopted. To Consent Calendar. (PASS)

Summary: This measure would respectfully memorialize the Congress and the President of the United States to enact legislation, S. 866, known as the IDEA Full Funding Act, during the current session of Congress to fully fund the federal Individuals with Disabilities Education Act.

Position

SR 37

(Rubio D) Relative to the Day of the Teacher.

Current Text: Enrolled: 5/14/2019 [html](#) [pdf](#)

Introduced: 4/30/2019

Status: 5/13/2019-Read. Adopted. (Ayes 37. Noes 0.)

Summary: This measure would resolve that the day of May 8, 2019, be proclaimed the Day of the Teacher. The Legislature hereby urges all Californians to observe the Day of the Teacher by taking the time to remember and honor all individuals who give the gift of knowledge through teaching.

Position

Total Measures: 71

Total Tracking Forms: 71

BUDGET BRIEF

2019-20 Final Budget Includes Special Education Funding Relief and New Charter Requirements

On June 27, Governor Gavin Newsom signed [Assembly Bill 74](#), the final Budget Act for the 2019-20 fiscal year. The Education Trailer Bill to the budget, [Senate Bill 75](#), provides the policy provisions necessary to implement the budget. The Governor signed SB 75 on July 1. This Brief provides a summary of the Education highlights and issues that impact charter schools. A [budget summary](#) of the entire state budget is available on the state Department of Finance website.

Overall Budget:

The final 2019-20 budget reflects moderate economic growth for California, but the Governor cautions that even a moderate recession could result in significant revenue declines. The Budget adopts the economic assumptions that were reflected in the May Revision to the Governor's Budget plan, including increases to reserves and to the Proposition 98 K-14 school funding guarantee, for a total budget of \$214.8 billion, of which \$147.8 billion is General Fund.

K-12 Education:

The Budget includes total funding of \$103.4 billion (\$58.8 billion General Fund and \$44.6 billion other funds) for all K-12 education programs. The budget includes an increase to the Proposition 98 guarantee of \$2.9 billion since 2018-19 for a total of 81.1 billion. Of these new funds, \$376.5 million is dedicated to the first payment to the Proposition 98 reserve fund as required under Proposition 2 (2014).

For charter schools, the SB 740 Facility Grant Program remains funded at the 2018-19 level of \$136.8 million. Other adjustments for K-12 education include:

- The Cost of Living Adjustment (COLA) for K-12 programs, including the Local Control Funding Formula (LCFF) is 3.26 percent.
- \$645.3 million in new ongoing Proposition 98 General Fund for special education.
- \$376.5 million is set aside for the first payment to the Proposition 98 reserve fund as required under Proposition 2 (2014).
- The Trailer Bill contains additional requirements on charter accountability and teacher credentialing.

Proposition 98

The provisions of Proposition 98 (1988) establish a minimum funding guarantee for TK-community college education based on complex calculations and interactions of a number of economic and demographic variables. The 2019-20 budget provides a Proposition 98 school funding guarantee of \$81.1 billion for the 2019-20 fiscal year. The funding guarantee also experiences some minor adjustments for 2017-18 and 2018-19. The final budget adopted the same Proposition 98 guarantee amounts that were reflected in the May Revision.

Proposition 98 Guarantee			
2019-20 Governor's Budget to May Revision			
(Dollars in Billions)			
	2017-18	2018-19	2019-20
Total P-98 Final Budget	\$75.58	\$78.15	\$81.06

Local Control Funding Formula (LCFF)

The final budget provides \$1.9 billion more for LCFF to enact a Cost of Living Adjustment (COLA) of 3.26 percent. This is the same COLA amount that was proposed in the May Revision. Below are the estimated rates, supplements and multipliers under the LCFF for 2019-20 to reflect the COLA. The budget also made a change to provide LCFF funding as a continuous appropriation which will provide more stability for future LCFF funding. There are no other adjustments to LCFF.

LCFF Funding Element	LCFF Amounts for 2019-20
Grade TK-3 Base	\$7,702
Grade K-3 Grade Span Adjustment	\$ 801 (10.4% of K-3 target)
Grade 4-6 Base	\$7,818
Grade 7-8 Base	\$8,050
Grade 9-12 Base	\$9,329
Grade 9-12 Grade Span Adjustment	\$ 243 (2.6% of 9-12 target)
Supplement per unduplicated Free or Reduced Priced Meal Eligible Pupil, English Learner or Foster Youth	20% of average base and add-on funding per eligible ADA
Concentration Supplement per pupil above 55% of the lesser of total district or charter percent high need	50% of average base and add-on funding per eligible ADA above 55%

LCFF Tools: The information above provides the estimated component rates for 2019-20. However, additional LCFF resources are available at the LCFF tab on CCSA's [budget web page](#). One of the tools available is the [LCFF Calculator](#), a downloadable interactive spreadsheet developed by the state Fiscal Crisis and Management Assistance Team (FCMAT) to assist schools in estimating LCFF funding.

In building budgets, charter schools should also include non-LCFF funding sources in their budget planning such as federal funds, special education funds, the mandate block grant, one-time block grants, facility grants, and any other funding the school may receive.

Other Budget Adjustments

SB 740 Charter Facilities: The Charter School Facility Grant Program continues to be a cornerstone of support for charter schools in leased facilities. In 2018-19, funding for the program was increased by nearly \$25 million. However, the final budget retains funding at about \$136.8 million. The maximum allowable per-pupil rate will increase from \$1,147 in 2018-19 to \$1,184 in 2019-20. Because there is no additional funding this year, a shortfall would result in schools having their award reduced proportionately to match available funds. More program information can be found at the website of the [California School Finance Authority](#).

Special Education: The Budget includes \$645.3 million in new ongoing Proposition 98 General Fund for special education. Specifically, in addition to a COLA of 3.26 percent for state special education funding



under AB 602, the Budget includes \$152.6 million to provide all Special Education Local Plan Areas (SELPA) with at least the statewide target rate for base special education funding, approximately \$557 per unit of average daily attendance, under the existing special education funding formula. The Budget also includes \$492.7 million for special education allocated based on the number of children ages 3 to 5 years with exceptional needs that the school district is serving. Finally, the Budget includes \$500,000 one-time non-Proposition 98 General Fund to improve state agency coordination to increase local educational agencies' ability to draw down federal funds for medically-related special education services and to improve the transition of three-year-olds with disabilities from regional centers to local educational agencies.

Afterschool Programs: The Budget includes \$50 million ongoing Proposition 98 General Fund to provide an increase of approximately 8.3 percent to the per-pupil daily rate for ASES (increasing this rate from \$8.19 to \$8.87 per day) to offset costs related to recent increases in the state's minimum wage.

Teacher Support: The Budget includes \$89.8 million one-time non-Proposition 98 General Fund to provide up to 4,487 grants of \$20,000 for students enrolled in a professional teacher preparation program who commit to working in a high-need field at a priority school for at least four years. Funds will be provided to qualifying individuals in hard-to-hire subject matter areas and school sites with the highest rates of non-credentialed or waiver teachers. The Budget also includes \$43.8 million one-time non-Proposition 98 General Fund to provide training and resources for classroom educators, including \$37.1 million for the Educator Workforce Investment Grants for teachers and paraprofessionals, and \$6.7 million for the California Subject Matter Projects.

Full Day Kindergarten Facilities: The Budget includes \$300 million one-time non-Proposition 98 General Fund to construct new or retrofit existing facilities to support full-day kindergarten programs, which will increase participation in kindergarten by addressing barriers to access.

Mandate Block Grant: For 2019-20, the K-12 Mandate Block Grant rates will receive the COLA of 3.26 percent. This will offer \$16.86 per K-8 ADA, and \$46.87 per 9-12 ADA to charter schools that choose to participate. Charter schools must notify the California Department of Education (CDE) each year they choose to receive these funds in lieu of filing mandate claims with the State Controller. Because charter schools are not otherwise able to receive mandate reimbursement, we encourage all charter schools to apply for these funds.

State Retirement Contributions: In 2014, the state increased CalSTRS teachers' retirement contribution rates for employers incrementally from 8.25 percent in 2013-14 to 19.1 percent in 2020-21 (the 2018-19 rate for schools is 16.28 percent). The contribution rate for employers of California Public Employees' Retirement System (CalPERS) employees such as classified school employees, is currently expected to increase from 18.1 percent in 2018-19 to 23.6 percent by 2020-21.

Recognizing the significance of these increases on school budgets, the Budget includes a \$3.15 billion non-Proposition 98 General Fund payment on behalf of school employers to STRS and PERS. With these payments, the CalSTRS employer contribution rate will decrease from 18.13 percent to 17.1 percent in 2019-20 and from 19.1 percent to 18.4 percent in 2020-21. The payments will decrease the CalPERS school employer contribution rate from 20.7 percent to 19.7 percent in 2019-20 and from 23.6 percent to 22.9 percent in 2020-21. The remaining \$2.3 billion will be paid toward the employers' long-term



unfunded liability for both systems resulting in an estimated reduction in the out-year contribution rate to CalSTRS of 0.3 percentage points, and to the CalPERS Schools Pool of 0.1 to 0.3 percentage points.

Cost of Living Adjustment (COLA) Categorical Program: The K-12 COLA is 3.26 percent for 2019-20, which is applied to the LCFF and selected categorical programs such as special education, preschool mandate block grant and child nutrition. Estimated COLAs for multiple years are provided here:

Year	Estimated COLA
2017-18	1.56%
2018-19	3.70%
2019-20	3.26%
2020-21	3.00%
2021-22	2.80%

Prop 98 Rainy Day Fund: Proposition 2 (2014) established a distinct budget stabilization fund known as the “Proposition 98 Reserve” or Public School System Stabilization Account (PSSSA) and requires contributions to the fund under specific budget conditions. Funds are set aside in PSSSA for appropriation to help protect schools from funding cuts during an economic downturn. For 2019-20, the Budget includes the first constitutionally required deposit into the Account of \$376.5 million. This deposit does not initiate school district reserve caps, as the amount in the Account is not yet equal to or greater than 3 percent of the total K-12 share of the Proposition 98 Guarantee.

Charter Accountability: The education Trailer Bill amends Education Code Section 47605 to reinforces the goals of current law related to equal access for all charter students. Specifically:

- A charter school shall not discourage any pupil from enrolling, seeking to enroll or disenrolling in the charter school for any reason, including, but not limited to academic performance, and shall not request a pupil’s records prior to enrollment.
- A charter school shall post a notice of these rights and the right to file a complaint with the school’s authorizer on their website and provide parents a copy of the notice.
- The CDE shall develop a template for use by charter schools to meet this requirement.
- The Department of Education shall examine the feasibility of using data from the California Longitudinal Pupil Assessment Data System to identify charter school enrollment disparities that may warrant inquiry and intervention by charter school authorizers.



AB-988 Teacher credentialing: out-of-state prepared teachers: education specialist credential. (2019-2020)

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Date Published: 07/15/2019 09:00 PM

Assembly Bill No. 988

CHAPTER 103

An act to amend Section 44274.2 of the Education Code, relating to teacher credentialing.

[Approved by Governor July 12, 2019. Filed with Secretary of State July 12, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

AB 988, Berman. Teacher credentialing: out-of-state prepared teachers: education specialist credential.

Existing law requires the Commission on Teacher Credentialing to, among other duties, establish standards for the issuance and renewal of credentials, certificates, and permits. Existing law requires the commission to issue a clear multiple subject, single subject, or education specialist teaching credential to an out-of-state applicant who satisfies specified requirements. One of the specified requirements is that the applicant has earned a valid corresponding elementary, secondary, or special education teaching credential based upon the out-of-state teacher preparation program. With respect to an education specialist credential, the commission is required to determine the area of concentration based on the special education program completed out of state.

This bill would authorize the commission to allow an applicant for an education specialist credential to demonstrate the area of concentration based on 2 years of experience in California, while the candidate holds the preliminary credential. The bill would also make nonsubstantive changes in this provision.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 44274.2 of the Education Code is amended to read:

44274.2. (a) Notwithstanding any provision of this chapter, the commission shall issue a five-year preliminary multiple subject teaching credential authorizing instruction in a self-contained classroom, a five-year preliminary single subject teaching credential authorizing instruction in departmentalized classes, or a five-year preliminary education specialist credential authorizing instruction of special education pupils to an out-of-state prepared teacher who meets all of the following requirements:

- (1) Possesses a baccalaureate degree from a regionally accredited institution of higher education.
- (2) Has completed a teacher preparation program at a regionally accredited institution of higher education or a state-approved teacher preparation program offered by a local educational agency.
- (3) Meets the subject matter knowledge requirements for the credential. If the subject area listed on the out-of-state credential does not correspond to a California subject area, as specified in Sections 44257 and 44282, the commission may require the applicant to meet California subject matter requirements before issuing a clear credential.

(4) Has earned a valid corresponding elementary, secondary, or special education teaching credential based upon the out-of-state teacher preparation program. For the education specialist credential, the commission shall determine the area of concentration based on the special education program completed out of state, or shall allow the candidate to demonstrate the area of concentration based on two years of experience in California, while the candidate holds the preliminary credential.

(5) Has successfully completed a criminal background check conducted under Sections 44339, 44340, and 44341 for credentialing purposes.

(b) The holder of a credential issued pursuant to this section shall meet the state basic skills proficiency requirement set forth in Section 44252 within one year of the date the credential is issued or the credential shall become invalid.

(c) The commission shall issue a clear multiple subject, single subject, or education specialist teaching credential to an applicant who satisfies the requirements of subdivision (a), provides verification of two or more years of teaching experience, including, but not necessarily limited to, two satisfactory performance evaluations, and documents, in a manner prescribed by the commission, that the applicant has met the state requirements for teaching English learners, including, but not necessarily limited to, the requirements in Section 44253.3 or 44259.5.

(d) For applicants who do not meet the experience requirement described in subdivision (c), the commission shall issue a clear multiple subject, single subject, or education specialist teaching credential upon verification of the following requirements:

(1) The commission has issued to the applicant a preliminary five-year teaching credential pursuant to subdivision (a). However, an out-of-state prepared applicant in both special education and general education, who has earned a clear California education specialist credential, shall be granted a clear multiple subject or clear single subject teaching credential without first holding a preliminary multiple subject or single subject teaching credential, unless the commission determines that the applicant does not meet the other requirements of this subdivision.

(2) The applicant has completed a beginning teacher induction program pursuant to paragraph (2) of subdivision (c) of Section 44259.

(3) The applicant has met the requirements for teaching English learners, including, but not necessarily limited to, the requirements in Section 44253.3 or 44259.5.


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AB-1505 Charter schools: petitions. (2019-2020)

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AMENDED IN SENATE JULY 05, 2019
 AMENDED IN ASSEMBLY APRIL 24, 2019
 AMENDED IN ASSEMBLY APRIL 11, 2019
 AMENDED IN ASSEMBLY APRIL 01, 2019
 AMENDED IN ASSEMBLY MARCH 14, 2019

CALIFORNIA LEGISLATURE— 2019–2020 REGULAR SESSION

ASSEMBLY BILL

NO. 1505

**Introduced by Assembly Members O'Donnell, Bonta, McCarty, and Smith
 (Principal coauthor: Assembly Member Kalra)
 (Coauthor: Senator Skinner)**

February 22, 2019

An act to amend Sections 47604.5, 47605, ~~47605.5~~, 47605.6, 47607, ~~47607.3~~, and ~~47613~~ and ~~47607.3~~ of, to add ~~Section 47605.9~~ *Sections 47605.9 and 47612.7* to, and to repeal Sections 47605.8 and 47607.5 of, the Education Code, relating to charter schools.

LEGISLATIVE COUNSEL'S DIGEST

AB 1505, as amended, O'Donnell. Charter schools: petitions.

(1) The Charter Schools Act of 1992 authorizes the establishment and operation of charter schools. Existing law generally requires a petition to establish a charter school to be submitted to the governing board of a school district, and, under specified circumstances, authorizes a petition to be submitted to and approved by a county board of education or the State Board of Education. Existing law authorizes a county board of education to approve a petition for the operation of a charter school that operates at one or more sites within the geographic boundaries of the county and that provides instructional services that are not generally provided by a county office of education. Existing law also authorizes a petition for the operation of a state charter school to be submitted directly to the state board, and authorizes the state board to approve a charter for the operation of a state charter school that may operate at multiple sites throughout the state.

~~This bill would repeal those provisions authorizing the state board to approve a petition to establish a charter school. The bill would specify that a petition to establish a charter school may be submitted only to the school district or county office of education the boundaries within which the charter school would be located, and would provide that, commencing January 1, 2020, a county board of education could approve a petition for a countywide charter only under specified conditions and pursuant to a specified procedure, including requiring the~~

~~petitioner to obtain the approval from each of the school districts where the charter school petitioner proposes to operate a facility. The bill would provide that charter schools operating under a charter approved by the state board may continue to operate under those charters only until the date on which the charter is up for renewal. The bill would authorize a county board of education to deny a petition for the establishment of a new charter school if it makes a written factual finding that the charter school would have a negative financial, academic, or facilities impact on neighborhood public schools, a school district, or the county office of education.~~

~~(2) Existing~~

~~Existing law prohibits the governing board of a school district from denying a petition to establish a charter school unless it makes written factual findings in support of one or more specific findings.~~

~~This bill would authorize the governing board of a school district to also deny a petition if it makes written factual findings, specific to the particular petition, setting forth certain facts to support one or more specified findings. The bill would authorize the governing board of a school district to deny a petition for the establishment of a new charter school if it makes a written factual finding that the charter school would have a negative financial, academic, or facilities impact on neighborhood public schools of the school district.~~

~~Existing law authorizes a charter school to appeal a school district's decision to deny a petition for a charter to the county board of education and, if the county board of education upholds the decision, to appeal the county board of education's decision to the state board. Existing law authorizes a charter to be granted by a chartering authority under designated provisions for a period not to exceed 5 years. Existing law requires that charter renewals are for periods of 5 years.~~

~~This bill would revise and recast numerous provisions relating to the submission of petitions to establish charter schools, the appeal of decisions of the governing boards of school districts to deny approval or renewal of charter schools, and the revocation of charters by chartering authorities. The bill would specify criteria and procedures for the consideration and determination of these issues.~~

~~(3)~~

~~(2) Existing law requires teachers in charter schools to hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to what a teacher in other public schools would be required to hold.~~

~~This bill would instead require teachers in charter schools to hold the Commission on Teacher Credentialing certificate, permit, or other document required for the teacher's certificated assignment. *assignment, as specified. The bill would provide that this provision would not apply to a teacher employed by a charter school before January 1, 2020, assigned to teach a noncore, noncollege preparatory course, as prescribed.*~~

~~(4) Existing law authorizes a charter school to appeal a school district's decision to deny a petition for a charter to the county board of education and, if the county board of education upholds the decision, to appeal the county board of education's decision to the state board.~~

~~If the governing board of a school district denies a petition, this bill would instead authorize the petitioner to appeal that denial to the county board of education. The bill would authorize the county board of education to only consider such an appeal if the appeal alleges that the governing board of the school district committed a procedural violation, as defined, in reviewing the petition. If the county board of education finds, by substantial evidence, that the governing board of the school district committed a procedural violation, the bill would require the county board of education to remand the petition to the school district for reconsideration. If the appeal contains new or different material terms, the bill would prohibit the county board of education from considering the appeal and would require the county board of education to remand the petition to the governing board of the school district for reconsideration. The bill would repeal those provisions authorizing a petitioner to appeal a denial of a petition to the state board.~~

~~(5) Existing law authorizes a charter to be granted by a chartering authority under designated provisions for a period not to exceed 5 years. Existing law requires that charter renewals are for periods of 5 years.~~

~~This bill would instead provide that a renewal of a charter would be for a period of between 2 and 5 years. The bill would require a chartering authority, in deciding whether to grant a renewal, to consider specified issues relating to a school's financial condition. The bill would specify procedures to be followed by a chartering authority when a charter school requests technical assistance due to academic performance issues.~~

~~(6) Existing law authorizes a chartering authority to revoke a charter if the authority finds, through a showing of substantial evidence, that the charter school has committed any of several designated acts. Existing law requires~~

~~the chartering authority to consider increases in pupil academic achievement for all groups of pupils served by the charter school as the most important factor in determining whether to revoke a charter. Existing law also provides for a procedure for an appeal of a revocation decision by a chartering authority.~~

~~This bill would delete the provision relating to increases in pupil academic achievement as the most important factor in determining whether to revoke a charter. The bill would also delete the process for appeal of a revocation of a charter by a chartering authority.~~

~~(7)~~

(3) This bill would prohibit several of its provisions from being waived by the State Board of Education. The bill would also make conforming and nonsubstantive changes.

To the extent the bill would impose additional requirements on local educational agencies and charter schools, the bill would impose a state-mandated local program.

~~(8)~~

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 47604.5 of the Education Code is amended to read:

47604.5. The state board may, based upon the recommendation of the Superintendent, take appropriate action, including, but not limited to, revocation of the charter school's charter, when the state board finds any of the following:

- (a) Gross financial mismanagement that jeopardizes the financial stability of the charter school.
- (b) Illegal or substantially improper use of charter school funds for the personal benefit of any officer, director, or fiduciary of the charter school.
- (c) Substantial and sustained departure from measurably successful practices such that continued departure would jeopardize the educational development of the charter school's pupils.
- (d) Failure to improve pupil outcomes across multiple state and school priorities identified in the charter pursuant to subparagraph (A) of paragraph (5) of subdivision (b) of Section 47605 or subparagraph (A) of paragraph (5) of subdivision (b) of Section 47605.6.

~~SEC. 2. Section 47605 of the Education Code is amended to read:~~

~~47605.(a)(1) Except as set forth in paragraph (2), a petition for the establishment of a charter school within a school district may be circulated by one or more persons seeking to establish the charter school. A petition for the establishment of a charter school shall identify a single charter school that will operate within the geographic boundaries of that school district. A charter school may propose to operate at multiple sites within the school district if each location is identified in the charter school petition. The petition may be submitted to the governing board of the school district for review after either of the following conditions is met:~~

~~(A) The petition is signed by a number of parents or legal guardians of pupils that is equivalent to at least one-half of the number of pupils that the charter school estimates will enroll in the charter school for its first year of operation.~~

~~(B) The petition is signed by a number of teachers that is equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the charter school during its first year of operation.~~

~~(2) A petition that proposes to convert an existing public school to a charter school that would not be eligible for a loan pursuant to subdivision (c) of Section 41365 may be circulated by one or more persons seeking to establish the charter school. The petition may be submitted to the governing board of the school district for review after~~

~~the petition is signed by not less than 50 percent of the permanent status teachers currently employed at the public school to be converted.~~

~~(3)A petition shall include a prominent statement that a signature on the petition means that the parent or legal guardian is meaningfully interested in having their child or ward attend the charter school, or in the case of a teacher's signature, means that the teacher is meaningfully interested in teaching at the charter school. The proposed charter shall be attached to the petition.~~

~~(4)After receiving approval of its petition, a charter school that proposes to establish operations at one or more additional sites shall request a material revision to its charter and shall notify the authority that granted its charter of those additional locations. The authority that granted its charter shall consider whether to approve those additional locations at an open, public meeting. If the additional locations are approved, there shall be a material revision to the charter school's charter.~~

~~(5)A charter school that is unable to locate within the jurisdiction of the chartering school district may establish one site outside the boundaries of the school district, but within the county in which that school district is located, if the school district within the jurisdiction of which the charter school proposes to operate is notified in advance of the charter petition approval, the county superintendent of schools and the Superintendent are notified of the location of the charter school before it commences operations, and either of the following circumstances exists:~~

~~(A)The school has attempted to locate a single site or facility to house the entire program, but a site or facility is unavailable in the area in which the school chooses to locate.~~

~~(B)The site is needed for temporary use during a construction or expansion project.~~

~~(6)Commencing January 1, 2003, a petition to establish a charter school shall not be approved to serve pupils in a grade level that is not served by the school district of the governing board considering the petition, unless the petition proposes to serve pupils in all of the grade levels served by that school district.~~

~~(b)No later than 60 days after receiving a petition, in accordance with subdivision (a), the governing board of the school district shall hold a public hearing on the provisions of the charter, at which time the governing board of the school district shall consider the level of support for the petition by teachers employed by the school district, other employees of the school district, and parents. Following review of the petition and the public hearing, the governing board of the school district shall either grant or deny the charter within 90 days of receipt of the petition, provided, however, that the date may be extended by an additional 30 days if both parties agree to the extension. In reviewing petitions for the establishment of charter schools pursuant to this section, the chartering authority shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The governing board of the school district may grant a charter for the operation of a school under this part if it is satisfied that granting the charter is consistent with sound educational practice. The governing board of the school district shall not be required to approve a petition for the establishment of a charter school, and may deny approval by making written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings:~~

~~(1)The charter school presents an unsound educational program for the pupils 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 by subdivision (a).~~

~~(4)The petition does not contain an affirmation of each of the conditions described in subdivision (d).~~

~~(5)The petition does not contain reasonably comprehensive descriptions of all of the following:~~

~~(A)(i)The educational program of the charter school, designed, among other things, to identify those whom the charter school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners.~~

~~(ii)The annual goals for the charter school for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.~~

~~(iii)If the proposed charter school will serve high school pupils, the manner in which the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the "A to G" admissions criteria may be considered to meet college entrance requirements.~~

~~(B)The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the charter school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the charter school's educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all groups of pupils served by the charter school, as that term is defined in paragraph (3) of subdivision (a) of Section 47607. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served by the charter school.~~

~~(C)The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.~~

~~(D)The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement. If the school is to be operated by, or as, a nonprofit public benefit corporation, the petitioner shall provide the names and relevant qualifications of all persons whom the petitioner nominates to serve on the board of directors of the charter school.~~

~~(E)The qualifications to be met by individuals to be employed by the charter school.~~

~~(F)The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall require all of the following:~~

~~(i)That each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.~~

~~(ii)The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (H), inclusive, of paragraph (2) of subdivision (a) of Section 32282 and procedures for conducting tactical responses to criminal incidents.~~

~~(iii)That the school safety plan be reviewed and updated by March 1 of every year by the charter school.~~

~~(G)The means by which the charter school will achieve a racial and ethnic balance among its pupils, a balance of pupils receiving special education services, and a balance of English learner pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.~~

~~(H)Admission policies and procedures, consistent with subdivision (d).~~

~~(I)The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.~~

~~(J)The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all of the following:~~

~~(i)For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present the pupil's side of the story.~~

~~(ii)For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:~~

~~(I)Provide timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.~~

~~(II)Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.~~

~~(iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder, and shall inform that individual of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii).~~

~~(K) The manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.~~

~~(L) The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.~~

~~(M) The rights of an employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school.~~

~~(N) The procedures to be followed by the charter school and the chartering authority to resolve disputes relating to provisions of the charter.~~

~~(O) The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.~~

~~(P) A clear explanation of why the proposed model cannot be accomplished within the school district structure of neighborhood public schools. This explanation shall only be included in an initial petition for a new charter school, or in a renewal petition if the charter school proposes to expand enrollment in a manner that was not previously approved by the chartering authority.~~

~~(6) The petition does not contain a declaration of whether or not the charter school shall be deemed the exclusive public employer of the employees of the charter school for purposes of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.~~

~~(7) The charter school would have a negative financial, academic, or facilities impact on neighborhood public schools or the school district. The governing board of the school district may deny a petition for the establishment of a new charter school if it makes a written factual finding under this paragraph. The governing board of the school district shall not deny approval of a charter school petition by making this written factual finding for a renewal petition unless the renewal petition proposes to expand enrollment in a manner that was not previously approved by the chartering authority.~~

~~(c)(1) Charter schools shall meet all statewide standards and conduct the pupil assessments required pursuant to Section 60605 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in noncharter public schools.~~

~~(2) Charter schools shall, on a regular basis, consult with their parents, legal guardians, and teachers regarding the charter school's educational programs.~~

~~(d)(1) In addition to any other requirement imposed under this part, a charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against a pupil on the basis of the characteristics listed in Section 220. Except as provided in paragraph (2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of that pupil's parent or legal guardian, within this state, except that an existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that public school.~~

~~(2)(A) A charter school shall admit all pupils who wish to attend the charter school.~~

~~(B) If the number of pupils who wish to attend the charter school exceeds the charter school's capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the school district except as provided for in Section 47614.5. Preferences, including, but not limited to, siblings of pupils~~

~~admitted or attending the charter school and children of the charter school's teachers, staff, and founders identified in the initial charter, may also be permitted by the chartering authority on an individual charter school basis. Priority order for any preference shall be determined in the charter petition in accordance with all of the following:~~

~~(i) Each type of preference shall be approved by the chartering authority at a public hearing.~~

~~(ii) Preferences shall be consistent with federal law, the California Constitution, and Section 200.~~

~~(iii) Preferences shall not result in limiting enrollment access for pupils with disabilities, academically low achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation.~~

~~(iv) In accordance with Section 49011, preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.~~

~~(C) In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the charter school and shall not take any action to impede the charter school from expanding enrollment to meet pupil demand.~~

~~(3) If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including report cards or a transcript of grades, and health information. If the pupil is subsequently expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to the charter school within 30 days if the charter school demonstrates that the pupil had been enrolled in the charter school. This paragraph applies only to pupils subject to compulsory full-time education pursuant to Section 48200.~~

~~(e) The governing board of a school district shall not require an employee of the school district to be employed in a charter school.~~

~~(f) The governing board of a school district shall not require a pupil enrolled in the school district to attend a charter school.~~

~~(g) The governing board of a school district shall require that the petitioner or petitioners provide information regarding the proposed operation and potential effects of the charter school, including, but not limited to, the facilities to be used by the charter school, the manner in which administrative services of the charter school are to be provided, and potential civil liability effects, if any, upon the charter school and upon the school district. The description of the facilities to be used by the charter school shall specify where the charter school intends to locate. The petitioner or petitioners also shall be required to provide financial statements that include a proposed first year operational budget, including startup costs, and cashflow and financial projections for the first three years of operation.~~

~~(h) In reviewing petitions for the establishment of charter schools within the school district, the governing board of the school district shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences to pupils identified by the petitioner or petitioners as academically low achieving pursuant to the standards established by the department under Section 54032, as that section read before July 19, 2006.~~

~~(i) Upon the approval of the petition by the governing board of the school district, the petitioner or petitioners shall provide written notice of that approval, including a copy of the petition, to the applicable county superintendent of schools, the department, and the state board.~~

~~(j) If the governing board of a school district denies a petition, the petitioner may appeal that denial to the county board of education. The county board of education may consider an appeal pursuant to this subdivision only if the appeal alleges that the governing board of the school district committed a procedural violation under this part in reviewing the petition. If the county board of education finds, by substantial evidence, that the governing board of the school district committed a procedural violation under this part in reviewing the petition, the county board of education shall remand the petition to the school district for reconsideration. If the appeal contains new or different material terms, the county board of education shall not consider the appeal, and instead shall immediately remand the petition to the governing board of the school district for reconsideration. As used in this section:~~

~~(1) "Material terms" of the petition means the signatures, affirmations, disclosures, documents, and descriptions described in subdivisions (a), (b), and (g).~~

~~(2) A "procedural violation" means the failure to meet the requirements and deadlines, and to provide written findings regarding the denial, that are required pursuant to subdivisions (a) and (b).~~

~~(k) Teachers in charter schools shall hold the Commission on Teacher Credentialing certificate, permit, or other document required for the teacher's certificated assignment. These documents shall be maintained on file at the charter school and are subject to periodic inspection by the chartering authority.~~

~~(l) A charter school shall transmit a copy of its annual, independent financial audit report for the preceding fiscal year, as described in subparagraph (I) of paragraph (5) of subdivision (b), to its chartering authority, the Controller, the county superintendent of schools of the county in which the charter school is sited, unless the county board of education of the county in which the charter school is sited is the chartering authority, and the department by December 15 of each year. This subdivision does not apply if the audit of the charter school is encompassed in the audit of the chartering authority pursuant to Section 41020.~~

~~(m) A charter school may encourage parental involvement, but shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to, or continued enrollment at, the charter school.~~

~~(n) The requirements of this section shall not be waived by the state board pursuant to Section 33050 or any other law.~~

~~SEC. 3. Section 47605.5 of the Education Code is amended to read:~~

~~47605.5. A petition may be submitted directly to a county board of education in the same manner as set forth in Section 47605 for charter schools that will serve pupils for whom the county office of education would otherwise be responsible for providing direct education and related services. There shall be no appeal of a denial of a petition submitted pursuant to this section. The requirements of this section shall not be waived by the state board pursuant to Section 33050 or any other law.~~

~~SEC. 4. Section 47605.6 of the Education Code is amended to read:~~

~~47605.6.(a)(1) In addition to the authority provided by Section 47605.5, a county board of education may also approve a petition for the operation of a charter school that operates at one or more sites within the geographic boundaries of the county and that provides instructional services that are not generally provided by a county office of education. A county board of education may approve a countywide charter only if it finds, in addition to the other requirements of this section, that the educational services to be provided by the charter school will offer services to a pupil population that will benefit from those services and that cannot be served as well by a charter school that operates in only one school district in the county. A petition for the establishment of a countywide charter school pursuant to this subdivision may be circulated throughout the county by any one or more persons seeking to establish the charter school. The petition may be submitted to the county board of education for review after either of the following conditions is met:~~

~~(A) The petition is signed by a number of parents or guardians of pupils residing within the county that is equivalent to at least one-half of the number of pupils that the charter school estimates will enroll in the school for its first year of operation and each of the school districts where the charter school petitioner proposes to operate a facility has received at least 30 days' notice of the petitioner's intent to operate a charter school pursuant to this section.~~

~~(B) The petition is signed by a number of teachers that is equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the school during its first year of operation and each of the school districts where the charter school petitioner proposes to operate a facility has received at least 30 days' notice of the petitioner's intent to operate a charter school pursuant to this section.~~

~~(2) An existing public school shall not be converted to a charter school in accordance with this section.~~

~~(3) After receiving approval of its petition, a charter school that proposes to establish operations at additional sites within the geographic boundaries of the county board of education shall notify the school districts where those sites will be located. The charter school shall also request a material revision of its charter by the county board of education that approved its charter and the county board of education shall consider whether to approve those additional locations at an open, public meeting, held no sooner than 30 days following notification of the school districts where the sites will be located. If approved, the location of the approved sites shall be a material revision of the charter school's approved charter.~~

~~(4)A petition shall include a prominent statement indicating that a signature on the petition means that the parent or guardian is meaningfully interested in having their child or ward attend the charter school, or in the case of a teacher's signature, means that the teacher is meaningfully interested in teaching at the charter school. The proposed charter shall be attached to the petition.~~

~~(b)No later than 60 days after receiving a petition, in accordance with subdivision (a), the county board of education shall hold a public hearing on the provisions of the charter, at which time the county board of education shall consider the level of support for the petition by teachers, parents or guardians, and the school districts where the charter school petitioner proposes to place school facilities. Following review of the petition and the public hearing, the county board of education shall either grant or deny the charter within 90 days of receipt of the petition. However, this date may be extended by an additional 30 days if both parties agree to the extension. A county board of education may impose any additional requirements beyond those required by this section that it considers necessary for the sound operation of a countywide charter school. A county board of education may grant a charter for the operation of a charter school under this part only if it is satisfied that granting the charter is consistent with sound educational practice and that the charter school has reasonable justification for why it could not be established by petition to a school district pursuant to Section 47605. The county board of education shall deny a petition for the establishment of a charter school if it finds one or more of the following:~~

~~(1)The charter school presents an unsound educational program for the pupils 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 by subdivision (a).~~

~~(4)The petition does not contain an affirmation of each of the conditions described in subdivision (c).~~

~~(5)The petition does not contain reasonably comprehensive descriptions of all of the following:~~

~~(A)(i)The educational program of the charter school, designed, among other things, to identify those pupils whom the charter school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners.~~

~~(ii)The annual goals for the charter school for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.~~

~~(iii)If the proposed charter school will enroll high school pupils, the manner in which the charter school will inform parents regarding the transferability of courses to other public high schools. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered to be transferable to other public high schools.~~

~~(iv)If the proposed charter school will enroll high school pupils, information as to the manner in which the charter school will inform parents as to whether each individual course offered by the charter school meets college entrance requirements. Courses approved by the University of California or the California State University as satisfying their prerequisites for admission may be considered as meeting college entrance requirements for purposes of this clause.~~

~~(B)The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the charter school demonstrate that they have attained the skills, knowledge, and aptitudes specified as goals in the charter school's educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of Section 47607. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school.~~

~~(C)The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.~~

~~(D)The location of each charter school facility that the petitioner proposes to operate.~~

~~(E)The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement. If the school is to be operated by, or as, a nonprofit public benefit corporation, the petitioner shall provide the names and relevant qualifications of all persons whom the petitioner nominates to serve on the board of directors of the charter school.~~

~~(F)The qualifications to be met by individuals to be employed by the charter school.~~

~~(G)The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall require all of the following:~~

~~(i)That each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.~~

~~(ii)The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (H), inclusive, of paragraph (2) of subdivision (a) of Section 32282 and procedures for conducting tactical responses to criminal incidents.~~

~~(iii)That the school safety plan be reviewed and updated by March 1 of every year by the charter school.~~

~~(H)The means by which the charter school will achieve a racial and ethnic balance among its pupils, a balance of pupils receiving special education services, and a balance of English learner pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.~~

~~(I)The manner in which annual, independent financial audits shall be conducted, in accordance with regulations established by the state board, and the manner in which audit exceptions and deficiencies shall be resolved.~~

~~(J)The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all of the following:~~

~~(i)For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present the pupil's side of the story.~~

~~(ii)For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:~~

~~(I)Provide timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.~~

~~(II)Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.~~

~~(iii)Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder, and shall inform that person of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii).~~

~~(K)The manner by which staff members of the charter school will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.~~

~~(L)The procedures to be followed by the charter school and the county board of education to resolve disputes relating to provisions of the charter.~~

~~(M)Admission policy and procedures, consistent with subdivision (e).~~

~~(N)The public school attendance alternatives for pupils residing within the county who choose not to attend the charter school.~~

~~(O)The rights of an employee of the county office of education, upon leaving the employment of the county office of education, to be employed by the charter school, and any rights of return to the county office of education that an employee may have upon leaving the employment of the charter school.~~

~~(P)The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of public records.~~

~~(Q)A clear explanation of why the proposed model cannot be accomplished within the school district structure of neighborhood public schools. This explanation shall only be included in an initial petition for a new charter school, or in a renewal petition if the charter school proposes to expand enrollment in a manner that was not previously approved by the county board of education.~~

~~(6)A declaration of whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for purposes of the Educational Employment Relations Act (Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code).~~

~~(7)The charter school would have a negative financial, academic, or facilities impact on neighborhood public schools, a school district, or the county office of education. The county board of education may deny a petition for the establishment of a new charter school if it makes a written factual finding under this paragraph. The county board of education shall not deny approval of a charter school petition by making this written factual finding for a renewal petition unless the renewal petition proposes to expand enrollment in a manner that was not previously approved by the county board of education.~~

~~(8)Any other basis that the county board of education finds justifies the denial of the petition.~~

~~(c)A county board of education that approves a petition for the operation of a countywide charter may, as a condition of charter approval, enter into an agreement with a third party, at the expense of the charter school, to oversee, monitor, and report to the county board of education on the operations of the charter school. The county board of education may prescribe the aspects of the charter school's operations to be monitored by the third party and may prescribe appropriate requirements regarding the reporting of information concerning the operations of the charter school to the county board of education.~~

~~(d)(1)Charter schools shall meet all statewide standards and conduct the pupil assessments required pursuant to Section 60605 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in noncharter public schools.~~

~~(2)Charter schools shall on a regular basis consult with their parents and teachers regarding the charter school's educational programs.~~

~~(e)(1)In addition to any other requirement imposed under this part, a charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any pupil on the basis of ethnicity, national origin, gender, gender identity, gender expression, or disability. Except as provided in paragraph (2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of the pupil's parent or guardian, within this state.~~

~~(2)(A)A charter school shall admit all pupils who wish to attend the charter school.~~

~~(B)If the number of pupils who wish to attend the charter school exceeds the charter school's capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the county except as provided for in Section 47614.5. Preferences, including, but not limited to, siblings of pupils admitted or attending the charter school and children of the charter school's teachers, staff, and founders identified in the initial charter, may also be permitted by the chartering authority on an individual charter school basis. Priority order for any preference shall be determined in the charter petition in accordance with all of the following:~~

~~(i)Each type of preference shall be approved by the chartering authority at a public hearing.~~

~~(ii)Preferences shall be consistent with federal law, the California Constitution, and Section 200.~~

~~(iii)Preferences shall not result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation.~~

~~(iv) In accordance with Section 49011, preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.~~

~~(C) In the event of a drawing, the county board of education shall make reasonable efforts to accommodate the growth of the charter school and in no event shall take any action to impede the charter school from expanding enrollment to meet pupil demand.~~

~~(3) If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil's last known address within 30 days and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including report cards or a transcript of grades, and health information. If the pupil is subsequently expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to the charter school within 30 days if the charter school demonstrates that the pupil had been enrolled in the charter school. This paragraph applies only to pupils subject to compulsory full-time education pursuant to Section 48200.~~

~~(f) The county board of education shall not require an employee of the county or a school district to be employed in a charter school.~~

~~(g) The county board of education shall not require a pupil enrolled in a county program to attend a charter school.~~

~~(h) The county board of education shall require that the petitioner or petitioners provide information regarding the proposed operation and potential effects of the charter school, including, but not limited to, the facilities to be used by the charter school, the manner in which administrative services of the charter school are to be provided, and potential civil liability effects, if any, upon the charter school, any school district where the charter school may operate, and upon the county board of education. The petitioner or petitioners shall also be required to provide financial statements that include a proposed first year operational budget, including startup costs, and cashflow and financial projections for the first three years of operation.~~

~~(i) In reviewing petitions for the establishment of charter schools within the county, the county board of education shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences to pupils identified by the petitioner or petitioners as academically low achieving pursuant to the standards established by the department under Section 54032, as that section read before July 19, 2006.~~

~~(j) Upon the approval of the petition by the county board of education, the petitioner or petitioners shall provide written notice of that approval, including a copy of the petition, to the school districts within the county, the Superintendent, and the state board.~~

~~(k) If a county board of education denies a petition, the petitioner shall not elect to submit the petition for the establishment of the charter school to the state board.~~

~~(l) Teachers in charter schools shall hold the Commission on Teacher Credentialing certificate, permit, or other document required for the teacher's certificated assignment. These documents shall be maintained on file at the charter school and shall be subject to periodic inspection by the chartering authority.~~

~~(m) A charter school shall transmit a copy of its annual, independent, financial audit report for the preceding fiscal year, as described in subparagraph (1) of paragraph (5) of subdivision (b), to the county office of education, the Controller, and the department by December 15 of each year. This subdivision does not apply if the audit of the charter school is encompassed in the audit of the chartering entity pursuant to Section 41020.~~

~~(n) A charter school may encourage parental involvement but shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to, or continued enrollment at, the charter school.~~

~~(o)(1) Commencing January 1, 2020, a county board of education may only approve a new petition for the operation of a charter school that operates at one or more sites within the geographic boundaries of the county and that provides instructional services that are not generally provided by a county office of education if it finds, in addition to the other requirements of this section, that the educational services to be provided by the charter school will offer services to a pupil population that will benefit from those services and that cannot be served as well by a charter school that operates in only one school district in the county. A petition for the establishment of a countywide charter school pursuant to this subdivision may be circulated throughout the county by any one or more persons seeking to establish the charter school. The petition may be submitted to the county board of education for review after one of the following requirements is met:~~

~~(A)The petition is signed by a number of parents or guardians of pupils residing within the county that is equivalent to at least one-half of the number of pupils that the charter school estimates will enroll in the school for its first year of operation.~~

~~(B)The petition is signed by a number of teachers that is equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the school during its first year of operation.~~

~~(2)The petition may only be submitted to the county board of education for review if the petitioner has first obtained approval from each of the school districts where the charter school petitioner proposes to operate a facility. The petitioner shall submit the same petition and supporting documentation to the school districts where the charter school proposes to operate a facility and to the county board of education.~~

~~(3)An existing public school shall not be converted to a charter school in accordance with this section.~~

~~(4)After receiving approval of its initial petition, a charter school that proposes to establish operations at additional sites within the geographic boundaries of the county board of education shall first obtain approval from the school districts where those sites will be located before submitting a request for a material revision of its charter to the county board of education. The charter school shall request a material revision of its charter by the county board of education that approved its charter, and the county board of education shall consider whether to approve those additional locations at an open, public meeting, held no sooner than 30 days following approval from the school districts where the sites will be located. If approved, the location of the approved sites shall be a material revision of the charter school's approved charter.~~

~~(5)A petition shall include a prominent statement indicating that a signature on the petition means that the parent or guardian is meaningfully interested in having their child or ward attend the charter school, or in the case of a teacher's signature, means that the teacher is meaningfully interested in teaching at the charter school. The proposed charter shall be attached to the petition.~~

~~(p)The requirements of this section shall not be waived by the state board pursuant to Section 33050 or any other law.~~

SEC. 2. *Section 47605 of the Education Code is amended to read:*

47605. (a) (1) Except as set forth in paragraph (2), a petition for the establishment of a charter school within a school district may be circulated by one or more persons seeking to establish the charter school. A petition for the establishment of a charter school shall identify a single charter school that will operate within the geographic boundaries of that school district. A charter school may propose to operate at multiple sites within the school district if each location is identified in the charter school petition. The petition may be submitted to the governing board of the school district for review after either of the following conditions is met:

(A) The petition is signed by a number of parents or legal guardians of pupils that is equivalent to at least one-half of the number of pupils that the charter school estimates will enroll in the charter school for its first year of operation.

(B) The petition is signed by a number of teachers that is equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the charter school during its first year of operation.

(2) A petition that proposes to convert an existing public school to a charter school that would not be eligible for a loan pursuant to subdivision (c) of Section 41365 may be circulated by one or more persons seeking to establish the charter school. The petition may be submitted to the governing board of the school district for review after the petition is signed by not less than 50 percent of the permanent status teachers currently employed at the public school to be converted.

(3) A petition shall include a prominent statement that a signature on the petition means that the parent or legal guardian is meaningfully interested in having their child or ward attend the charter school, or in the case of a teacher's signature, means that the teacher is meaningfully interested in teaching at the charter school. The proposed charter shall be attached to the petition.

(4) After receiving approval of its petition, a charter school that proposes to establish operations at one or more additional sites shall request a material revision to its charter and shall notify the authority that granted its charter of those additional locations. The authority that granted its charter shall consider whether to approve those additional locations at an open, public meeting. If the additional locations are approved, there shall be a material revision to the charter school's charter.

(5) A charter school that is unable to locate within the jurisdiction of the chartering school district may establish one site outside the boundaries of the school district, but within the county in which that school district is located, if the school district within the jurisdiction of which the charter school proposes to operate is notified in advance of the charter petition approval, the county superintendent of schools and the Superintendent are notified of the location of the charter school before it commences operations, and either of the following circumstances exists:

(A) The school has attempted to locate a single site or facility to house the entire program, but a site or facility is unavailable in the area in which the school chooses to locate.

(B) The site is needed for temporary use during a construction or expansion project.

(6) Commencing January 1, 2003, a petition to establish a charter school shall not be approved to serve pupils in a grade level that is not served by the school district of the governing board considering the petition, unless the petition proposes to serve pupils in all of the grade levels served by that school district.

(b) No later than ~~30~~ 60 days after receiving a petition, in accordance with subdivision (a), the governing board of the school district shall hold a public hearing on the provisions of the charter, at which time the governing board of the school district shall consider the level of support for the petition by teachers employed by the school district, other employees of the school district, and parents. Following review of the petition and the public hearing, the governing board of the school district shall either grant or deny the charter within ~~60~~ 90 days of receipt of the petition, provided, however, that the date may be extended by an additional 30 days if both parties agree to the extension. *A petition is deemed received by the governing board of the school district or the county board of education for purposes of commencing the timelines described in this subdivision when the petitioner submits the complete petition to the district office or to the county office of education. The governing board of the school district or the county board of education shall publish all staff recommendations, including the recommended findings and the certification from the county superintendent of schools prepared pursuant to paragraph (8), regarding the petition at least 15 days before the public hearing at which the governing board of the school district or the county board of education will either grant or deny the charter. Petitioners shall have an opportunity, including sufficient time, to present evidence and testimony to the governing board of the school district or the county board of education at the public hearing at which it will either grant or deny the charter to respond to the staff recommendations and findings.* In reviewing petitions for the establishment of charter schools pursuant to this section, the chartering authority shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The governing board of the school district shall grant a charter for the operation of a school under this part if it is satisfied that granting the charter is consistent with sound educational practice. The governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings:

(1) The charter school presents an unsound educational program for the pupils 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 by subdivision (a).

(4) The petition does not contain an affirmation of each of the conditions described in subdivision (d).

(5) The petition does not contain reasonably comprehensive descriptions of all of the following:

(A) (i) The educational program of the charter school, designed, among other things, to identify those whom the charter school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners.

(ii) The annual goals for the charter school for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in ~~paragraphs (2) to (8), inclusive, of~~ subdivision (d) of Section 52060, that apply for the grade levels ~~served by the charter school, served~~, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.

(iii) If the proposed charter school will serve high school pupils, the manner in which the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western

Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the "A to G" admissions criteria may be considered to meet college entrance requirements.

(B) The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the charter school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the charter school's educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all groups of pupils served by the charter school, as that term is defined in ~~subparagraph (B) of~~ paragraph (3) of subdivision (a) of Section 47607. The pupil outcomes shall align with the state priorities, as described in ~~paragraphs (2) to (8), inclusive, of~~ subdivision (d) of Section 52060, that apply for the grade levels served by the charter school.

(C) The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.

(D) The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement.

(E) The qualifications to be met by individuals to be employed by the charter school.

(F) The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall require all of the following:

(i) That each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.

(ii) The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (H), inclusive, of paragraph (2) of subdivision (a) of Section 32282 and procedures for conducting tactical responses to criminal incidents.

(iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school.

(G) The means by which the charter school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.

(H) Admission policies and procedures, consistent with subdivision (d).

(I) The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.

(J) The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all of the following:

(i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present the pupil's side of the story.

(ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:

(I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.

(II) Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.

(iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder, and shall inform the pupil, the pupil's parent or guardian, or the pupil's educational rights holder of the right to initiate the procedures specified in clause (ii) before the effective date of

the action. If the pupil's parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii).

(K) The manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.

(L) The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.

(M) The rights of an employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school.

(N) The procedures to be followed by the charter school and the chartering authority to resolve disputes relating to provisions of the charter.

(O) The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.

(P) A clear explanation of whether and to what extent the proposed model cannot be accomplished within the school district structure of neighborhood public schools. This explanation shall only be included in an initial petition for a new charter school, or in a renewal petition if the charter school proposes to expand enrollment in a manner that was not previously approved by the chartering authority.

(6) The petition does not contain a declaration of whether or not the charter school shall be deemed the exclusive public employer of the employees of the charter school for purposes of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.

(7) The charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate. A written factual finding under this paragraph shall detail specific facts and circumstances that analyze and consider both of the following factors:

(A) The extent to which the proposed charter school would substantially undermine existing services, academic offerings, or programmatic offerings. Analysis of this factor may include consideration of the fiscal impact of the proposed charter school.

(B) Whether the proposed charter school would duplicate a program currently offered within existing neighborhood schools and the existing program has sufficient capacity for the pupils proposed to be served within reasonable proximity to where the charter school intends to locate.

(8) The school district is not positioned to absorb the fiscal impact of the proposed charter school. A school district satisfies this paragraph if it has a qualified interim certification pursuant to Section 1240 and the county superintendent of schools, in consultation with the County Office Fiscal Crisis and Management Assistance Team, certifies that approving the charter school would result in the school district having a negative interim certification pursuant to Section 1240, has a negative interim certification pursuant to Section 1240, or is under state receivership. Charter schools proposed in a school district satisfying one of these conditions shall be subject to a rebuttable presumption of denial.

(c) (1) Charter schools shall meet all statewide standards and conduct the pupil assessments required pursuant to Section 60605 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in noncharter public schools.

(2) Charter schools shall, on a regular basis, consult with their parents, legal guardians, and teachers regarding the charter school's educational programs.

(d) (1) In addition to any other requirement imposed under this part, a charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against a pupil on the basis of the characteristics listed in Section 220. Except as provided in paragraph (2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of the pupil's parent or legal guardian, within this state, except that an existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that public school.

(2) (A) A charter school shall admit all pupils who wish to attend the charter school.

(B) If the number of pupils who wish to attend the charter school exceeds the charter school's capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the school district except as provided for in Section 47614.5. Preferences, including, but not limited to, siblings of pupils admitted or attending the charter school and children of the charter school's teachers, staff, and founders identified in the initial charter, may also be permitted by the chartering authority on an individual charter school basis. Priority order for any preference shall be determined in the charter petition in accordance with all of the following:

(i) Each type of preference shall be approved by the chartering authority at a public hearing.

(ii) Preferences shall be consistent with federal law, the California Constitution, and Section 200.

(iii) Preferences shall not result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation.

(iv) In accordance with Section 49011, preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.

(C) In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the charter school and shall not take any action to impede the charter school from expanding enrollment to meet pupil demand.

(3) If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including report cards or a transcript of grades, and health information. If the pupil is subsequently expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to the charter school within 30 days if the charter school demonstrates that the pupil had been enrolled in the charter school. This paragraph applies only to pupils subject to compulsory full-time education pursuant to Section 48200.

(4) (A) A charter school shall not discourage a pupil from enrolling or seeking to enroll in the charter school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in clause (iii) of subparagraph (B) of paragraph (2).

(B) A charter school shall not request a pupil's records or require a parent, guardian, or pupil to submit the pupil's records to the charter school before enrollment.

(C) A charter school shall not encourage a pupil currently attending the charter school to disenroll from the charter school or transfer to another school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in clause (iii) of subparagraph (B) of paragraph (2). This subparagraph shall not apply to actions taken by a charter school pursuant to the procedures described in subparagraph (J) of paragraph (5) of subdivision (b).

(D) The department shall develop a notice of the requirements of this paragraph. This notice shall be posted on a charter school's internet website. A charter school shall provide a parent or guardian, or a pupil if the pupil is 18 years of age or older, a copy of this notice at all of the following times:

(i) When a parent, guardian, or pupil inquires about enrollment.

(ii) Before conducting an enrollment lottery.

(iii) Before disenrollment of a pupil.

(E) (i) A person who suspects that a charter school has violated this paragraph may file a complaint with the chartering authority.

(ii) The department shall develop a template to be used for filing complaints pursuant to clause (i).

(5) Notwithstanding any other law, a charter school in operation as of July 1, 2019, that operates in partnership with the California National Guard may dismiss a pupil from the charter school for failing to maintain the

minimum standards of conduct required by the Military Department.

(e) The governing board of a school district shall not require an employee of the school district to be employed in a charter school.

(f) The governing board of a school district shall not require a pupil enrolled in the school district to attend a charter school.

(g) The governing board of a school district shall require that the petitioner or petitioners provide information regarding the proposed operation and potential effects of the charter school, including, but not limited to, the facilities to be used by the charter school, the manner in which administrative services of the charter school are to be provided, and potential civil liability effects, if any, upon the charter school and upon the school district. The description of the facilities to be used by the charter school shall specify where the charter school intends to locate. The petitioner or petitioners also shall be required to provide financial statements that include a proposed first-year operational budget, including startup costs, and cashflow and financial projections for the first three years of operation. *If the school is to be operated by, or as, a nonprofit public benefit corporation, the petitioner shall provide the names and relevant qualifications of all persons whom the petitioner nominates to serve on the board of directors of the charter school.*

(h) In reviewing petitions for the establishment of charter schools within the school district, the governing board of the school district shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences to pupils identified by the petitioner or petitioners as academically low achieving pursuant to the standards established by the department under Section 54032, as that section read before July 19, 2006.

(i) Upon the approval of the petition by the governing board of the school district, the petitioner or petitioners shall provide written notice of that approval, including a copy of the petition, to the applicable county superintendent of schools, the department, and the state board.

(j) (1) (A) If the governing board of a school district denies a petition, the petitioner may elect to submit the petition for the establishment of a charter school to the county board of education. The county board of education shall review the petition pursuant to subdivision (b). *If the petition submitted on appeal contains new or different material terms, the county board of education shall immediately remand the petition to the governing board of the school district for reconsideration, which shall grant or deny the petition within 30 days. If the governing board of the school district denies a petition after reconsideration, the petitioner may elect to resubmit the petition for the establishment of a charter school to the county board of education.* ~~If the petitioner elects to submit a petition for establishment of a charter school to the county board of education and the county board of education denies the petition, the petitioner may file a petition for establishment of a charter school with the state board, and the state board may approve the petition, in accordance with subdivision (b). A charter school that receives approval of its petition from a county board of education or from the state board on appeal shall be subject to the same requirements concerning geographic location to which it would otherwise be subject if it received approval from the school district to which it originally submitted its petition. A charter petition that is submitted to either a county board of education or to the state board shall meet all otherwise applicable petition requirements, including the identification of the proposed site or sites where the charter school will operate.~~

~~(2) In assuming its role as a chartering authority, the state board shall develop criteria to be used for the review and approval of charter school petitions presented to the state board. The criteria shall address all elements required for charter approval, as identified in subdivision (b), and shall define "reasonably comprehensive," as used in paragraph (5) of subdivision (b), in a way that is consistent with the intent of this part. Upon satisfactory completion of the criteria, the state board shall adopt the criteria on or before June 30, 2001.~~

~~(3) A charter school for which a charter is granted by either the county board of education or the state board based on an appeal pursuant to this subdivision shall qualify fully as a charter school for all funding and other purposes of this part.~~

~~(4) If either the county board of education or the state board fails to act on a petition within 120 days of receipt, the decision of the governing board of the school district to deny the petition shall be subject to judicial review.~~

~~(5) The state board shall adopt regulations implementing this subdivision.~~

~~(6) Upon the approval of the petition by the county board of education, the petitioner or petitioners shall provide written notice of that approval, including a copy of the petition, to the department and the state board.~~

(B) As used in this subdivision, "material terms" of the petition means the signatures, affirmations, disclosures, documents, and descriptions described in subdivisions (a), (b), and (g), but shall not include administrative

updates to the petition or related documents due to changes in circumstances based on the passage of time related to fiscal affairs, facilities arrangements, or state law, or to reflect the county board of education as the chartering authority.

(2) If the county board of education denies a petition, the petitioner may appeal that denial to the state board.

(A) The petitioner shall submit the petition to the state board within 30 days of a denial by the county board of education. The petitioner shall include the findings and documentary record from the governing board of the school district and the county board of education and a written submission detailing, with specific citations to the documentary record, how the governing board of the school district or the county board of education, or both, abused their discretion. The governing board of the school district and county board of education shall prepare the documentary record at the request of the petitioners. At the same time the petition and supporting documentation is submitted to the state board, the petitioner may also provide a copy of the petition and supporting documentation to the adverse party.

(B) If the appeal contains new or different material terms, the state board shall immediately remand the petition to the county board of education for reconsideration.

(C) Within 15 days of receipt of the appeal submitted to the state board, the governing board of the school district or county board of education may submit a written opposition to the state board detailing, with specific citations to the documentary record, how the governing board of the school district or the county board of education did not abuse its discretion in denying the petition. The governing board of the school district or the county board of education may submit supporting documentation or evidence that was considered by the governing board of the school district or the county board of education.

(D) The state board's Advisory Commission on Charter Schools shall hold a public hearing to review the appeal and documentary record. Based on its review, the Advisory Commission on Charter Schools may submit a recommendation to the state board whether there is sufficient evidence to hear the appeal or to summarily deny review of the appeal based on the documentary record.

(E) Based on the recommendation of the Advisory Commission on Charter Schools, the state board shall either hear the appeal, or ratify the decision of the county board of education by summarily denying review of the appeal based on the documentary record. If the state board hears the appeal, the state board may reverse the determination of the county board of education upon a determination that there was an abuse of discretion within the meaning of Section 1094.5 of the Code of Civil Procedure. If the denial of a charter petition is reversed by the state board, the county board of education shall become the chartering authority.

(3) A charter school for which a charter is granted by either the county board of education or the state board based on an appeal pursuant to this subdivision shall qualify fully as a charter school for all funding and other purposes of this part.

(4) A charter school that receives approval of its petition from a county board of education or from the state board on appeal shall be subject to the same requirements concerning geographic location to which it would otherwise be subject if it received approval from the chartering authority to which it originally submitted its petition. A charter petition that is submitted to either a county board of education or to the state board shall meet all otherwise applicable petition requirements, including the identification of the proposed site or sites where the charter school will operate.

(5) Upon the approval of the petition by the county board of education, the petition or petitioners shall provide written notice of that approval, including a copy of the petition, to the department.

(k) (1) The state board ~~may, by mutual agreement,~~ shall designate its supervisory and oversight responsibilities for a charter school approved by the state board to any local educational agency in the county in which the charter school is located or to the governing board of the school district that first denied the petition.

(2) The designated local educational agency shall have all monitoring and supervising authority of a chartering authority, including, but not limited to, powers and duties set forth in Section ~~47607, except the power of revocation, which shall remain with the state board.~~ 47607.

(3) A charter school that is granted its charter through an appeal to the state board and elects to seek renewal of its charter shall, before expiration of the charter, submit its petition for renewal to the governing board of the school district that initially denied the charter. If the governing board of the school district denies the charter school's petition for renewal, the charter school may petition the state board for renewal of its charter.

(l) *(1) Teachers in charter schools shall hold a Commission on Teacher Credentialing certificate, permit, or other document ~~equivalent to that which a teacher in other public schools would be required to hold.~~ required for the teacher's certificated assignment.* These documents shall be maintained on file at the charter school and are subject to periodic inspection by the chartering authority. *A teacher employed at a charter school shall be deemed to satisfy this requirement if that teacher holds a certificate of clearance, or other document subsequently established by the Commission on Teacher Credentialing for this purpose, and does not teach a course in English, mathematics, science, or social science, or in a setting that would require a teacher in other public schools to hold a multiple subject credential or education specialist instruction credential.*

(2) This section shall not apply to a teacher employed by a charter school before January 1, 2020, assigned to teach a noncore, noncollege preparatory course. Charter schools shall be eligible for the same relief as school districts to address certificated teacher shortages. The Commission on Teacher Credentialing shall develop a certificate of clearance or other equivalent document for noncore, noncollege preparatory courses in charter schools.

(m) A charter school shall transmit a copy of its annual, independent financial audit report for the preceding fiscal year, as described in subparagraph (I) of paragraph (5) of subdivision (b), to its chartering authority, the Controller, the county superintendent of schools of the county in which the charter school is sited, unless the county board of education of the county in which the charter school is sited is the chartering authority, and the department by December 15 of each year. This subdivision does not apply if the audit of the charter school is encompassed in the audit of the chartering authority pursuant to Section 41020.

(n) A charter school may encourage parental involvement, but shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to, or continued enrollment at, the charter school.

(o) The requirements of this section shall not be waived by the state board pursuant to Section 33050 or any other law.

SEC. 3. Section 47605.6 of the Education Code is amended to read:

47605.6. (a) (1) In addition to the authority provided by Section 47605.5, a county board of education may also approve a petition for the operation of a charter school that operates at one or more sites within the geographic boundaries of the county and that provides instructional services that are not generally provided by a county office of education. A county board of education may approve a countywide charter only if it finds, in addition to the other requirements of this section, that the educational services to be provided by the charter school will offer services to a pupil population that will benefit from those services and that cannot be served as well by a charter school that operates in only one school district in the county. A petition for the establishment of a countywide charter school pursuant to this subdivision may be circulated throughout the county by any one or more persons seeking to establish the charter school. The petition may be submitted to the county board of education for review after either of the following conditions is met:

(A) The petition is signed by a number of parents or guardians of pupils residing within the county that is equivalent to at least one-half of the number of pupils that the charter school estimates will enroll in the school for its first year of operation and each of the school districts where the charter school petitioner proposes to operate a facility has received at least 30 days' notice of the petitioner's intent to operate a charter school pursuant to this section.

(B) The petition is signed by a number of teachers that is equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the school during its first year of operation and each of the school districts where the charter school petitioner proposes to operate a facility has received at least 30 days' notice of the petitioner's intent to operate a charter school pursuant to this section.

(2) An existing public school shall not be converted to a charter school in accordance with this section.

(3) After receiving approval of its petition, a charter school that proposes to establish operations at additional sites within the geographic boundaries of the county board of education shall notify the school districts where those sites will be located. The charter school shall also request a material revision of its charter by the county board of education that approved its charter and the county board of education shall consider whether to approve those additional locations at an open, public meeting, held no sooner than 30 days following notification of the school districts where the sites will be located. If approved, the location of the approved sites shall be a material revision of the charter school's approved charter.

(4) A petition shall include a prominent statement indicating that a signature on the petition means that the parent or guardian is meaningfully interested in having their child or ward attend the charter school, or in the case of a teacher's signature, means that the teacher is meaningfully interested in teaching at the charter school. The proposed charter shall be attached to the petition.

(b) No later than 60 days after receiving a petition, in accordance with subdivision (a), the county board of education shall hold a public hearing on the provisions of the charter, at which time the county board of education shall consider the level of support for the petition by teachers, parents or guardians, and the school districts where the charter school petitioner proposes to place school facilities. Following review of the petition and the public hearing, the county board of education shall either grant or deny the charter within 90 days of receipt of the petition. However, this date may be extended by an additional 30 days if both parties agree to the extension. A county board of education may impose any additional requirements beyond those required by this section that it considers necessary for the sound operation of a countywide charter school. A county board of education may grant a charter for the operation of a charter school under this part only if it is satisfied that granting the charter is consistent with sound educational practice and that the charter school has reasonable justification for why it could not be established by petition to a school district pursuant to Section 47605. The county board of education shall deny a petition for the establishment of a charter school if it finds one or more of the following:

(1) The charter school presents an unsound educational program for the pupils 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 by subdivision (a).

(4) The petition does not contain an affirmation of each of the conditions described in subdivision (e).

(5) The petition does not contain reasonably comprehensive descriptions of all of the following:

(A) (i) The educational program of the charter school, designed, among other things, to identify those pupils whom the charter school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners.

(ii) The annual goals for the charter school for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in ~~paragraphs (2) to (8), inclusive, of~~ subdivision (d) of Section 52060, that apply for the grade levels ~~served~~ *served, or the nature of the program operated*, by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.

(iii) If the proposed charter school will enroll high school pupils, the manner in which the charter school will inform parents regarding the transferability of courses to other public high schools. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered to be transferable to other public high schools.

(iv) If the proposed charter school will enroll high school pupils, information as to the manner in which the charter school will inform parents as to whether each individual course offered by the charter school meets college entrance requirements. Courses approved by the University of California or the California State University as satisfying their prerequisites for admission may be considered as meeting college entrance requirements for purposes of this clause.

(B) The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the charter school demonstrate that they have attained the skills, knowledge, and aptitudes specified as goals in the charter school's educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of Section 47607. The pupil outcomes shall align with the state priorities, as described in ~~paragraphs (2) to (8), inclusive, of~~ subdivision (d) of Section 52060, that apply for the grade levels ~~served~~ *served, or the nature of the program operated*, by the charter school.

(C) The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.

(D) The location of each charter school facility that the petitioner proposes to operate.

(E) The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement.

(F) The qualifications to be met by individuals to be employed by the charter school.

(G) The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall require all of the following:

(i) That each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.

(ii) The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (H), inclusive, of paragraph (2) of subdivision (a) of Section 32282 and procedures for conducting tactical responses to criminal incidents.

(iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school.

(H) The means by which the charter school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the county board of education to which the charter petition is submitted.

(I) The manner in which annual, independent financial audits shall be conducted, in accordance with regulations established by the state board, and the manner in which audit exceptions and deficiencies shall be resolved.

(J) The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all of the following:

(i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present the pupil's side of the story.

(ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:

(I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.

(II) Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.

(iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder, and shall inform the pupil, the pupil's parent or guardian, or the pupil's educational rights holder of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii).

(K) The manner by which staff members of the charter school will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.

(L) The procedures to be followed by the charter school and the county board of education to resolve disputes relating to provisions of the charter.

(M) Admission policy and procedures, consistent with subdivision (e).

(N) The public school attendance alternatives for pupils residing within the county who choose not to attend the charter school.

(O) The rights of an employee of the county office of education, upon leaving the employment of the county office

of education, to be employed by the charter school, and any rights of return to the county office of education that an employee may have upon leaving the employment of the charter school.

(P) The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of public records.

(6) A declaration of whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for purposes of the Educational Employment Relations Act (Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code).

(7) Any other basis that the county board of education finds justifies the denial of the petition.

(c) A county board of education that approves a petition for the operation of a countywide charter may, as a condition of charter approval, enter into an agreement with a third party, at the expense of the charter school, to oversee, monitor, and report to the county board of education on the operations of the charter school. The county board of education may prescribe the aspects of the charter school's operations to be monitored by the third party and may prescribe appropriate requirements regarding the reporting of information concerning the operations of the charter school to the county board of education.

(d) (1) Charter schools shall meet all statewide standards and conduct the pupil assessments required pursuant to Section 60605 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in noncharter public schools.

(2) Charter schools shall on a regular basis consult with their parents and teachers regarding the charter school's educational programs.

(e) (1) In addition to any other requirement imposed under this part, a charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any pupil on the basis of ethnicity, national origin, gender, gender identity, gender expression, or disability. Except as provided in paragraph (2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of the pupil's parent or guardian, within this state.

(2) (A) A charter school shall admit all pupils who wish to attend the charter school.

(B) If the number of pupils who wish to attend the charter school exceeds the charter school's capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the county except as provided for in Section 47614.5. Preferences, including, but not limited to, siblings of pupils admitted or attending the charter school and children of the charter school's teachers, staff, and founders identified in the initial charter, may also be permitted by the chartering authority on an individual charter school basis. Priority order for any preference shall be determined in the charter petition in accordance with all of the following:

(i) Each type of preference shall be approved by the chartering authority at a public hearing.

(ii) Preferences shall be consistent with federal law, the California Constitution, and Section 200.

(iii) Preferences shall not result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation.

(iv) In accordance with Section 49011, preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.

(C) In the event of a drawing, the county board of education shall make reasonable efforts to accommodate the growth of the charter school and in no event shall take any action to impede the charter school from expanding enrollment to meet pupil demand.

(3) If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil's last known address within 30 days and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including report cards or a transcript of grades, and health information. If the pupil is subsequently expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to the charter school within 30 days if the charter school demonstrates that the

pupil had been enrolled in the charter school. This paragraph applies only to pupils subject to compulsory full-time education pursuant to Section 48200.

(4) (A) A charter school shall not discourage a pupil from enrolling or seeking to enroll in the charter school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in clause (iii) of subparagraph (B) of paragraph (2).

(B) A charter school shall not request a pupil's records or require a parent, guardian, or pupil to submit the pupil's records to the charter school before enrollment.

(C) A charter school shall not encourage a pupil currently attending the charter school to disenroll from the charter school or transfer to another school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in clause (iii) of subparagraph (B) of paragraph (2). This subparagraph shall not apply to actions taken by a charter school pursuant to the procedures described in subparagraph (J) of paragraph (5) of subdivision (b).

(D) The department shall develop a notice of the requirements of this paragraph. This notice shall be posted on a charter school's internet website. A charter school shall provide a parent or guardian, or a pupil if the pupil is 18 years of age or older, a copy of this notice at all of the following times:

(i) When a parent, guardian, or pupil inquires about enrollment.

(ii) Before conducting an enrollment lottery.

(iii) Before disenrollment of a pupil.

(E) (i) A person who suspects that a charter school has violated this paragraph may file a complaint with the chartering authority.

(ii) The department shall develop a template to be used for filing complaints pursuant to clause (i).

(5) Notwithstanding any other law, a charter school in operation as of July 1, 2019, that operates in partnership with the California National Guard may dismiss a pupil from the charter school for failing to maintain the minimum standards of conduct required by the Military Department.

(f) The county board of education shall not require an employee of the county or a school district to be employed in a charter school.

(g) The county board of education shall not require a pupil enrolled in a county program to attend a charter school.

(h) The county board of education shall require that the petitioner or petitioners provide information regarding the proposed operation and potential effects of the charter school, including, but not limited to, the facilities to be used by the charter school, the manner in which administrative services of the charter school are to be provided, and potential civil liability effects, if any, upon the charter school, any school district where the charter school may operate, and upon the county board of education. The petitioner or petitioners shall also be required to provide financial statements that include a proposed first-year operational budget, including startup costs, and cashflow and financial projections for the first three years of operation.

(i) In reviewing petitions for the establishment of charter schools within the county, the county board of education shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences to pupils identified by the petitioner or petitioners as academically low achieving pursuant to the standards established by the department under Section 54032, as that section read before July 19, 2006.

(j) Upon the approval of the petition by the county board of education, the petitioner or petitioners shall provide written notice of that approval, including a copy of the petition, to the school districts within the county, the Superintendent, and the state board.

(k) If a county board of education denies a petition, the petitioner shall not elect to submit the petition for the establishment of the charter school to the state board.

(l) (1) Teachers in charter schools shall be required to hold a Commission on Teacher Credentialing certificate, permit, or other document ~~equivalent to that which a teacher in other public schools would be required to hold.~~ *required for the teacher's certificated assignment.* These documents shall be maintained on file at the charter school and shall be subject to periodic inspection by the chartering authority. *A teacher employed at a charter school shall be deemed to satisfy this requirement if that teacher holds a certificate of clearance, or other*

document subsequently established by the Commission on Teacher Credentialing for this purpose, and does not teach a course in English, mathematics, science, or social science, or in a setting that would require a teacher in other public schools to hold a multiple subject credential or education specialist instruction credential.

(2) This section shall not apply to a teacher employed by a charter school before January 1, 2020, assigned to teach a noncore, noncollege preparatory course. Charter schools shall be eligible for the same relief as school districts to address certificated teacher shortages. The Commission on Teacher Credentialing shall develop a certificate of clearance or other equivalent document for noncore, noncollege preparatory courses in charter schools.

(m) A charter school shall transmit a copy of its annual, independent, financial audit report for the preceding fiscal year, as described in subparagraph (I) of paragraph (5) of subdivision (b), to the county office of education, the Controller, and the department by December 15 of each year. This subdivision does not apply if the audit of the charter school is encompassed in the audit of the chartering entity pursuant to Section 41020.

(n) A charter school may encourage parental involvement but shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to, or continued enrollment at, the charter school.

(o) The requirements of this section shall not be waived by the state board pursuant to Section 33050 or any other law.

SEC. 5. ~~SEC. 4.~~ Section 47605.8 of the Education Code is repealed.

SEC. 6. ~~SEC. 5.~~ Section 47605.9 is added to the Education Code, to read:

47605.9. (a) A petition to establish a charter school under this part may be submitted only to the governing board of the school district or county office of education within the boundaries of which the charter school proposes to locate.

(b) A charter school operating under a charter approved by the state board pursuant to Section 47605 or 47605.8, as those sections read on January 1, 2019, may continue to operate under the authority of that chartering authority only until the date on which the charter is up for renewal, at which point the charter school shall submit a petition for renewal to the governing board of the school district within the boundaries of which the charter school is located.

(c) A charter school operating under a charter approved by a county board of education pursuant to Section 47605, 47605.5 or 47605.6, as those sections read on January 1, 2019, may continue to operate under the authority of that chartering authority and may submit a petition for renewal to that chartering authority or the governing board of the school district within the boundaries of which the charter school is located.

(d) The requirements of this section shall not be waived by the state board pursuant to Section 33050 or any other law.

SEC. 7. ~~SEC. 6.~~ Section 47607 of the Education Code is amended to read:

47607. (a) (1) A charter may be granted *pursuant to Sections 47605, 47605.5, and 47606* for a period not to exceed ~~five years, and may be granted one or more subsequent renewals by the chartering authority for a period of between two and five years for each renewal. If a charter school has been identified for technical assistance from the chartering authority, the charter school shall be renewed for less than five years. A material revision of the provisions of a charter petition may be made only with the approval of the chartering authority. The chartering authority may inspect or observe any part of the charter school at any time.~~ *five years.*

(2) A chartering authority may grant one or more subsequent renewals pursuant to subdivision (c).

(3) A material revision of the provisions of a charter petition may be made only with the approval of the chartering authority.

(4) The findings of paragraphs (7) and (8) of subdivision (b) of Section 47605 shall not be used to deny a renewal of charter school that provided educational services to pupils before July 1, 2019.

(5) The chartering authority may inspect or observe any part of the charter school at any time.

~~(2)~~

~~(b) Renewals and material revisions of charters are governed by the standards and criteria in Section 47605, and shall include, but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed. The chartering authority shall consider during renewal whether the charter school maintains sound management of its business and financial operations, and whether the school is expected to meet its financial obligations for the current and two subsequent fiscal years.~~

~~(3) For purposes of this section, "all groups of pupils served by the charter school" means a numerically significant pupil subgroup, as defined by paragraph (3) of subdivision (a) of Section 52052, served by the charter school.~~

~~(b) Commencing on January 1, 2005, or after a charter school has been in operation for four years, whichever date occurs later, a charter school shall meet at least one of the following criteria before receiving a charter renewal pursuant to paragraph (1) of subdivision (a):~~

~~(1) Attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years both schoolwide and for all groups of pupils served by the charter school.~~

~~(2) Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years.~~

~~(3) Ranked in deciles 4 to 10, inclusive, on the API for a demographically comparable school in the prior year or in two of the last three years.~~

~~(4)(A) The chartering authority determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.~~

~~(B) The determination made pursuant to this paragraph shall be based upon all of the following:~~

~~(i) Documented and clear and convincing data.~~

~~(ii) Pupil achievement data from assessments, including, but not limited to, the Standardized Testing and Reporting Program established by Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 for demographically similar pupil populations in the comparison schools.~~

~~(iii) Information submitted by the charter school.~~

~~(C) A chartering authority shall submit to the Superintendent copies of supporting documentation and a written summary of the basis for any determination made pursuant to this paragraph. The Superintendent shall review the materials and make recommendations to the chartering authority based on that review. The review may be the basis for a recommendation made pursuant to Section 47604.5.~~

~~(D) A charter renewal may not be granted to a charter school prior to 30 days after that charter school submits materials pursuant to this paragraph.~~

~~(5) Qualified for an alternative accountability system pursuant to subdivision (h) of Section 52052.~~

~~(c) Notwithstanding any other law, the following shall apply to charter schools:~~

~~(1) The evaluation rubrics and performance criteria adopted by the state board pursuant to Section 52064.5 shall be applied equally to both school districts and charter schools.~~

~~(2) If the governing body of a charter school requests technical assistance, the chartering authority shall provide technical assistance consistent with subparagraph (A) or (B) of paragraph (4). If a charter school has not been identified for technical assistance pursuant to paragraph (4) and if the service requested creates an unreasonable or untenable cost burden for the chartering authority, the chartering authority may assess the charter school a fee not to exceed the cost of the service.~~

~~(3) If a chartering authority does not approve a local control and accountability plan or annual update to the local control and accountability plan approved by a governing body of a charter school, the chartering authority shall provide technical assistance focused on revising the local control and accountability plan or annual update so that it can be approved.~~

~~(4) For any charter school for which one or more pupil subgroups identified pursuant to Section 52052 meets the criteria established pursuant to subdivision (g) of Section 52064.5, the chartering authority shall provide technical assistance focused on building the charter school's capacity to develop and implement actions and services~~

~~responsive to pupil and community needs, including, but not limited to, any of the following:~~

~~(A) Assisting the charter school to identify its strengths and weaknesses in regard to the state priorities described in subdivision (d) of Section 52060. This shall include working collaboratively with the charter school to review performance data on the state and local indicators included in the California School Dashboard authorized by subdivision (f) of Section 52064.5 and other relevant local data, and to identify effective, evidence-based programs or practices that address any areas of weakness.~~

~~(B) Working collaboratively with the charter school to secure assistance from an academic, programmatic, or fiscal expert or team of experts to identify and implement effective programs and practices that are designed to improve performance in any areas of weakness identified by the charter school. The chartering authority, in consultation with the charter school, may solicit another service provider, which may include, but is not limited to, a school district, county office of education, or charter school, to act as a partner to the charter school in need of technical assistance.~~

~~(C) Obtaining from the charter school timely documentation demonstrating that it has completed the activities described in subparagraphs (A) and (B), or substantially similar activities, or has selected another service provider pursuant to paragraph (7) to work with the charter school to complete the activities described in subparagraphs (A) and (B), or substantially similar activities, and ongoing communication with the charter school to assess the charter school's progress in improving pupil outcomes.~~

~~(D) Requesting that the California Collaborative for Educational Excellence provide advice and assistance to the charter school, pursuant to subdivision (g) of Section 52074.~~

~~(5) Upon request of a chartering authority or a charter school, a geographic lead agency identified pursuant to Section 52073 may provide technical assistance pursuant to paragraph (4). A geographic lead agency identified pursuant to Section 52073 may request that another geographic lead agency, an expert lead agency identified pursuant to Section 52073.1, a special education resource lead identified pursuant to Section 52073.2, or the California Collaborative for Educational Excellence provide the assistance described in this subdivision.~~

~~(6) A charter school shall accept the technical assistance provided by the chartering authority pursuant to paragraphs (3) and (4). For purposes of accepting technical assistance provided by the chartering authority pursuant to paragraph (4), a charter school may satisfy this requirement by providing the timely documentation to, and maintaining regular communication with, the chartering authority as specified in subparagraph (C) of paragraph (4).~~

~~(7) This section shall not preclude a charter school from soliciting technical assistance from entities other than the chartering authority at its own cost.~~

~~(d) The Superintendent shall make recommendations to the Legislature, including the appropriate policy committees in the Assembly and the Senate, by September 1, 2020, regarding charter school student academic achievement criteria that shall prohibit a charter school from being renewed, charter school student academic achievement criteria that may warrant a charter school not to be renewed, and charter school student academic criteria that may warrant charter revocation.~~

(c) (1) As an additional criterion for determining whether to grant a charter renewal, the chartering authority shall consider the performance of the charter school on the state and local indicators included in the evaluation rubrics adopted pursuant to Section 52064.5. Notwithstanding any provision of this subdivision, the chartering authority may deny renewal for a charter upon a finding that the charter is demonstrably unlikely to successfully implement the program set forth in the petition due to fiscal or governance issues.

(2) (A) The chartering authority shall not deny renewal for a charter school pursuant to this subdivision if both of the following apply:

(i) The charter school has received, for two consecutive years immediately preceding the renewal decision, the two highest performance levels on all the state indicators included in the evaluation rubrics adopted pursuant to Section 52064.5 for which it receives performance levels.

(ii) The chartering authority does not make an adverse finding pursuant to paragraph (4) of subdivision (d).

(B) The chartering authority that granted the charter may renew a charter pursuant to this paragraph for a period of between five and seven years.

(C) Notwithstanding subdivision (b), a charter that satisfies the criteria in subparagraph (A) shall only be required to update the petition to include a reasonably comprehensive description of any new requirement of charter

schools enacted into law after the charter was originally granted or last renewed and as necessary to reflect the current program offered by the charter.

(D) Notwithstanding subdivision (b), the chartering authority may deny renewal for a charter that satisfies the criteria in subparagraph (A) only upon a finding that the charter is demonstrably unlikely to successfully implement the program set forth in the petition due to fiscal or governance issues.

(E) This paragraph shall not apply to a charter school for which the chartering authority makes a finding pursuant to subdivision (d).

(3) (A) The chartering authority shall not renew a charter if the charter school has received, for two consecutive years immediately preceding the renewal decision, the two lowest performance levels on all the state indicators included in the evaluation rubrics adopted pursuant to Section 52064.5 for which it receives performance levels.

(B) The chartering authority may renew a charter that meets the criteria in subparagraph (A) only upon making both of the following written factual findings, specific to the particular petition, setting forth specific facts to support the findings:

(i) Continued operation of the charter school is in the best interest of pupils.

(ii) The charter school is taking meaningful steps to address the underlying cause or causes of low performance, and those steps are reflected, or will be reflected, in a written plan adopted by the governing body of the charter school.

(C) For a charter renewed pursuant to this paragraph, and notwithstanding paragraph (2) of subdivision (a), the chartering authority may grant a renewal for a period of two years.

(4) (A) The chartering authority shall consider denying a charter for renewal pursuant to this paragraph if the charter school has received, for four consecutive years immediately preceding the renewal decision, the two lowest performance levels on all the state indicators included in the evaluation rubrics adopted pursuant to Section 52064.5 for which it receives performance levels.

(B) The chartering authority may renew a charter that meets the criteria in subparagraph (B) of paragraph (3) only upon making both of the following additional written factual findings, specific to the particular petition, setting forth specific facts to support the findings:

(i) Continued operation of the charter school is necessary based on an identified extraordinary need in the community.

(ii) The charter school is taking meaningful steps to address the underlying cause or causes of low performance, and those steps are reflected, or will be reflected, in a written plan adopted by the governing body of the charter school.

(C) For a charter renewed pursuant to this paragraph, and notwithstanding paragraph (2) of subdivision (a), the chartering authority may grant a renewal for a period of two years.

(5) (A) For all charter schools for which paragraphs (2) to (4), inclusive, do not apply, the chartering authority shall consider the performance of all groups of pupils served by the charter school on the state indicators included in the evaluation rubrics adopted pursuant to Section 52064.5 and the performance of the charter school on the local indicators included in the evaluation rubrics adopted pursuant to Section 52064.5.

(B) (i) Except as provided in clause (ii), the chartering authority shall provide greater weight to performance on measurements of academic performance in determining whether to grant a charter renewal pursuant to the criterion established pursuant to this subdivision.

(ii) Clause (i) shall not apply to a charter school for which the chartering authority made a finding pursuant to subdivision (d).

(C) The chartering authority may deny a charter renewal pursuant to this paragraph only upon making written findings, setting forth specific facts to support the findings, that the closure of the charter school is in the best interest of pupils and, if applicable pursuant to subparagraph (B), that its decision provided greater weight to performance on measurements of academic performance.

(D) For a charter renewed pursuant to this paragraph, the chartering authority shall grant a renewal for a period of five years.

(6) For purposes of this section, "all groups of pupils served by the charter school" means a numerically significant pupil subgroup, as defined by subdivision (a) of Section 52052, served by the charter school.

(7) For purposes of this section, "measurements of academic performance" means indicators included in the evaluation rubrics adopted pursuant to Section 52064.5 that are based on statewide assessments in the California Assessment of Student Performance and Progress system, or any successor system, the English Language Proficiency Assessments for California, or any successor system, and high school graduation rates.

(d) (1) At the conclusion of the year immediately preceding the final year of the charter school's term, the charter school shall provide, upon request of the chartering authority, the following aggregate data reflecting pupil enrollment patterns at the charter school:

(A) For each school year of the charter school's term, the percentage of pupils enrolled at any point between the beginning of the school year and census day who were not enrolled at the conclusion of that year, and the average results on the statewide assessments in the California Assessment of Student Performance and Progress system, or any successor system, for any such pupils who were enrolled in the charter school the prior school year.

(B) For each school year of the charter school's term, the percentage of pupils who were enrolled the prior school year who were not enrolled as of census day for the school year, except for pupils who completed the grade that is the highest grade served by the charter school, and the average results on the statewide assessments in the California Assessment of Student Performance and Progress system, or any successor system, for any such pupils.

(2) When determining whether to grant a charter renewal, the chartering authority shall review data provided pursuant to paragraph (1), any data that may be provided to chartering authorities by the department, and any substantiated complaints that the charter school has not complied with subparagraph (J) of paragraph (5) of subdivision (b) of Section 47605 or with subparagraph (J) of paragraph (5) of subdivision (b) of Section 47605.6.

(3) The chartering authority shall notify the charter school within 30 days of receiving a request to renew the charter if, based on the review described in paragraph (2), there is evidence that the charter school is not serving all pupils who wish to attend and specifically identify the evidence. The charter school may respond in writing within 30 days.

(4) As part of its determination of whether to grant a charter renewal based on the criterion established pursuant to subdivision (c), the chartering authority may make a finding that the charter school is not serving all pupils who wish to attend and, upon making such a finding, specifically identify the evidence supporting the finding.

(e) Paragraphs (2) and (3) of subdivision (c) shall not apply to a charter school that is eligible for alternate methods for calculating the state and local indicators pursuant to subdivision (d) of Section 52064.5. In determining whether to grant a charter renewal for such a charter school, the chartering authority shall consider, in addition to the charter school's performance on the state and local indicators included in the evaluation rubrics adopted pursuant to subdivision (c) of Section 52064.5, the charter school's performance on alternative metrics applicable to the charter school based on the pupil population served. The chartering authority shall meet with the charter school during the first year of the charter school's term to mutually agree to discuss alternative metrics to be considered pursuant to this subdivision, and shall notify the charter school of the alternative metrics to be used within 30 days of this meeting. The chartering authority may deny a charter renewal pursuant to this subdivision only upon making written findings, setting forth specific facts to support the findings, that the closure of the charter school is in the best interest of pupils.

~~(e)~~

(f) A charter may be revoked by the ~~authority that granted the charter under this chapter if the~~ chartering authority *if the charting authority* finds, through a showing of substantial evidence, that the charter school did any of the following:

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

~~(f)~~

(g) Before revocation, the chartering authority shall notify the charter school of any violation of this section and give the school a reasonable opportunity to remedy the violation, unless the authority determines, in writing, that the violation constitutes a severe and imminent threat to the health or safety of the pupils.

~~(g)~~

(h) Before revoking a charter for failure to remedy a violation pursuant to subdivision (f), and after expiration of the school's reasonable opportunity to remedy without successfully remedying the violation, the chartering authority shall provide a written notice of intent to revoke and notice of facts in support of revocation to the charter school. No later than 30 days after providing the notice of intent to revoke a charter, the chartering authority shall hold a public hearing, in the normal course of business, on the issue of whether evidence exists to revoke the charter. No later than 30 days after the public hearing, the chartering authority shall issue a final decision to revoke or decline to revoke the charter, unless the chartering authority and the charter school agree to extend the issuance of the decision by an additional 30 days. The chartering authority shall not revoke a charter, unless it makes written factual findings supported by substantial evidence, specific to the charter school, that support its findings.

(i) (1) *If a school district is the chartering authority and it revokes a charter pursuant to this section, the charter school may appeal the revocation to the county board of education within 30 days following the final decision of the chartering authority.*

(2) *The county board of education may reverse the revocation decision if the county board of education determines that the findings made by the chartering authority under subdivision (h) are not supported by substantial evidence. The school district may appeal the reversal to the state board.*

(3) *If the county board of education does not issue a decision on the appeal within 90 days of receipt, or the county board of education upholds the revocation, the charter school may appeal the revocation to the state board.*

(4) *The state board may reverse the revocation decision if the state board determines that the findings made by the chartering authority under subdivision (h) are not supported by substantial evidence. The state board may uphold the revocation decision of the school district if the state board determines that the findings made by the chartering authority under subdivision (h) are supported by substantial evidence.*

(j) (1) *If a county board of education is the chartering authority and the county board of education revokes a charter pursuant to this section, the charter school may appeal the revocation to the state board within 30 days following the decision of the chartering authority.*

(2) *The state board may reverse the revocation decision if the state board determines that the findings made by the chartering authority under subdivision (h) are not supported by substantial evidence.*

(k) *If the revocation decision of the chartering authority is reversed on appeal, the agency that granted the charter shall continue to be regarded as the chartering authority.*

(l) *During the pendency of an appeal filed under this section, a charter school whose revocation proceedings are based on paragraph (1) or (2) of subdivision (f) shall continue to qualify as a charter school for funding and for all other purposes of this part, and may continue to hold all existing grants, resources, and facilities, in order to ensure that the education of pupils enrolled in the school is not disrupted.*

(m) *Immediately following the decision of a county board of education to reverse a decision of a school district to revoke a charter, all of the following shall apply:*

(1) *The charter school shall qualify as a charter school for funding and for all other purposes of this part.*

(2) *The charter school may continue to hold all existing grants, resources, and facilities.*

(3) *Any funding, grants, resources, and facilities that had been withheld from the charter school, or that the charter school had otherwise been deprived of use, as a result of the revocation of the charter, shall be immediately reinstated or returned.*

~~(h)~~

(n) A final decision of a revocation *or appeal of a revocation* pursuant to subdivision ~~(e)~~ (h) shall be reported to the chartering authority, the county board of education, and the department.

~~(i)~~

(o) The requirements of this section shall not be waived by the state board pursuant to Section 33050 or any other law.

SEC. 8. ~~SEC. 7.~~ Section 47607.3 of the Education Code is amended to read:

47607.3. (a) If a charter school fails to improve outcomes for three or more pupil subgroups identified pursuant to Section 52052, or, if the charter school has less than three pupil subgroups, all of the charter school's pupil subgroups, in regard to one or more state or school priority identified in the charter pursuant to subparagraph (A) of paragraph (5) of subdivision (b) of Section 47605 or subparagraph (A) of paragraph (5) of subdivision (b) of Section 47605.6, in three out of four consecutive school years, all of the following shall apply:

(1) Using an evaluation rubric adopted by the state board pursuant to Section 52064.5, the chartering authority shall provide technical assistance to the charter school.

(2) At the request of the chartering authority, the California Collaborative for Educational Excellence may, after consulting with the Superintendent, and with the approval of the state board, provide advice and assistance to the charter school pursuant to Section 52074.

(b) A chartering authority shall consider for revocation any charter school to which the California Collaborative for Educational Excellence has provided advice and assistance pursuant to subdivision (a) and about which it has made either of the following findings, which shall be submitted to the chartering authority:

(1) That the charter school has failed, or is unable, to implement the recommendations of the California Collaborative for Educational Excellence.

(2) That the inadequate performance of the charter school, based upon an evaluation rubric adopted pursuant to Section 52064.5, is either so persistent or so acute as to require revocation of the charter.

(c) A chartering authority shall comply with the hearing process described in subdivision (g) of Section 47607 in revoking a charter. A charter school may not appeal a revocation of a charter made pursuant to this section.

SEC. 9. ~~SEC. 8.~~ Section 47607.5 of the Education Code is repealed.

~~SEC. 10.~~ ~~Section 47613 of the Education Code is amended to read:~~

~~47613.(a) Except as set forth in subdivision (b), a chartering authority may charge for the actual costs of supervisory oversight of a charter school not to exceed 1 percent of the revenue of the charter school.~~

~~(b) A chartering authority may charge for the actual costs of supervisory oversight of a charter school not to exceed 3 percent of the revenue of the charter school if the charter school is able to obtain substantially rent free facilities from the chartering authority.~~

~~(c) A local educational agency that is given the responsibility for supervisory oversight of a charter school, pursuant to paragraph (1) of subdivision (k) of Section 47605, as it read on January 1, 2019, may charge for the actual costs of supervisory oversight, and administrative costs necessary to secure charter school funding. A charter school that is charged for costs under this subdivision may not be charged pursuant to subdivision (a) or (b).~~

~~(d) This section does not prevent the charter school from separately purchasing administrative or other services from the chartering authority or any other source.~~

~~(e) For purposes of this section, "chartering authority" means a school district or a county board of education.~~

~~(f) For purposes of this section, "revenue of the charter school" means the amount received in the current fiscal year from the local control funding formula calculated pursuant to Section 42238.02, as implemented by Section 42238.03.~~

~~(g) For purposes of this section, "costs of supervisory oversight" include, but are not limited to, costs incurred pursuant to Section 47607.3.~~

SEC. 9. *Section 47612.7 is added to the Education Code, to read:*

47612.7. (a) *Notwithstanding any other law and except as provided in subdivision (b), from January 1, 2020, to January 1, 2022, inclusive, the approval of a petition for the establishment of a new charter school funded pursuant to subdivision (e) of Section 47612.5 is prohibited.*

(b) Subdivision (a) shall not apply to a nonclassroom-based charter school that was granted approval of its petition and providing educational services to pupils before July 1, 2019, under either of the following circumstances:

(1) If Assembly Bill 1507 of the 2019–20 Regular Session amends Section 47605.1 and becomes operative on January 1, 2020, and the charter school is required to submit a petition to the governing board of a school district in an adjacent county in which its existing resource center is located in order to comply with Section 47605.1, as amended by Assembly Bill 1507 of the 2019–20 Regular Session, or to retain current program offerings or enrollment.

(2) If a charter school is required to submit a petition to a school district in which a resource center is located in order to comply with the court decision in Anderson Union High School District v. Shasta Secondary Home School (2016) 4 Cal.App.5th 262, or other relevant court ruling, and the petition is necessary to retain current program offerings or enrollment.

(c) Notwithstanding Section 33050 or any other law, the state board shall not waive the restrictions described in this section.

SEC. 11. SEC. 10. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

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CALIFORNIA LEGISLATURE— 2019–2020 REGULAR SESSION

ASSEMBLY BILL**NO. 1506****Introduced by Assembly Members McCarty and O'Donnell****February 22, 2019**

An act to amend Section 47602 of the Education Code, relating to charter schools.

LEGISLATIVE COUNSEL'S DIGEST

AB 1506, as amended, McCarty. Charter schools: statewide total: authorization restrictions.

The Charter Schools Act of 1992 authorizes the establishment and operation of charter schools. The act provides that the maximum total number of charter schools authorized to operate in this state in the 1998–99 school year is 250, and authorizes an additional 100 charter schools to operate in this state in each successive school year.

This bill ~~would instead authorize the operation of a maximum total number of charter schools in the state equal to the total number of charter schools authorized and operating as of January 1, 2020. The bill would require the department to post on its internet website the statewide limit of charter schools authorized to operate in the state. The bill~~ *instead* would prohibit a school district, a county office of education, or the ~~state board~~ *State Board of Education* from approving a charter petition if approval would increase the number of operating charter schools authorized by the respective entity above the number of operating charter schools authorized by that entity as of January 1, 2020, or if approval would increase the total charter school enrollment authorized by the respective entity above the total charter school enrollment authorized by that entity as of January 1, 2020. *The bill would authorize a school district, a county office of education, or the state board to only approve a charter petition for one charter school after one charter school closes in its respective jurisdiction. The bill, notwithstanding those provisions, would authorize a school district, a county office of education, or the state board to approve a petition for the establishment of a new charter school within the boundaries of a school district or county office of education only if both (1) as of January 1, 2020, less than 10% of the average daily attendance of pupils attending school within the boundaries of the school district or county office of education in which the charter school would be located are enrolled in charter schools, and (2) approval of the charter petition would not result in more than 10% of the average daily attendance of pupils attending school within the boundaries of the school*

district or county office of education in which the charter school would be located being enrolled in charter schools.

The bill would ~~authorize a school district, a county office of education, or the state board to only approve a charter petition for one charter school after one charter school closes in its respective jurisdiction. The bill would require prohibit~~ a school district, a county office of education, or the state board ~~to approve from approving~~ a charter petition for a *classroom-based* charter school *that will be* operated by a nonprofit public benefit corporation ~~only if unless, within 180 days from the submission of the charter petition,~~ the school district, county office of education, or state board has not received a charter petition for a charter school that will be operated in any manner other than by a nonprofit public benefit corporation. ~~The bill would prohibit a school district, a county office of education, or the state board from authorizing a charter school to increase its enrollment above the number of pupils authorized as of January 1, 2020, unless a previously approved charter petition authorized a greater number of enrolled pupils at that charter school. The bill would prohibit a charter school authorized after January 1, 2020, from increasing its enrollment above the number of pupils authorized in its initial charter petition.~~ The bill, commencing January 1, 2020, would prohibit the authorization of a new nonclassroom-based charter school. *The bill would prohibit the state board from waiving any of the limits or restrictions contained in these provisions.* The bill would make nonsubstantive changes to those provisions, including deleting an obsolete provision relating to a Legislative Analyst's Office report.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 47602 of the Education Code is amended to read:

47602. (a) (1) ~~The maximum total number of charter schools authorized to operate in this state shall be the total number of charter schools authorized and operating as of January 1, 2020.~~ For purposes of implementing this section, the state board shall assign a number to each charter petition that it grants pursuant to subdivision (j) of Section 47605 or Section 47605.8 and to each charter notice it receives pursuant to this part, based on the chronological order in which the notice is received. The number assigned by the state board shall correspond to a single petition that identifies a charter school that will operate within the geographic and site limitations of this part. The state board shall develop a numbering system for charter schools that identifies each school associated with a charter and that operates within the ~~statewide limit of charter schools. The department shall post on its internet website the statewide limit of charter schools authorized to operate in the state.~~ *limitations of this section.* For purposes of this section, sites that share educational programs and serve similar pupil populations shall not be counted as separate schools. Sites that do not share a common educational program shall be considered separate schools for purposes of this section.

(2) (A) ~~A-Except as provided in subparagraph (B),~~ a school district, a county office of education, or the state board shall not approve a charter petition if approval would increase the number of operating charter schools authorized by the respective entity above the number of operating charter schools authorized by that entity as of January 1, 2020, or if approval would increase the total charter school enrollment authorized by the respective entity above the total charter school enrollment authorized by that entity as of January 1, 2020. A school district, a county office of education, or the state board may only approve a charter petition for one charter school after one charter school closes in its respective jurisdiction.

(B) Notwithstanding subparagraph (A), a school district, a county office of education, or the state board may approve a petition for the establishment of a new charter school within the boundaries of a school district or county office of education only if both of the following are satisfied:

(i) As of January 1, 2020, less than 10 percent of the average daily attendance of pupils attending school within the boundaries of the school district or county office of education in which the charter school would be located are enrolled in charter schools.

(ii) Approval of the petition would not result in more than 10 percent of the average daily attendance of pupils attending school within the boundaries of the school district or county office of education in which the charter school would be located being enrolled in charter schools.

~~(B)~~

(C) Subject to the limitations of this subdivision, and notwithstanding any other law, a school district, a county office of education, or the state board shall not approve a charter petition submitted under this part to establish a classroom-based charter school that will be operated by an entity managing a charter school only if unless, within

180 days from the submission of the charter petition, the school district, county office of education, or state board has not received a charter petition for a charter school that will be operated in any manner other than by an entity managing a charter school.

~~(3)(A) A school district, a county office of education, or the state board shall not authorize a charter school to increase its enrollment above the number of pupils authorized as of January 1, 2020, unless a previously approved charter petition authorized a greater number of enrolled pupils at that charter school.~~

~~(B) A charter school authorized after January 1, 2020, shall not increase its enrollment above the number of pupils authorized in its initial charter petition.~~

~~(4)~~

(b) The limits and restrictions contained in this ~~subdivision~~ *section* shall not be waived by the state board pursuant to Section 33050 or any other law.

~~(b)~~

(c) A charter petition shall not be granted under this part that authorizes the conversion of a private school to a charter school. A charter school shall not receive any public funds for a pupil if the pupil also attends a private school that charges the pupil's family for tuition. The state board shall adopt regulations to implement this section.

~~(c)~~

(d) Notwithstanding any other law, commencing January 1, 2020, a school district, a county office of education, or the state board shall not authorize a new nonclassroom-based charter school.

~~(d)~~

(e) For purposes of this section, "entity managing a charter school" means a nonprofit public benefit corporation that operates a charter school consistent with Section 47604.

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CALIFORNIA LEGISLATURE— 2019–2020 REGULAR SESSION

ASSEMBLY BILL**NO. 1507**

**Introduced by Assembly Members Smith, McCarty, and O'Donnell
(Principal coauthor: Assembly Member Kalra)**

February 22, 2019

An act to amend Sections 47605, 47605.1, and 60640 of the Education Code, relating to charter schools.

LEGISLATIVE COUNSEL'S DIGEST

AB 1507, as amended, Smith. Charter schools: location: resource center.

(1) Existing law authorizes a charter school that is unable to locate within the jurisdiction or geographic boundaries of the chartering school district to establish one site outside the boundaries of the school district, but within the county in which that school district is located, if the school district where the charter school proposes to operate is notified in advance of the charter petition approval, the county superintendent of schools is notified of the location of the charter school before it commences operations, and either the charter school has attempted to locate a single site or facility to house the entire program, but a site or facility is unavailable in the area in which the school chooses to locate, or the site is needed for temporary use during a construction or expansion project.

This bill would delete the authority of a charter school to locate outside the jurisdiction or geographic boundaries of the chartering school district because the charter school has attempted to locate a single site or facility to house the entire program, but a site or facility is unavailable in the area in which the charter school chooses to locate, or the site is needed for temporary use during a construction or expansion project. The bill would authorize a charter school that established one site outside the boundaries of the school district, but within the county in which that school district is located before January 1, 2020, to continue to operate that site until the charter school submits a request for the renewal of its charter petition, and would authorize a charter school to continue operating that site if, before submitting the request for the renewal of the charter petition, the charter school first obtains written approval from the school district where the site is operating. The bill would authorize a charter school to relocate for not more than 5 years a site located within an area subject to a Presidential

declaration of a major disaster or emergency, issued in accordance with federal law, to an area outside the area subject to the Presidential declaration, as specified. The bill would require a charter school to be allowed to return to its original campus location in perpetuity if that charter school was relocated from December 31, 2016, through December 31, 2019, due to a Presidential declaration of a major disaster or emergency in accordance with federal law. The bill would exempt from the above-described charter school location provisions a charter school located on a federally recognized California Indian reservation or rancheria and operated by a federally recognized California Indian tribe.

(2) Existing law authorizes a charter school to establish a resource center, meeting space, or other satellite facility located in a county adjacent to the county in which the charter school is authorized if specified conditions are met.

This bill instead would authorize a charter school to establish one resource center, meeting space, or other satellite facility within the jurisdiction of the school district where the charter school is physically located if specified conditions are met, except as specified. The bill would require a charter school to notify the charter school's chartering authority of the name and physical location of any resource center, meeting space, or satellite facility operated by the charter school. The bill would prohibit the State Board of Education from waiving those restrictions on the establishment of a resource center, meeting space, or satellite facility.

This bill would authorize a charter school or a countywide charter school that was operating a resource center, meeting space, or other satellite facility outside the jurisdiction of the school district or county, respectively, where the charter school is physically located before January 1, 2020, to continue to operate that resource center, meeting space, or other satellite facility until the charter school submits a request for the renewal of its charter petition, and would authorize a charter school to continue operating that resource center, meeting space, or other satellite facility if, before submitting the request for the renewal of the charter petition, the charter school first obtains written approval from the school district or the county office of education, as appropriate, where the resource center, meeting space, or other satellite facility is operating. The bill would authorize a charter school to relocate for not more than 5 years a resource center, meeting space, or other satellite facility located within an area subject to a Presidential declaration of a major disaster or emergency, issued in accordance with federal law, to an area outside the area subject to the Presidential declaration, as specified. *The bill would authorize a charter school to establish additional resource centers, meetings spaces, or other satellite facilities within the jurisdiction of the charter school's chartering authority if specified conditions are met.*

This bill would make a conforming change.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

~~SECTION 1. Section 47605 of the Education Code is amended to read:~~

~~47605.(a)(1) Except as set forth in paragraph (2), a petition for the establishment of a charter school within a school district may be circulated by one or more persons seeking to establish the charter school. A petition for the establishment of a charter school shall identify a single charter school that will operate within the geographic boundaries of that school district. A charter school may propose to operate at multiple sites within the school district if each location is identified in the charter school petition. The petition may be submitted to the governing board of the school district for review after either of the following conditions is met:~~

~~(A) The petition is signed by a number of parents or legal guardians of pupils that is equivalent to at least one-half of the number of pupils that the charter school estimates will enroll in the charter school for its first year of operation.~~

~~(B) The petition is signed by a number of teachers that is equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the charter school during its first year of operation.~~

~~(2) A petition that proposes to convert an existing public school to a charter school that would not be eligible for a loan pursuant to subdivision (c) of Section 41365 may be circulated by one or more persons seeking to establish the charter school. The petition may be submitted to the governing board of the school district for review after the petition is signed by not less than 50 percent of the permanent status teachers currently employed at the public school to be converted.~~

~~(3) A petition shall include a prominent statement that a signature on the petition means that the parent or legal guardian is meaningfully interested in having their child or ward attend the charter school, or in the case of a~~

~~teacher's signature, means that the teacher is meaningfully interested in teaching at the charter school. The proposed charter shall be attached to the petition.~~

~~(4)After receiving approval of its petition, a charter school that proposes to establish operations at one or more additional sites shall request a material revision to its charter and shall notify the authority that granted its charter of those additional locations. The authority that granted its charter shall consider whether to approve those additional locations at an open, public meeting. If the additional locations are approved, they shall be a material revision to the charter school's charter.~~

~~(5)(A)A charter school that established one site outside the boundaries of the school district, but within the county in which that school district is located before January 1, 2020, may continue to operate that site until the charter school submits a request for the renewal of its charter petition. To continue operating the site the charter school, before submitting the request for the renewal of the charter petition, shall first obtain approval in writing from the school district where the site is operating.~~

~~(B)If a Presidential declaration of a major disaster or emergency is issued in accordance with the federal Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. Sec. 5121 et seq.) for an area in which a charter school site is located and operating, the charter school, for not more than five years, may relocate that site outside the area subject to the Presidential declaration if the charter school first obtains the written approval of the school district where the site is being relocated to.~~

~~(C)Notwithstanding subparagraph (A), if a charter school was relocated from December 31, 2016, to December 31, 2019, inclusive, due to a Presidential declaration of a major disaster or emergency in accordance with the federal Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. Sec. 5121 et seq.), that charter school shall be allowed to return to its original campus location in perpetuity.~~

~~(D)A charter school located on a federally recognized California Indian reservation or rancheria and operated by a federally recognized California Indian tribe shall be exempt from the provisions of this paragraph.~~

~~(6)Commencing January 1, 2003, a petition to establish a charter school shall not be approved to serve pupils in a grade level that is not served by the school district of the governing board considering the petition, unless the petition proposes to serve pupils in all of the grade levels served by that school district.~~

~~(b)No later than 30 days after receiving a petition, in accordance with subdivision (a), the governing board of the school district shall hold a public hearing on the provisions of the charter, at which time the governing board of the school district shall consider the level of support for the petition by teachers employed by the school district, other employees of the school district, and parents. Following review of the petition and the public hearing, the governing board of the school district shall either grant or deny the charter within 60 days of receipt of the petition, provided, however, that the date may be extended by an additional 30 days if both parties agree to the extension. In reviewing petitions for the establishment of charter schools pursuant to this section, the chartering authority shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The governing board of the school district shall grant a charter for the operation of a school under this part if it is satisfied that granting the charter is consistent with sound educational practice. The governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings:~~

~~(1)The charter school presents an unsound educational program for the pupils 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 by subdivision (a).~~

~~(4)The petition does not contain an affirmation of each of the conditions described in subdivision (d).~~

~~(5)The petition does not contain reasonably comprehensive descriptions of all of the following:~~

~~(A)(i)The educational program of the charter school, designed, among other things, to identify those whom the charter school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners.~~

~~(ii)The annual goals for the charter school for all pupils and for each subgroup of pupils identified pursuant to~~

~~Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.~~

~~(iii) If the proposed charter school will serve high school pupils, the manner in which the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the "A to G" admissions criteria may be considered to meet college entrance requirements.~~

~~(B) The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the charter school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the charter school's educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of Section 47607. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school.~~

~~(C) The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.~~

~~(D) The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement.~~

~~(E) The qualifications to be met by individuals to be employed by the charter school.~~

~~(F) The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall require all of the following:~~

~~(i) That each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.~~

~~(ii) The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (H), inclusive, of paragraph (2) of subdivision (a) of Section 32282 and procedures for conducting tactical responses to criminal incidents.~~

~~(iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school.~~

~~(G) The means by which the charter school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.~~

~~(H) Admission policies and procedures, consistent with subdivision (d).~~

~~(I) The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.~~

~~(J) The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all of the following:~~

~~(i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present their side of the story.~~

~~(ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:~~

~~(I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.~~

~~(II) Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a~~

~~fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.~~

~~(iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder, and shall inform them of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii).~~

~~(K) The manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.~~

~~(L) The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.~~

~~(M) The rights of an employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school.~~

~~(N) The procedures to be followed by the charter school and the chartering authority to resolve disputes relating to provisions of the charter.~~

~~(O) The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.~~

~~(6) The petition does not contain a declaration of whether or not the charter school shall be deemed the exclusive public employer of the employees of the charter school for purposes of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.~~

~~(c)(1) Charter schools shall meet all statewide standards and conduct the pupil assessments required pursuant to Section 60605 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in noncharter public schools.~~

~~(2) Charter schools shall, on a regular basis, consult with their parents, legal guardians, and teachers regarding the charter school's educational programs.~~

~~(d)(1) In addition to any other requirement imposed under this part, a charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against a pupil on the basis of the characteristics listed in Section 220. Except as provided in paragraph (2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of their parent or legal guardian, within this state, except that an existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that public school.~~

~~(2)(A) A charter school shall admit all pupils who wish to attend the charter school.~~

~~(B) If the number of pupils who wish to attend the charter school exceeds the charter school's capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the school district except as provided for in Section 47614.5. Preferences, including, but not limited to, siblings of pupils admitted or attending the charter school and children of the charter school's teachers, staff, and founders identified in the initial charter, may also be permitted by the chartering authority on an individual charter school basis. Priority order for any preference shall be determined in the charter petition in accordance with all of the following:~~

~~(i) Each type of preference shall be approved by the chartering authority at a public hearing.~~

~~(ii) Preferences shall be consistent with federal law, the California Constitution, and Section 200.~~

~~(iii) Preferences shall not result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically~~

~~disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation.~~

~~(iv) In accordance with Section 49011, preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.~~

~~(C) In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the charter school and shall not take any action to impede the charter school from expanding enrollment to meet pupil demand.~~

~~(3) If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including report cards or a transcript of grades, and health information. If the pupil is subsequently expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to the charter school within 30 days if the charter school demonstrates that the pupil had been enrolled in the charter school. This paragraph applies only to pupils subject to compulsory full-time education pursuant to Section 48200.~~

~~(e) The governing board of a school district shall not require an employee of the school district to be employed in a charter school.~~

~~(f) The governing board of a school district shall not require a pupil enrolled in the school district to attend a charter school.~~

~~(g) The governing board of a school district shall require that the petitioner or petitioners provide information regarding the proposed operation and potential effects of the charter school, including, but not limited to, the facilities to be used by the charter school, the manner in which administrative services of the charter school are to be provided, and potential civil liability effects, if any, upon the charter school and upon the school district. The description of the facilities to be used by the charter school shall specify where the charter school intends to locate. The petitioner or petitioners also shall be required to provide financial statements that include a proposed first-year operational budget, including startup costs, and cashflow and financial projections for the first three years of operation.~~

~~(h) In reviewing petitions for the establishment of charter schools within the school district, the governing board of the school district shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences to pupils identified by the petitioner or petitioners as academically low achieving pursuant to the standards established by the department under Section 54032, as that section read before July 19, 2006.~~

~~(i) Upon the approval of the petition by the governing board of the school district, the petitioner or petitioners shall provide written notice of that approval, including a copy of the petition, to the applicable county superintendent of schools, the department, and the state board.~~

~~(j)(1) If the governing board of a school district denies a petition, the petitioner may elect to submit the petition for the establishment of a charter school to the county board of education. The county board of education shall review the petition pursuant to subdivision (b). If the petitioner elects to submit a petition for establishment of a charter school to the county board of education and the county board of education denies the petition, the petitioner may file a petition for establishment of a charter school with the state board, and the state board may approve the petition, in accordance with subdivision (b). A charter school that receives approval of its petition from a county board of education or from the state board on appeal shall be subject to the same requirements concerning geographic location to which it would otherwise be subject if it received approval from the entity to which it originally submitted its petition. A charter petition that is submitted to either a county board of education or to the state board shall meet all otherwise applicable petition requirements, including the identification of the proposed site or sites where the charter school will operate.~~

~~(2) In assuming its role as a chartering authority, the state board shall develop criteria to be used for the review and approval of charter school petitions presented to the state board. The criteria shall address all elements required for charter approval, as identified in subdivision (b), and shall define "reasonably comprehensive," as used in paragraph (5) of subdivision (b), in a way that is consistent with the intent of this part. Upon satisfactory completion of the criteria, the state board shall adopt the criteria on or before June 30, 2001.~~

~~(3) A charter school for which a charter is granted by either the county board of education or the state board based on an appeal pursuant to this subdivision shall qualify fully as a charter school for all funding and other purposes of this part.~~

~~(4) If either the county board of education or the state board fails to act on a petition within 120 days of receipt, the decision of the governing board of the school district to deny the petition shall be subject to judicial review.~~

~~(5) The state board shall adopt regulations implementing this subdivision.~~

~~(6) Upon the approval of the petition by the county board of education, the petitioner or petitioners shall provide written notice of that approval, including a copy of the petition, to the department and the state board.~~

~~(k)(1) The state board may, by mutual agreement, designate its supervisory and oversight responsibilities for a charter school approved by the state board to any local educational agency in the county in which the charter school is located or to the governing board of the school district that first denied the petition.~~

~~(2) The designated local educational agency shall have all monitoring and supervising authority of a chartering authority, including, but not limited to, powers and duties set forth in Section 47607, except the power of revocation, which shall remain with the state board.~~

~~(3) A charter school that is granted its charter through an appeal to the state board and elects to seek renewal of its charter shall, before expiration of the charter, submit its petition for renewal to the governing board of the school district that initially denied the charter. If the governing board of the school district denies the charter school's petition for renewal, the charter school may petition the state board for renewal of its charter.~~

~~(l) Teachers in charter schools shall hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold. These documents shall be maintained on file at the charter school and are subject to periodic inspection by the chartering authority. It is the intent of the Legislature that charter schools be given flexibility with regard to noncore, noncollege preparatory courses.~~

~~(m) A charter school shall transmit a copy of its annual, independent financial audit report for the preceding fiscal year, as described in subparagraph (1) of paragraph (5) of subdivision (b), to its chartering authority, the Controller, the county superintendent of schools of the county in which the charter school is sited, unless the county board of education of the county in which the charter school is sited is the chartering authority, and the department by December 15 of each year. This subdivision does not apply if the audit of the charter school is encompassed in the audit of the chartering authority pursuant to Section 41020.~~

~~(n) A charter school may encourage parental involvement, but shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to, or continued enrollment at, the charter school.~~

SECTION 1. *Section 47605 of the Education Code is amended to read:*

47605. (a) (1) Except as set forth in paragraph (2), a petition for the establishment of a charter school within a school district may be circulated by one or more persons seeking to establish the charter school. A petition for the establishment of a charter school shall identify a single charter school that will operate within the geographic boundaries of that school district. A charter school may propose to operate at multiple sites within the school district if each location is identified in the charter school petition. The petition may be submitted to the governing board of the school district for review after either of the following conditions is met:

(A) The petition is signed by a number of parents or legal guardians of pupils that is equivalent to at least one-half of the number of pupils that the charter school estimates will enroll in the charter school for its first year of operation.

(B) The petition is signed by a number of teachers that is equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the charter school during its first year of operation.

(2) A petition that proposes to convert an existing public school to a charter school that would not be eligible for a loan pursuant to subdivision (c) of Section 41365 may be circulated by one or more persons seeking to establish the charter school. The petition may be submitted to the governing board of the school district for review after the petition is signed by not less than 50 percent of the permanent status teachers currently employed at the public school to be converted.

(3) A petition shall include a prominent statement that a signature on the petition means that the parent or legal guardian is meaningfully interested in having their child or ward attend the charter school, or in the case of a teacher's signature, means that the teacher is meaningfully interested in teaching at the charter school. The proposed charter shall be attached to the petition.

(4) After receiving approval of its petition, a charter school that proposes to establish operations at one or more additional sites shall request a material revision to its charter and shall notify the authority that granted its charter of those additional locations. The authority that granted its charter shall consider whether to approve those additional locations at an open, public meeting. If the additional locations are approved, ~~there~~ *they* shall be a material revision to the charter school's charter.

(5) ~~(A) A charter school that is unable to locate within the jurisdiction of the chartering school district may establish established~~ one site outside the boundaries of the school district, but within the county in which that school district is ~~located, if the school district within the jurisdiction of which the charter school proposes to operate is notified in advance~~ *located before January 1, 2020, may continue to operate that site until the charter school submits a request for the renewal of its charter petition. To continue operating the site, the charter school, before submitting the request for the renewal of the charter petition approval, the county superintendent of schools and the Superintendent are notified of the location of the charter school before it commences operations, and either of the following circumstances exists: petition, shall first obtain approval in writing from the school district where the site is operating.*

~~(A)The school has attempted to locate a single site or facility to house the entire program, but a site or facility is unavailable in the area in which the school chooses to locate.~~

~~(B)The site is needed for temporary use during a construction or expansion project.~~

(B) If a Presidential declaration of a major disaster or emergency is issued in accordance with the federal Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. Sec. 5121 et seq.) for an area in which a charter schoolsite is located and operating, the charter school, for not more than five years, may relocate that site outside the area subject to the Presidential declaration if the charter school first obtains the written approval of the school district where the site is being relocated to.

(C) Notwithstanding subparagraph (A), if a charter school was relocated from December 31, 2016, to December 31, 2019, inclusive, due to a Presidential declaration of a major disaster or emergency in accordance with the federal Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. Sec. 5121 et seq.), that charter school shall be allowed to return to its original campus location in perpetuity.

(D) A charter school located on a federally recognized California Indian reservation or rancheria and operated by a federally recognized California Indian tribe shall be exempt from the provisions of this paragraph.

(A) The school has attempted to locate a single site or facility to house the entire program, but a site or facility is unavailable in the area in which the school chooses to locate.

(B) The site is needed for temporary use during a construction or expansion project.

(6) Commencing January 1, 2003, a petition to establish a charter school shall not be approved to serve pupils in a grade level that is not served by the school district of the governing board considering the petition, unless the petition proposes to serve pupils in all of the grade levels served by that school district.

(b) No later than 30 days after receiving a petition, in accordance with subdivision (a), the governing board of the school district shall hold a public hearing on the provisions of the charter, at which time the governing board of the school district shall consider the level of support for the petition by teachers employed by the school district, other employees of the school district, and parents. Following review of the petition and the public hearing, the governing board of the school district shall either grant or deny the charter within 60 days of receipt of the petition, provided, however, that the date may be extended by an additional 30 days if both parties agree to the extension. In reviewing petitions for the establishment of charter schools pursuant to this section, the chartering authority shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The governing board of the school district shall grant a charter for the operation of a school under this part if it is satisfied that granting the charter is consistent with sound educational practice. The governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings:

(1) The charter school presents an unsound educational program for the pupils 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 by subdivision (a).

(4) The petition does not contain an affirmation of each of the conditions described in subdivision (d).

(5) The petition does not contain reasonably comprehensive descriptions of all of the following:

(A) (i) The educational program of the charter school, designed, among other things, to identify those whom the charter school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners.

(ii) The annual goals for the charter school for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in paragraphs (2) to (8), inclusive, of subdivision (d) of Section 52060, that apply for the grade levels served by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.

(iii) If the proposed charter school will serve high school pupils, the manner in which the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the "A to G" admissions criteria may be considered to meet college entrance requirements.

(B) The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the charter school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the charter school's educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of Section 47607. The pupil outcomes shall align with the state priorities, as described in paragraphs (2) to (8), inclusive, of subdivision (d) of Section 52060, that apply for the grade levels served by the charter school.

(C) The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.

(D) The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement.

(E) The qualifications to be met by individuals to be employed by the charter school.

(F) The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall require all of the following:

(i) That each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.

(ii) The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (H), inclusive, of paragraph (2) of subdivision (a) of Section 32282 and procedures for conducting tactical responses to criminal incidents.

(iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school.

(G) The means by which the charter school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.

(H) Admission policies and procedures, consistent with subdivision (d).

(I) The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.

(J) The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and

substantive due process requirements that is consistent with all of the following:

(i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present the pupil's side of the story.

(ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:

(I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.

(II) Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.

(iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder, and shall inform the pupil, the pupil's parent or guardian, or the pupil's educational rights holder of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii).

(K) The manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.

(L) The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.

(M) The rights of an employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school.

(N) The procedures to be followed by the charter school and the chartering authority to resolve disputes relating to provisions of the charter.

(O) The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.

(6) The petition does not contain a declaration of whether or not the charter school shall be deemed the exclusive public employer of the employees of the charter school for purposes of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.

(c) (1) Charter schools shall meet all statewide standards and conduct the pupil assessments required pursuant to Section 60605 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in noncharter public schools.

(2) Charter schools shall, on a regular basis, consult with their parents, legal guardians, and teachers regarding the charter school's educational programs.

(d) (1) In addition to any other requirement imposed under this part, a charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against a pupil on the basis of the characteristics listed in Section 220. Except as provided in paragraph (2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of the pupil's parent or legal guardian, within this state, except that an existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that public school.

(2) (A) A charter school shall admit all pupils who wish to attend the charter school.

(B) If the number of pupils who wish to attend the charter school exceeds the charter school's capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the school

district except as provided for in Section 47614.5. Preferences, including, but not limited to, siblings of pupils admitted or attending the charter school and children of the charter school's teachers, staff, and founders identified in the initial charter, may also be permitted by the chartering authority on an individual charter school basis. Priority order for any preference shall be determined in the charter petition in accordance with all of the following:

(i) Each type of preference shall be approved by the chartering authority at a public hearing.

(ii) Preferences shall be consistent with federal law, the California Constitution, and Section 200.

(iii) Preferences shall not result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation.

(iv) In accordance with Section 49011, preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.

(C) In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the charter school and shall not take any action to impede the charter school from expanding enrollment to meet pupil demand.

(3) If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including report cards or a transcript of grades, and health information. If the pupil is subsequently expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to the charter school within 30 days if the charter school demonstrates that the pupil had been enrolled in the charter school. This paragraph applies only to pupils subject to compulsory full-time education pursuant to Section 48200.

(4) (A) A charter school shall not discourage a pupil from enrolling or seeking to enroll in the charter school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in clause (iii) of subparagraph (B) of paragraph (2).

(B) A charter school shall not request a pupil's records or require a parent, guardian, or pupil to submit the pupil's records to the charter school before enrollment.

(C) A charter school shall not encourage a pupil currently attending the charter school to disenroll from the charter school or transfer to another school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in clause (iii) of subparagraph (B) of paragraph (2). This subparagraph shall not apply to actions taken by a charter school pursuant to the procedures described in subparagraph (J) of paragraph (5) of subdivision (b).

(D) The department shall develop a notice of the requirements of this paragraph. This notice shall be posted on a charter school's internet website. A charter school shall provide a parent or guardian, or a pupil if the pupil is 18 years of age or older, a copy of this notice at all of the following times:

(i) When a parent, guardian, or pupil inquires about enrollment.

(ii) Before conducting an enrollment lottery.

(iii) Before disenrollment of a pupil.

(E) (i) A person who suspects that a charter school has violated this paragraph may file a complaint with the chartering authority.

(ii) The department shall develop a template to be used for filing complaints pursuant to clause (i).

(5) Notwithstanding any other law, a charter school in operation as of July 1, 2019, that operates in partnership with the California National Guard may dismiss a pupil from the charter school for failing to maintain the minimum standards of conduct required by the Military Department.

(e) The governing board of a school district shall not require an employee of the school district to be employed in a charter school.

(f) The governing board of a school district shall not require a pupil enrolled in the school district to attend a charter school.

(g) The governing board of a school district shall require that the petitioner or petitioners provide information regarding the proposed operation and potential effects of the charter school, including, but not limited to, the facilities to be used by the charter school, the manner in which administrative services of the charter school are to be provided, and potential civil liability effects, if any, upon the charter school and upon the school district. The description of the facilities to be used by the charter school shall specify where the charter school intends to locate. The petitioner or petitioners also shall be required to provide financial statements that include a proposed first-year operational budget, including startup costs, and cashflow and financial projections for the first three years of operation.

(h) In reviewing petitions for the establishment of charter schools within the school district, the governing board of the school district shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences to pupils identified by the petitioner or petitioners as academically low achieving pursuant to the standards established by the department under Section 54032, as that section read before July 19, 2006.

(i) Upon the approval of the petition by the governing board of the school district, the petitioner or petitioners shall provide written notice of that approval, including a copy of the petition, to the applicable county superintendent of schools, the department, and the state board.

(j) (1) If the governing board of a school district denies a petition, the petitioner may elect to submit the petition for the establishment of a charter school to the county board of education. The county board of education shall review the petition pursuant to subdivision (b). If the petitioner elects to submit a petition for establishment of a charter school to the county board of education and the county board of education denies the petition, the petitioner may file a petition for establishment of a charter school with the state board, and the state board may approve the petition, in accordance with subdivision (b). A charter school that receives approval of its petition from a county board of education or from the state board on appeal shall be subject to the same requirements concerning geographic location to which it would otherwise be subject if it received approval from the school district to which it originally submitted its petition. A charter petition that is submitted to either a county board of education or to the state board shall meet all otherwise applicable petition requirements, including the identification of the proposed site or sites where the charter school will operate.

(2) In assuming its role as a chartering authority, the state board shall develop criteria to be used for the review and approval of charter school petitions presented to the state board. The criteria shall address all elements required for charter approval, as identified in subdivision (b), and shall define "reasonably comprehensive," as used in paragraph (5) of subdivision (b), in a way that is consistent with the intent of this part. Upon satisfactory completion of the criteria, the state board shall adopt the criteria on or before June 30, 2001.

(3) A charter school for which a charter is granted by either the county board of education or the state board based on an appeal pursuant to this subdivision shall qualify fully as a charter school for all funding and other purposes of this part.

(4) If either the county board of education or the state board fails to act on a petition within 120 days of receipt, the decision of the governing board of the school district to deny the petition shall be subject to judicial review.

(5) The state board shall adopt regulations implementing this subdivision.

(6) Upon the approval of the petition by the county board of education, the petitioner or petitioners shall provide written notice of that approval, including a copy of the petition, to the department and the state board.

(k) (1) The state board may, by mutual agreement, designate its supervisory and oversight responsibilities for a charter school approved by the state board to any local educational agency in the county in which the charter school is located or to the governing board of the school district that first denied the petition.

(2) The designated local educational agency shall have all monitoring and supervising authority of a chartering authority, including, but not limited to, powers and duties set forth in Section 47607, except the power of revocation, which shall remain with the state board.

(3) A charter school that is granted its charter through an appeal to the state board and elects to seek renewal of its charter shall, before expiration of the charter, submit its petition for renewal to the governing board of the school district that initially denied the charter. If the governing board of the school district denies the charter school's petition for renewal, the charter school may petition the state board for renewal of its charter.

(l) Teachers in charter schools shall hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold. These documents shall be maintained on file at the charter school and are subject to periodic inspection by the chartering authority. It is the intent of the Legislature that charter schools be given flexibility with regard to noncore, noncollege preparatory courses.

(m) A charter school shall transmit a copy of its annual, independent financial audit report for the preceding fiscal year, as described in subparagraph (I) of paragraph (5) of subdivision (b), to its chartering authority, the Controller, the county superintendent of schools of the county in which the charter school is sited, unless the county board of education of the county in which the charter school is sited is the chartering authority, and the department by December 15 of each year. This subdivision does not apply if the audit of the charter school is encompassed in the audit of the chartering authority pursuant to Section 41020.

(n) A charter school may encourage parental involvement, but shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to, or continued enrollment at, the charter school.

SEC. 2. Section 47605.1 of the Education Code is amended to read:

47605.1. (a) (1) Notwithstanding any other law, a charter school that is granted a charter from the governing board of a school district or county office of education after July 1, 2002, and commences providing educational services to pupils on or after July 1, 2002, shall locate in accordance with the geographic and site limitations of this part.

(2) Notwithstanding any other law, a charter school that is granted a charter by the state board after July 1, 2002, and commences providing educational services to pupils on or after July 1, 2002, based on the denial of a petition by the governing board of a school district or county board of education, as described in paragraphs (1) and (2) of subdivision (j) of Section 47605, may locate only within the geographic boundaries of the chartering entity that initially denied the petition for the charter.

(3) A charter school that receives approval of its charter from a governing board of a school district, a county office of education, or the state board before July 1, 2002, but does not commence operations until after January 1, 2003, shall be subject to the geographic limitations of this part, in accordance with subdivision (d).

(b) This section is not intended to affect the admission requirements contained in subdivision (d) of Section 47605.

(c) (1) A charter school may establish one resource center, meeting space, or other satellite facility within the jurisdiction of the school district where the charter school is physically located if the following conditions are met:

(A) The facility is used exclusively for the educational support of pupils who are enrolled in nonclassroom-based independent study of the charter school.

(B) The charter school provides its primary educational services in, and a majority of the pupils it serves are residents of, the county in which the charter school is authorized.

(2) Except as provided in paragraphs (5) to ~~(7)~~, (8), inclusive, a charter school shall not establish a resource center, meeting space, or other satellite facility in any other location than the one authorized in paragraph (1).

(3) A charter school shall notify the charter school's chartering authority of the name and physical location of any resource center, meeting space, or other satellite facility operated by that charter school.

(4) Notwithstanding Section 33050 or any other law, the state board shall not waive the restrictions listed in this subdivision.

(5) A charter school that was operating a resource center, meeting space, or other satellite facility outside the jurisdiction of the school district where the charter school is physically located before January 1, 2020, may continue to operate the resource center, meeting space, or other satellite facility until the charter school submits a request for the renewal of its charter petition. To continue operating the resource center, meeting space, or other satellite facility, the charter school, before submitting the request to the charter school's chartering authority for the renewal of the charter petition, shall first obtain approval in writing from the school district where the resource center, meeting space, or other satellite facility is operating.

(6) A countywide charter school approved by a county office of education that is operating a resource center,

meeting space, or other satellite facility in a county other than the county in which the countywide charter school is authorized before January 1, 2020, may continue to operate that resource center, meeting space, or other satellite facility until the countywide charter school submits a request for the renewal of its charter petition. To continue operating the resource center, meeting space, or other satellite facility, the countywide charter school, before submitting the request to the countywide charter school's chartering authority for the renewal of the charter petition, shall obtain approval in writing from the county office of education where the resource center, meeting space, or other satellite facility is operating.

(7) If a Presidential declaration of a major disaster or emergency is issued in accordance with the federal Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. Sec. 5121 et seq.) for an area in which a charter school is operating a resource center, meeting space, or other satellite facility, the charter school, for not more than five years, may relocate the resource center, meeting space, or other satellite facility outside the area subject to the Presidential declaration if the charter school first obtains the written approval of the school district where the resource center, meeting space, or other satellite facility is being relocated to.

(8) A charter school may establish additional resource centers, meetings spaces, or other satellite facilities within the jurisdiction of the charter school's chartering authority only if both of the following are met:

(A) The charter school is physically located within the boundaries of the charter school's chartering authority.

(B) The charter school has obtained written approval from the charter school's chartering authority for each additional resource center, meeting space, or other satellite facility.

(d) (1) For a charter school that was granted approval of its charter before July 1, 2002, and provided educational services to pupils before July 1, 2002, this section only applies to new educational services or schoolsites established or acquired by the charter school on or after July 1, 2002.

(2) For a charter school that was granted approval of its charter before July 1, 2002, but did not provide educational services to pupils before July 1, 2002, this section only applies upon the expiration of a charter that is in existence on January 1, 2003.

(3) Notwithstanding other implementation timelines in this section, by June 30, 2005, or upon the expiration of a charter that is in existence on January 1, 2003, whichever is later, all charter schools shall be required to comply with this section for schoolsites at which educational services are provided to pupils before or after July 1, 2002, regardless of whether the charter school initially received approval of its charter school petition before July 1, 2002. To achieve compliance with this section, a charter school shall be required to receive approval of a charter petition in accordance with this section and Section 47605.

(4) This section is not intended to affect the authority of a governmental entity to revoke a charter that is granted on or before the effective date of this section.

(e) A charter school that submits its petition directly to a county board of education, as authorized by Section 47605.5 or 47605.6, may establish charter school operations only within the geographical boundaries of the county in which that county board of education has jurisdiction.

(f) Notwithstanding any other law, the jurisdictional limitations set forth in this section do not apply to a charter school that provides instruction exclusively in partnership with any of the following:

(1) The federal Workforce Innovation and Opportunity Act (29 U.S.C. Sec. 3101 et seq.).

(2) Federally affiliated Youth Build programs.

(3) Federal job corps training or instruction provided pursuant to a memorandum of understanding with the federal provider.

(4) The California Conservation Corps or local conservation corps certified by the California Conservation Corps pursuant to Sections 14507.5 or 14406 of the Public Resources Code.

(5) Instruction provided to juvenile court school pupils pursuant to subdivision (b) of Section 42238.18 or pursuant to Section 1981 for individuals who are placed in a residential facility.

SEC. 3. Section 60640 of the Education Code is amended to read:

60640. (a) There is hereby established the California Assessment of Student Performance and Progress, to be known as the CAASPP.

(b) Commencing with the 2013–14 school year, the CAASPP shall be composed of all of the following:

(1) (A) A consortium summative assessment in English language arts and mathematics for grades 3 to 8, inclusive, and grade 11 that measures content standards adopted by the state board.

(B) In the 2013–14 school year, the consortium summative assessment in English language arts and mathematics shall be a field test only, to enable the consortium to gauge the validity and reliability of these assessments and to conduct all necessary psychometric procedures and studies, including, but not necessarily limited to, achievement standard setting, and to allow the department to conduct studies regarding full implementation of the assessment system. These field tests and results shall not be used for any other purpose, including the calculation of any accountability measure.

(2) (A) Science grade level assessments in grades 5, 8, and 10 that measure content standards adopted pursuant to Section 60605, until a successor assessment is implemented pursuant to subparagraph (B).

(B) For science assessments, the Superintendent shall make a recommendation to the state board as soon as is feasible after the adoption of science content standards pursuant to former Section 60605.85, as that section read on June 30, 2014, regarding the assessment of the newly adopted standards. Before making recommendations, the Superintendent shall consult with stakeholders, including, but not necessarily limited to, California science teachers, individuals with expertise in assessing English learners and pupils with disabilities, parents, and measurement experts, regarding the grade level and type of assessment. The recommendations shall include cost estimates and a plan for implementation of at least one assessment in each of the following grade spans:

(i) Grades 3 to 5, inclusive.

(ii) Grades 6 to 9, inclusive.

(iii) Grades 10 to 12, inclusive.

(3) The California Alternate Performance Assessment in grades 2 to 11, inclusive, in English language arts and mathematics and science in grades 5, 8, and 10, which measures content standards adopted pursuant to Section 60605 until a successor assessment is implemented. The successor assessment shall be limited to the grades and subject areas assessed pursuant to paragraph (1) and subparagraph (B) of paragraph (2).

(4) The Early Assessment Program established by Chapter 6 (commencing with Section 99300) of Part 65 of Division 14 of Title 3.

(5) (A) A local educational agency may administer a primary language assessment aligned to the English language arts standards adopted pursuant to Section 60605, as it read on January 1, 2013, to pupils who are identified as limited English proficient and enrolled in any of grades 2 to 11, inclusive, until a subsequent primary language assessment aligned to the common core standards in English language arts adopted pursuant to Section 60605.8 is developed pursuant to subparagraph (E).

(B) If a local educational agency chooses to administer a primary language assessment to pupils identified as limited English proficient and enrolled in any of grades 2 to 11, inclusive, pursuant to subparagraph (A), it shall notify the department in a manner to be determined by the department and the costs shall be paid by the state and included as part of the testing contract, and the department shall provide the local educational agency a per pupil apportionment for administering the assessment pursuant to subdivision (I).

(C) The Superintendent shall consult with stakeholders, including assessment and English learner experts, to determine the content and purpose of a stand-alone language arts summative assessment in primary languages other than English that aligns with the English language arts content standards. The Superintendent shall consider the appropriate purpose for this assessment, including, but not necessarily limited to, support for the State Seal of Biliteracy and accountability. It is the intent of the Legislature that an assessment developed pursuant to this section be included in the state accountability system.

(D) The Superintendent shall report and make recommendations to the state board at a regularly scheduled public meeting no sooner than one year after the first full administration of the consortium computer-adaptive assessments in English language arts and mathematics summative assessments in grades 3 to 8, inclusive, and grade 11, regarding an implementation timeline and estimated costs of a stand-alone language arts summative assessment in primary languages other than English.

(E) The Superintendent shall develop, and the state board shall adopt, a primary language assessment. The Superintendent shall administer this assessment no later than the 2016–17 school year.

(F) This paragraph shall be operative only to the extent that funding is provided in the annual Budget Act or another statute for the purpose of this section.

(c) No later than March 1, 2016, the Superintendent shall submit to the state board recommendations on expanding the CAASPP to include additional assessments, for consideration at a regularly scheduled public meeting. The Superintendent shall also submit these recommendations to the appropriate policy and fiscal committees of the Legislature and to the Director of Finance in accordance with all of the following:

(1) In consultation with stakeholders, including, but not necessarily limited to, California teachers, individuals with expertise in assessing English learners and pupils with disabilities, parents, and measurement experts, the Superintendent shall make recommendations regarding assessments, including the grade level, content, and type of assessment. These recommendations shall take into consideration the assessments already administered or planned pursuant to subdivision (b). The Superintendent shall consider the use of consortium-developed assessments, various item types, computer-based testing, and a timeline for implementation.

(2) The recommendations shall consider assessments in subjects, including, but not necessarily limited to, history-social science, technology, visual and performing arts, and other subjects as appropriate, as well as English language arts, mathematics, and science assessments to augment the assessments required under subdivision (b), and the use of various assessment options, including, but not necessarily limited to, computer-based tests, locally scored performance tasks, and portfolios.

(3) The recommendations shall include the use of an assessment calendar that would schedule the assessments identified pursuant to paragraph (2) over several years, the use of matrix sampling, if appropriate, and the use of population sampling.

(4) The recommendations shall include a timeline for test development, and shall include cost estimates for subject areas, as appropriate.

(5) Upon approval by the state board and the appropriation of funding for this purpose, the Superintendent shall develop and administer approved assessments. The state board shall approve test blueprints, achievement level descriptors, testing periods, performance standards, and a reporting plan for each approved assessment.

(6) The Superintendent shall convene an advisory panel, consisting of, but not necessarily limited to, secondary teachers, school administrators, school board members, parents, a student chosen from among the two finalists who were not appointed by the Governor to serve as the student member on the state board pursuant to Section 33000.5, representatives of a dropout recovery charter school operating pursuant to subdivision (f) of Section 47605.1, measurement experts, and individuals with expertise in assessing English learners and pupils with disabilities, to provide recommendations to the Superintendent on the continuation of the high school exit examination, described in Chapter 9 (commencing with Section 60850), and on alternative pathways to satisfy the high school graduation requirements pursuant to Sections 51224.5 and 51225.3.

(d) For the 2013–14 and 2014–15 school years, the department shall make available to local educational agencies Standardized Testing and Reporting Program test forms no longer required by the CAASPP. The cost of implementing this subdivision, including, but not necessarily limited to, shipping, printing, scoring, and reporting per pupil shall be the same for all local educational agencies, and shall not exceed the marginal cost of the assessment, including any cost the department incurs to implement this section. A local educational agency that chooses to administer an assessment pursuant to this subdivision shall do so at its own expense, and shall enter into an agreement for that purpose with a contractor, subject to the approval of the department.

(e) The Superintendent shall make available a paper and pencil version of any computer-based CAASPP assessment for use by pupils who are unable to access the computer-based version of the assessment for a maximum of three years after a new operational test is first administered.

(f) (1) From the funds available for that purpose, each local educational agency shall administer assessments to each of its pupils pursuant to subdivision (b). As allowable by federal statute, recently arrived English learner pupils are exempted from taking the assessment in English language arts. The state board shall establish a testing period to provide that all schools administer these tests to pupils at approximately the same time during the instructional year. The testing period established by the state board shall take into consideration the need of local educational agencies to provide makeup days for pupils who were absent during testing, as well as the need to schedule testing on electronic computing devices.

(2) For the 2013–14 school year, each local educational agency shall administer the field tests in a manner described by the department in consultation with the president or executive director of the state board. Additional participants in the field test beyond the representative sample may be approved by the department, and the

department shall use existing contract savings to fund local educational agency participation in one or more tests per participant. Funds for this purpose shall be used to allow for maximum participation in the field tests across the state. To the extent savings in the current contract are not available to fully fund this participation, the department shall prorate available funds by test. Local educational agencies shall bear any additional costs to administer these assessments that are in excess of the contracted amount. With the approval of the state board and the Director of Finance, the department shall amend the existing assessment contract to accommodate field testing beyond the representative sample, and to allow for special studies using information collected from the field tests.

(g) From the funds available for that purpose, each local educational agency shall administer assessments as determined by the state board pursuant to paragraph (5) of subdivision (c).

(h) As feasible, the CAASPP field tests shall be conducted in a manner that will minimize the testing burden on individual schools. The CAASPP field tests shall not produce individual pupil scores unless it is determined that these scores are valid and reliable.

(i) The governing board of a school district may administer achievement tests in grades other than those required by this section as it deems appropriate.

(j) Subject to the approval of the state board, the department may make available to local educational agencies a primary language assessment aligned to the English language arts standards adopted pursuant to Section 60605, as it read on January 1, 2013, for assessing pupils who are enrolled in a dual language immersion program that includes the primary language of the assessment and who are either nonlimited English proficient or redesignated fluent English proficient until a subsequent primary language assessment aligned to the common core standards in English language arts adopted pursuant to Section 60605.8 is developed pursuant to paragraph (5) of subdivision (b). The cost for the assessment shall be the same for all local educational agencies and shall not exceed the marginal cost of the assessment, including any cost the department incurs to implement this section. A local educational agency that elects to administer a primary language assessment pursuant to this subdivision shall do so at its own expense and shall enter into an agreement for that purpose with the state testing contractor, subject to the approval of the department.

(k) Pursuant to Section 1412(a)(16) of Title 20 of the United States Code, individuals with exceptional needs, as defined in Section 56026, shall be included in the testing requirement of subdivision (b) with appropriate accommodations in administration, where necessary, and the individuals with exceptional needs who are unable to participate in the testing, even with accommodations, shall be given an alternate assessment.

(l) (1) The Superintendent shall apportion funds appropriated for these purposes to local educational agencies to enable them to meet the requirements of subdivisions (b) and (c).

(A) For the CAASPP field tests administered in the 2013–14 school year or later school years, the Superintendent shall apportion funds to local educational agencies if funds are specifically provided for this purpose in the annual Budget Act.

(B) The Superintendent shall apportion funds to local educational agencies to enable them to administer assessments used to satisfy the voluntary Early Assessment Program in the 2013–14 school year pursuant to paragraph (4) of subdivision (b).

(2) The state board annually shall establish the amount of funding to be apportioned to local educational agencies for each test administered and annually shall establish the amount that each contractor shall be paid for each test administered under the contracts required pursuant to Section 60643. The amounts to be paid to the contractors shall be determined by considering the cost estimates submitted by each contractor each September and the amount included in the annual Budget Act, and by making allowance for the estimated costs to local educational agencies for compliance with the requirements of subdivisions (b) and (c). The state board shall take into account changes to local educational agency test administration activities under the CAASPP, including, but not limited to, the number and type of tests administered and changes in computerized test registration and administration procedures, when establishing the amount of funding to be apportioned to local educational agencies for each test administered.

(3) An adjustment to the amount of funding to be apportioned per test shall not be valid without the approval of the Director of Finance. A request for approval of an adjustment to the amount of funding to be apportioned per test shall be submitted in writing to the Director of Finance and the chairpersons of the fiscal committees of both houses of the Legislature with accompanying material justifying the proposed adjustment. The Director of Finance is authorized to approve only those adjustments related to activities required by statute. The Director of Finance

shall approve or disapprove the amount within 30 days of receipt of the request and shall notify the chairpersons of the fiscal committees of both houses of the Legislature of the decision.

(m) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation for the apportionments made pursuant to paragraph (1) of subdivision (l), and the payments made to the contractors under the contracts required pursuant to Section 60643 or subparagraph (C) of paragraph (1) of subdivision (a) of Section 60605 between the department and the contractor, are "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202, for the applicable fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202, for that fiscal year.

(n) As a condition to receiving an apportionment pursuant to subdivision (l), a local educational agency shall report to the Superintendent all of the following:

(1) The pupils enrolled in the local educational agency in the grades in which assessments were administered pursuant to subdivisions (b) and (c).

(2) The pupils to whom an achievement test was administered pursuant to subdivisions (b) and (c) in the local educational agency.

(3) The pupils in paragraph (1) who were exempted from the test pursuant to this section.

(o) The Superintendent and the state board are authorized and encouraged to assist postsecondary educational institutions to use the assessment results of the CAASPP, including, but not necessarily limited to, the grade 11 consortium summative assessments in English language arts and mathematics, for academic credit, placement, or admissions processes.

(p) Subject to the availability of funds in the annual Budget Act for this purpose, and exclusive of the consortium assessments, the Superintendent, with the approval of the state board, annually shall release to the public test items from the achievement tests pursuant to Section 60642.5 administered in previous years. Where feasible and practicable, the minimum number of test items released per year shall be equal to 25 percent of the total number of test items on the test administered in the previous year.

(q) On or before July 1, 2014, Sections 850 to 868, inclusive, of Title 5 of the California Code of Regulations shall be revised by the state board to conform to the changes made to this section in the first year of the 2013–14 Regular Session. The state board shall adopt initial regulations as emergency regulations to immediately implement the CAASPP assessments, including, but not necessarily limited to, the administration, scoring, and reporting of the tests, as the adoption of emergency regulations is necessary for the immediate preservation of the public peace, health, safety, or general welfare within the meaning of Section 11346.1 of the Government Code. The emergency regulations shall be followed by the adoption of permanent regulations, in accordance with the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

CALPADS Update FLASH #145

Topics include: CALPADS deadline dates; CALPADS functionality phase-in; business rule changes for submitting discipline data in 2018-19; clarification on definition of suspension; ELAS start date for students tested with Initial ELPAC.

To: Local Educational Agency (LEA) Representatives

From: California Department of Education (CDE) –
California Longitudinal Pupil Achievement Data System (CALPADS) Team

Date: November 5, 2018

Subject: CALPADS Update FLASH #145

CALPADS Deadline Dates

The Fall 1 certification deadline has been moved to December 7, 2018 and the close of the Amendment Window has been moved to January 18, 2019. The Unduplicated Pupil Count (UPC) data certified on Report 1.17 – *FRPM, EL, Foster Count* by the first certification deadline will be used to calculate the First Principal Apportionment; any data certified or recertified by the close of the Amendment Window will be used to calculate the Second Principal Apportionment. After the close of the Amendment Window, there will be no further opportunity to amend these data except through the Local Control Funding Formula audit process.

Local Educational Agencies (LEAs) should strive to certify accurate data by the December 7, 2018 deadline, and to use the Fall 1 enrollment counts and the UPC data in their budget projections on the First Interim Report due to their County Office of Education (COE) on December 15, 2018. COEs must complete their reviews of First Interim Reports by January 15, 2019. Accurate data used for budget projections on these reports facilitate COE reviews. Should any issues arise from the COE review, LEAs will have limited time during the Amendment Window to further update their data, so timely communication between COEs and their districts is crucial. Please note that COEs lose visibility into the CALPADS reports that LEAs certify, if the LEA decertifies. Therefore, to facilitate COE review, LEAs should not immediately decertify following the December 7, 2018 deadline. LEAs may continue to update their data and review “revised uncertified” reports; once the LEA is satisfied with the updates, LEAs may then decertify and recertify the reports.

The deadlines for the Fall 2 submission will be announced once the Fall 2 functionality has been fully deployed, tentatively scheduled for mid-December.

CALPADS Functionality Phase-In

Currently only Fall 1 2018–19 and the components needed to facilitate Fall 1 (e.g., SSID requests, Direct Certification, etc.) are supported in CALPADS. Historical reports, Fall 2 and End-of-Year (EOY) components will be phased in over the next few months. This means that Fall 2 and EOY files cannot be submitted at this time and historical reports are not available. Starting on November 6, selected EOY 3 reports for 2017–18 snapshot reports will be available to help LEAs reconcile the information posted on DataQuest and in the California School Dashboard.

Business Rule Changes for the Submission of Discipline Data in 2018–19

Recent changes to federal reporting requirements enables alignment of the business rules for the reporting of discipline data so that: (1) the discipline data for all students, including students with disabilities, follow the same rules; and (2) the reporting requirements follow the same rules as the Office of Civil Rights (OCR) data collection. These business rule changes were discussed in the October 2018 CALPADS Information Meeting (CIM), and are discussed in more detail in the following sections.

LEAs must report all incidents regardless if it results in a disciplinary action of suspension or expulsion

LEAs must now report all incidents in which a statutory offense is committed, regardless if it results in a disciplinary action of suspension or expulsion. This means that LEAs are required to report incidents that result in “other means of correction” as outlined in California *Education Code (EC)* Section 48900.5. For such incidents, the Disciplinary Action Category Code 300 should be used. This code has been renamed from “No Suspension or Expulsion” to “Other Means of Correction or No Action,” and the definition for this code has been changed to the following:

An individual committed an offense as defined in Education Code 48900 or 48915, was not suspended or expelled, but the matter was addressed with either no disciplinary action at all or other means of correction. Other means of correction includes but is not limited to:

- 1. A conference between school personnel, the pupil’s parent or guardian, and the pupil.*
- 2. Referrals to the school counselor, psychologist, social worker, child welfare attendance personnel, or other school support service personnel for case management and counseling.*
- 3. Study teams, guidance teams, resource panel teams, or other intervention-related teams that assess the behavior, and develop and implement individualized plans to address the behavior in partnership with the pupil and his or her parents.*
- 4. Referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program, or a [Section 504] plan.*
- 5. Enrollment in a program for teaching prosocial behavior or anger management.*

6. *Participation in a restorative justice program.*
7. *A positive behavior support approach with tiered interventions that occur during the school day on campus.*
8. *After-school programs that address specific behavioral issues or expose pupils to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups.*
9. *Any of the alternatives described in Section 48900.6 [relating to “community service”].*

It should be noted that incidents that result in “other means of correction” are not included in the Suspension Rate posted on DataQuest or used for the Dashboard. In fact, reporting “other means of correction” shows that a school is following legislative intent by implementing alternatives to suspension so that students do not miss instructional time.

Clarification as to what is a “suspension”

Suspensions include (1) suspensions from school by the principal or designee pursuant to *EC* Section 48911(a), 48900.2, 48900.4 and 48900.7, and (2) suspensions under the authority provided by *EC* Section 48910(a). Suspensions from school include both “home” suspensions and suspensions in a supervised classroom as defined in *EC* Section 48911.1. As stated in *EC* Section 48925(d), suspensions do not include (1) reassignment to another education program or class at the same school where the pupil will receive ongoing instruction for the length of day prescribed by the governing board for pupils of the same grade level, or (2) referral to a certificated employee designated by the principal to advise pupils, or (3) removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the pupil to the principal or the principal’s designee as provided in *EC* Section 48910. Note that these three items specified in *EC* Section 48925(d) are *not* “in-school suspensions.” “In-school suspensions” are when the principal or the principal’s designee, assigns a student to a “supervised suspension classroom” as defined in *EC* Section 48911.1.

Reporting “Incident Disciplinary Action Duration Days”

The “*Incident Disciplinary Action Duration Days*” is collected to enable the CDE to report the number of instructional days a student misses due to a disciplinary action. It should also be noted that *EC* Section 48915(d)(f) requires LEAs to refer students who are expelled pursuant to *EC* Section 48915(b)(c)(e), to a program of study that meets conditions specified under *EC* Section 48915(d).

Therefore, when reporting data on the Student Discipline (SDIS) file in Field 4.2 – *Incident Disciplinary Action Duration Days*, LEAs should include:

- If a student was first suspended prior to a final disciplinary action of expulsion, the number of instructional days that the student missed instruction due to the suspension that preceded the expulsion; *and*
- The number of instructional days the student missed due to the expulsion, which would be the number of instructional days from when the student is exited due to the expulsion

to when the student is enrolled in a subsequent school, or the end of the school year, whichever comes first.

LEAs should report all increments of suspensions for all students

Previously, LEAs were instructed to report incidents resulting in half-day suspensions for students with disabilities, and to only report incidents resulting in full-day suspensions for all other students. To align with Office of Civil Right rules, LEAs should now report all suspensions, regardless of the length of suspension, and they should report the increment in Field 4.2 – *Incident Disciplinary Action Duration Days*, which allows for increments of less than one day. The CDE will make adjustments to the calculation of the Suspension Rate so that this change in data collection will not impact the accountability measure.

LEAs must report all disciplinary actions for all students that occur at a Nonpublic, Nonsectarian School (NPS)

LEAs are required to report suspension and expulsion data for students attending Nonpublic, Nonsectarian Schools.

Important to inform and train site staff

It is important that clear policies and procedures are in place that support the accurate reporting of discipline data and that site staff are informed and trained on these policies and procedures.

English Language Acquisition Status (ELAS) Start Date for Students Tested with the Initial English Language Proficient Assessments for California (ELPAC)

LEAs are required to assess new students with the Initial English Language Proficient Assessments for California (ELPAC) within 30 days of enrollment. LEAs have also been instructed to use the date that testing was completed as the start date for the resulting English Language Acquisition Status (ELAS). Students who are first enrolled just prior to, or on Census Day, may not be tested until after Census Day. This would result in students identified as English Learners not being eligible for funding under the Local Control Funding Formula. Therefore, in such cases, LEAs may submit an ELAS Start Date of Census Day or before.

When the business rules for the automatic transfer of Initial ELPAC results and the ELAS from the test vendor to CALPADS are determined, the CDE will consider allowing ELAS Start Dates through October for students enrolled on Census Day to qualify for LCFF funding, similar to eligibility for Free and Reduced Price meals.

Questions: CALPADS/CBEDS/CDS Operations Office | calpads@cde.ca.gov | 916-324-6738
Last Reviewed: Wednesday, December 12, 2018

CALPADS Update FLASH #148

Topics include: Enrollment and attendance accounting guidance for students attending hospital/health facility programs in another LEA and while on paternity leave; clarification regarding reporting disciplinary incidents.

To: Local Educational Agency (LEA) Representatives

From: California Department of Education (CDE) –
California Longitudinal Pupil Achievement Data System (CALPADS) Team

Date: January 30, 2019

Subject: CALPADS Update FLASH #148

Enrollment and Attendance Accounting Guidance for Students Attending Hospital/Health Facility Programs in Another LEA

Assembly Bill 2109 (Chapter 167, Statutes of 2018):

- Authorizes local educational agencies (LEAs), including charter schools, to continue to enroll pupils with temporary disabilities who are receiving individual instruction in hospitals or other residential health facilities that are located in another LEA on a temporary or ongoing partial week basis.
- Requires supervisors of attendance to ensure that absences from students' regular schools are excused until students are able to return to regular school programs.
- Requires LEAs to accept such students back after the hospitalization or need for partial week attendance has ended, if they return on a full time basis during the same school year.
- Specifies that LEAs may claim average daily attendance (ADA) for only the days the student was in attendance at a school in the LEA.

LEAs should refer to California Education Code (EC) Sections 48206.3 – 48208 and 48240 for the specific additions and amendments to current law. It should also be noted that under current law, charter schools cannot generate home/hospital attendance for apportionment. Therefore the references to LEAs providing home/hospital do not include charter schools. The following guidance is provided regarding how to enroll/exit and submit chronic absenteeism data for these students in CALPADS in order to ensure that the impact on accountability metrics is neutral:

Scenario 1

A student is primarily enrolled in LEA 1 for 3 days a week, and receives Home and Hospital instruction from LEA 2, in a school that is not an alternative school, for 2 days a week. (Note: LEA 2 cannot be a charter school because charter schools cannot generate home/hospital attendance for apportionment.)

Guidance:

- LEA 1 should enroll the student with a primary enrollment where the student is scheduled to attend school three days in a week.
- LEA 1 should mark the student with an excused absence (or some designation that does not result the student being identified as truant) on the days that the student attends LEA 2.
- LEA 1, when reporting expected attendance days in Field 13.15 – *Expected Attendance Days* to CALPADS on the Student Absence Summary (STAS) File, should only count the days the student attends LEA 1 as days expected. LEA 1 is only held accountable for the student’s attendance for the days the student is expected at LEA 1.
- LEA 2 should enroll the student with a secondary enrollment for the two days in the week that the student is receiving home/hospital instruction from LEA 2.
- LEA 2 is not required to submit the STAS.

Note:

- There is no concurrent enrollment issue; LEA 1 maintains ownership of the student. LEA 2 may submit or update Student Program records following rules outlined in the SSID and Enrollment Procedures document.
- LEA 1 and LEA 2 can claim ADA based on the student’s attendance at their respective schools.

Scenario 2

A student is primarily enrolled in LEA 1. The student becomes ill and requires home/hospital instruction in a facility located in the geographic area of LEA 2. The student will require home/hospital for a temporary period of time of 30 days or less and expects to return to LEA 1 within the school year. It is the desire of the student to maintain his/her enrollment in LEA 1. (Note: LEA 2 cannot be a charter school because charter schools cannot generate home/hospital attendance for apportionment.)

Guidance:

- LEA 1 should enroll the student with a primary enrollment and should not exit the student when he/she leaves for home/hospital instruction.
- LEA 1 should mark the student with an excused absence (or some designation that does not result in the student being identified as truant) on the days that the student is enrolled in and attending LEA 2 for home/hospital instruction.
- LEA 1, when reporting expected attendance days in Field 13.15 – *Expected Attendance Days* to CALPADS on the Student Absence Summary (STAS) File, should only count as

days expected, the days the student could have attended before becoming ill necessitating enrollment in LEA 2. LEA 1 is only held accountable for the student's attendance for the days the student is expected at LEA 1.

- **LEA 2 With an Alternative School:** LEA 2 should enroll the student with a short term enrollment in an alternative school in LEA 2. The short term enrollment allows LEA 1 to maintain the enrollment for 30 days without creating a concurrent enrollment (CCE).

Or:

LEA 2 Without an Alternative School: LEA 2 should enroll the student as a primary enrollment in a school in LEA 2. A CCE is created; however, it is only temporary and LEAs may have up to 2 percent CCEs in order to certify Fall 1. After two weeks, LEA 1 loses ownership of the student and can no longer update or submit Student Information (SINF) data for the student, except for the time period in which LEA 1 owned the student.

- LEA 2, when submitting the STAS file, should populate Field 13.13 – *Student Absence Summary Data Collection Exemption Indicator* with “Y” indicating that the student is exempt from the STAS data collection.
- Before 30 days has elapsed, the student returns to LEA 1, and LEA 2 should exit the student which gives ownership back to LEA 1.

Note: LEA 1 and LEA 2 can claim ADA based on the student's attendance at their respective schools.

Scenario 3

A student is primarily enrolled in LEA 1. The student becomes ill and requires home/hospital instruction in a facility located in the geographic area of LEA 2. The student will require home/hospital for a temporary period of time that is more than 30 days but expects to return to LEA 1 within the school year. It is the desire of the student to maintain his/her enrollment in LEA 1. (Note: LEA 2 cannot be a charter school because charter schools cannot generate home/hospital attendance for apportionment.)

Guidance:

- LEA 1 should enroll the student with a primary enrollment and should not exit the student when he/she leaves for home/hospital instruction.
- LEA 1 should mark the student with an excused absence (or some designation that does not result in the student being identified as truant) on the days the student is enrolled in and attending LEA 2 for home/hospital instruction.
- LEA 1, when reporting expected attendance days in Field 13.15 – *Expected Attendance Days* to CALPADS on the Student Absence Summary (STAS) File, should only count as days expected, the days the student could have attended before becoming ill necessitating enrollment in LEA 2. LEA 1 is only held accountable for the student's attendance for the days the student is expected at LEA 1.
- LEA 2 should enroll the student as a primary enrollment in a school in LEA 2. A CCE is created; however, LEAs may have up to 2 percent CCEs in order to certify Fall 1. After two weeks, LEA 1 will lose ownership of the student and can no longer update or submit

Student Information (SINF) data for the student, except for the time period in which LEA 1 owned the student.

- LEA 2, when submitting the STAS file, should populate Field 13.13 – *Student Absence Summary Data Collection Exemption Indicator* with “Y” indicating that the student is exempt from the STAS data collection due to Home/Hospital attendance.
- When the student returns to LEA 1, LEA 2 should exit the student giving ownership back to LEA 1.

Enrollment and Attendance Accounting Guidance for Students While on Paternity Leave

Assembly Bill 2289 codifies federal and state regulations related to the rights of pregnant or parenting students. Some of the provisions related to enrollment and attendance accounting include the following:

- Entitles pregnant and parenting students to eight weeks of parental leave, which may be taken before the birth of the infant if there is a medical necessity and after childbirth during the school year in which the birth takes place.
- Entitles pregnant and parenting students to receive more than eight weeks of parental leave if deemed medically necessary by the student’s physician.
- Entitles pregnant and parenting students to return to the school and the course of study in which he or she was enrolled before taking parental leave, and upon return be provided opportunities to make up work missed during the leave.
- Entitles pregnant and parenting students who choose not to return to the school in which they were enrolled before taking parental leave, to alternative education options offered by the LEA, which have programs, activities, and courses equal to those they would have been participating in at the regular school program.
- Requires supervisors of attendance to ensure that absences due to parental leave are marked as excused absences.

LEAs should review California *EC* Sections 221.51, 222.5 and 46015 for the full rendering of the new law. The following guidance is provided regarding how to enroll/exit and submit chronic absenteeism data for these students in CALPADS in order to ensure that the impact on accountability metrics is neutral:

- LEAs should not dis-enroll pregnant or parenting students when they leave on their paternity leave, and should mark them with an excused absence, or some designation that does not result in the students being identified as truant, on the days that the students are on paternity leave.
- When reporting expected attendance days in Field 13.15 – *Expected Attendance Days* to CALPADS on the Student Absence Summary (STAS) File, LEAs should not count as days expected, the days that pregnant or parenting students are on paternity leave.
- LEAs should submit in Field 3.13 – *Education Program Code*, on the Student Program (SPRG) file, Education Program Code 162 – *Pregnant or Parenting Program*, even if the student is not formally participating in a program providing services to students who are

pregnant or parenting. This code is used primarily to identify that a student is a pregnant or parenting student.

Further Clarification on Reporting All Incidents Regardless if it Results in a Disciplinary Action of Suspension or Expulsion

In order to enable LEAs to report discipline data for general education students and students with disabilities using a consistent set of rules, and to capture a more comprehensive picture regarding whether discipline policies are being implemented pursuant to legislative intent, Flash 145 announced business rule changes for the submission of discipline data in 2018–19.

This section provides further guidance regarding the announced change in Flash 145 that LEAs must now report all incidents in which a statutory offense is committed, and to use Disciplinary Action Category Code 300 – “*Other Means of Correction or No Action*” for those incidents that did not result in a suspension or expulsion.

Previously, an LEA’s action of suspending or expelling a student helped determine what incidents LEAs were required to report for offenses committed by general education students. Now that LEAs must report all incidents when any student has committed a statutory offense, even when the student is not suspended or expelled, it is sometimes unclear when an incident should be reported. This is particularly true for California *Education Code (EC)* Section 48900 (k) offenses which students commit when they disrupt or defy the valid authority of school personnel in the performance of their duties. It may be unclear, for example, whether incidents of disruptive or defiant behavior that occur in the classroom and which teachers address by taking some type of disciplinary action within the classroom, are reportable.

To help determine whether incidents for which students were not suspended or expelled should be reported, district or school administration should consider the severity of the disciplinary action taken. If the disciplinary action taken was similar to one of the “other means of correction” outlined in *EC* Section 48900.5, which is also contained in the definition of Disciplinary Action Category code 300 (provided below), then the incident should be reported. If, on the other hand, the disciplinary action was taken by the teacher within the classroom setting (such as re-teaching expectations, providing choice, environmental adjustments, etc.) and was not escalated beyond the classroom to administration, then the incident would not be reported.

LEAs that have not done so already should develop clear student discipline policies for administrators, school staff, and teachers to follow. Such policies should describe a continuum of behaviors and appropriate responses to be taken within the classroom by teachers and outside the classroom, which would include “other means of correction” as described in *EC* Section 48900.5.

Finally, LEAs are reminded that reported incidents that result in “other means of correction” are not included in the Suspension Rate posted on DataQuest or used for the Dashboard. In fact,

reporting “other means of correction” shows that a school is following legislative intent by implementing alternatives to suspension so that students do not miss instructional time.

Disciplinary Action Category Code 300

As described in Flash 145, Disciplinary Action Category code 300 has been renamed from “*No Suspension or Expulsion*” to “*Other Means of Correction or No Action*,” and the definition for this code has been changed to the following:

An individual committed an offense as defined in Education Code 48900 or 48915, was not suspended or expelled, but the matter was addressed with either no disciplinary action at all or other means of correction. Other means of correction include but are not limited to:

- *A conference between school personnel, the pupil’s parent or guardian, and the pupil.*
- *Referrals to the school counselor, psychologist, social worker, child welfare attendance personnel, or other school support service personnel for case management and counseling.*
- *Study teams, guidance teams, resource panel teams, or other intervention-related teams that assess the behavior, and develop and implement individualized plans to address the behavior in partnership with the pupil and his or her parents.*
- *Referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program, or a [Section 504] plan.*
- *Enrollment in a program for teaching prosocial behavior or anger management.*
- *Participation in a restorative justice program.*
- *A positive behavior support approach with tiered interventions that occur during the school day on campus.*
- *After-school programs that address specific behavioral issues or expose pupils to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups.⁹ Any of the alternatives described in Section 48900.6 [relating to “community service”].*

Questions: CALPADS/CBEDS/CDS Operations Office | calpads@cde.ca.gov | 916-324-6738
Last Reviewed: Thursday, January 31, 2019

CALPADS Update Flash #159



Date: July 31, 2019

To: Local Educational Agency (LEA) Representatives

From: California Department of Education (CDE) —
California Longitudinal Pupil Achievement Data System (CALPADS) Team

Collection of Data on the Use of Restraint and Seclusion for All Students

Assembly Bill (AB) 2657, (Chapter 998, Statutes of 2018), went into effect on January 1, 2019, adding sections 49005–49006.4 to California’s *Education Code* regarding the use of restraint and seclusion for **students receiving either general education or special education**. The California Department of Education (CDE) informed the field of this new law in a letter dated December 24, 2018, posted on the CDE website at: <https://www.cde.ca.gov/nr/el/le/yr18ltr1224.asp>

These data will be collected in CALPADS for the first time as part of the 2019–20 End-of-Year (EOY) 3 data submission. Therefore, LEAs should be collecting these data locally beginning this fall. In summary, LEAs are required to collect and submit the use of:

- Behavioral Restraint, defined in statute as:
 - Mechanical Restraint – Use of a device or equipment to restrict a pupil’s freedom of movement (with exceptions).
 - Physical Restraint – A personal restriction that immobilizes or reduces the ability of a pupil to move his or her torso, arms, legs, or head freely (with exceptions).
- Seclusion, defined in statute as the involuntary confinement of a pupil alone in a room or area from which the pupil is physically prevented from leaving.

For the full statutory definitions of restraint and seclusion, LEAs should refer to the appropriate *Education Code* sections, or the legislation which is posted on the California Legislative Information website, on the *AB-2657 Pupil discipline: restraint and seclusion* web page at:

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB2657.

New Discipline File Structure and Codes

To accommodate this new collection, and to address structural issues with the current Student Discipline (SDIS) file, the CDE is replacing the SDIS file with three new files, described below. In addition, the Disciplinary Action Category code set has been renamed, "Student Incident Result" and new codes have been added to this code set to collect the data needed to meet the new reporting requirements.

The three new files include:

- **Student Incident (SINC) File**, in which LEAs report **all** incidents: (1) resulting in the use of physical restraint, mechanical restraint, or seclusion; and (2) in which a statutory offense is committed.
- **Student Incident Result (SIRS) File**, in which LEAs report all results for each incident. Each incident should have at least one corresponding SIRS record for each student who were restrained or secluded, or who committed an offense:
 - A student who is restrained or secluded, but not as a result of committing a statutory offense, should have a SIRS record with a Student Incident Result code of one of more of the following:
 - (501) Physical Restraint (*new*)
 - (502) Mechanical Restraint (*new*)
 - (600) Seclusion (*new*)
 - A student who commits a statutory offense:
 - Should have at least one SIRS record with Student Incident Result code of:
 - (100) Out-of-School Suspension
 - (110) In-School Suspension
 - (200) Expulsion
 - (300) Other Means of Correction (*modified to remove "No Action"*)
 - (400) No Action (*new*)
 - (700) School-related Arrest (*new*)
 - (800) Law Enforcement Referral, not including school-related arrests (*new*)
 - Could have an additional SIRS records with a Student Incident Result code of one or more of the following:
 - (501) Physical Restraint (*new*)
 - (502) Mechanical Restraint (*new*)
 - (600) Seclusion (*new*)

Students may have more than one result record for one incident in order to fully capture the incident and the dispositions that result to address the incident. For example, a student may have been physically restrained and then placed in an In-School Suspension. In this case, the student would have a SIRS record with 501, and a SIRS record with 110. Or a student may be arrested, suspended, and later expelled. In this case, the student would have a SIRS record with 700, a SIRS record with 100, and a SIRS record with 200.

- **Student Offense (SOFF) File**, in which LEAs report the statutory student offense (Student Offense code) that was committed for any incidents in which a statutory offense was committed. LEAs are required to report all statutory offenses, regardless of the result type (e.g., regardless of whether the student was suspended or expelled). No changes have been made to the Student Offense code set.

The CDE has reviewed these proposed files with the student information system (SIS) vendors and has made modifications based on their input. LEAs should consult with their SIS vendors regarding how these data are submitted to their local systems.

The new files and codes will be posted to the CALPADS web page in August 2019. Additionally, a follow-up to the December 2018 letter was sent to county and district superintendents, Special Education Local Plan Area (SELPA) Directors, and Charter School Administrators, informing them of the collection of this data in CALPADS. The letter reiterates that the data are to be collected for *all* students and stresses the importance of ensuring all staff are appropriately trained to identify, document, and report these incidents, particularly site administrators, so that CALPADS Administrators are not having to determine what constitutes incidents of restraint and seclusion that must be reported.



**CALIFORNIA DEPARTMENT
OF EDUCATION**

TONY THURMOND
STATE SUPERINTENDENT OF
PUBLIC INSTRUCTION

1430 N STREET, SACRAMENTO, CA 95814-5901 • 916-319-0800 • WWW.CDE.CA.GOV

July 31, 2019

Dear County and District Superintendents, Charter School Administrators, Special Education Local Plan Area Directors, Administrators of County Offices of Education, Nonpublic School Administrators, State Diagnostic Center Directors, and Local Educational Agency Special Education Directors:

**Collection of Data on the Use of Restraint and Seclusion for
All Students in the California Longitudinal Pupil Achievement
Data System**

The purpose of this letter is to follow up on the letter dated December 24, 2018, regarding Assembly Bill (AB) 2657 (Chapter 998, Statutes of 2018), which became effective January 1, 2019. The bill added sections 49005–49006.4 to California’s *Education Code* regarding the use of restraint and seclusion with students receiving both general education and special education.

**Collection of Restraint and Seclusion Data in the California Longitudinal Pupil
Achievement Data System (CALPADS)**

The new law requires local educational agencies (LEAs) to collect and report annually to the California Department of Education (CDE) data on the number of times and the number of students on which mechanical restraints, physical restraints, and seclusion are used. The data must be disaggregated for students who have Section 504 plans, students who have individualized education programs, and students who do not have either plan. The CDE is mandated to post these data on its Internet website annually (*Education Code* Section 49006).

To meet this reporting requirement, the CDE will collect these data from LEAs through CALPADS beginning in 2019–20, as part of its End-of-Year (EOY) 3 submission. The 2019–20 EOY submission, which will open in May 2020 and close at the end of August 2020, is a cumulative collection that includes all incidents of restraint and seclusion that occurred throughout the school year. **Therefore, LEAs should begin collecting these data in their local systems when school begins this fall.** It should be noted that all incidents of the use of restraints and seclusion must be reported for **all** students.

The CDE has finalized how the current CALPADS EOY 3 submission will be changed to accommodate the new collection of incidents of restraint and seclusion, and has reviewed those changes with the student information system (SIS) vendors. LEAs should consult with their SIS vendors on how to submit these data to their local systems. More detailed information about the changes to the EOY 3 submission has also been provided to LEA CALPADS Administrators.

July 31, 2019

Page 2

Many LEAs currently have policies and procedures in place to identify, document, and report incidents involving restraint and seclusion for students with disabilities; however, because these data will be collected for all students, it is imperative that LEAs ensure that all staff are appropriately trained to identify, document, and report these incidents. It is also important for site administrators to be actively involved in ensuring that policies and procedures are followed and that CALPADS Administrators are not having to determine what constitutes incidents of restraint and seclusion that must be reported as described in AB 2657.

If you have any questions, please contact the CALPADS Service Desk by phone at 916-325-9210 or by email at calpads-support@cde.ca.gov. All questions will be routed to the appropriate CALPADS or special education staff.

Thank you for your support.

Sincerely,

Jerry Winkler, Director
Educational Data Management Division

JW:pm

cc: CALPADS Administrators

7.3 Lockdown Procedures
Verbal, no documents

7.4 Continuum of Care Memorandum of Understanding
Verbal report, no materials



Desert / Mountain Children's Center
17800 Highway 18
Apple Valley, CA 92307-1219

P 760-552-6700
F 760-946-0819
W www.dmchildrenscenter.org

MEMORANDUM

DATE: August 21, 2019
TO: Special Education Directors
FROM: Linda Llamas, Director *ll.*

SUBJECT: Desert/Mountain Children's Center Client Reports

Attached are the opened and closed cases for the following services:

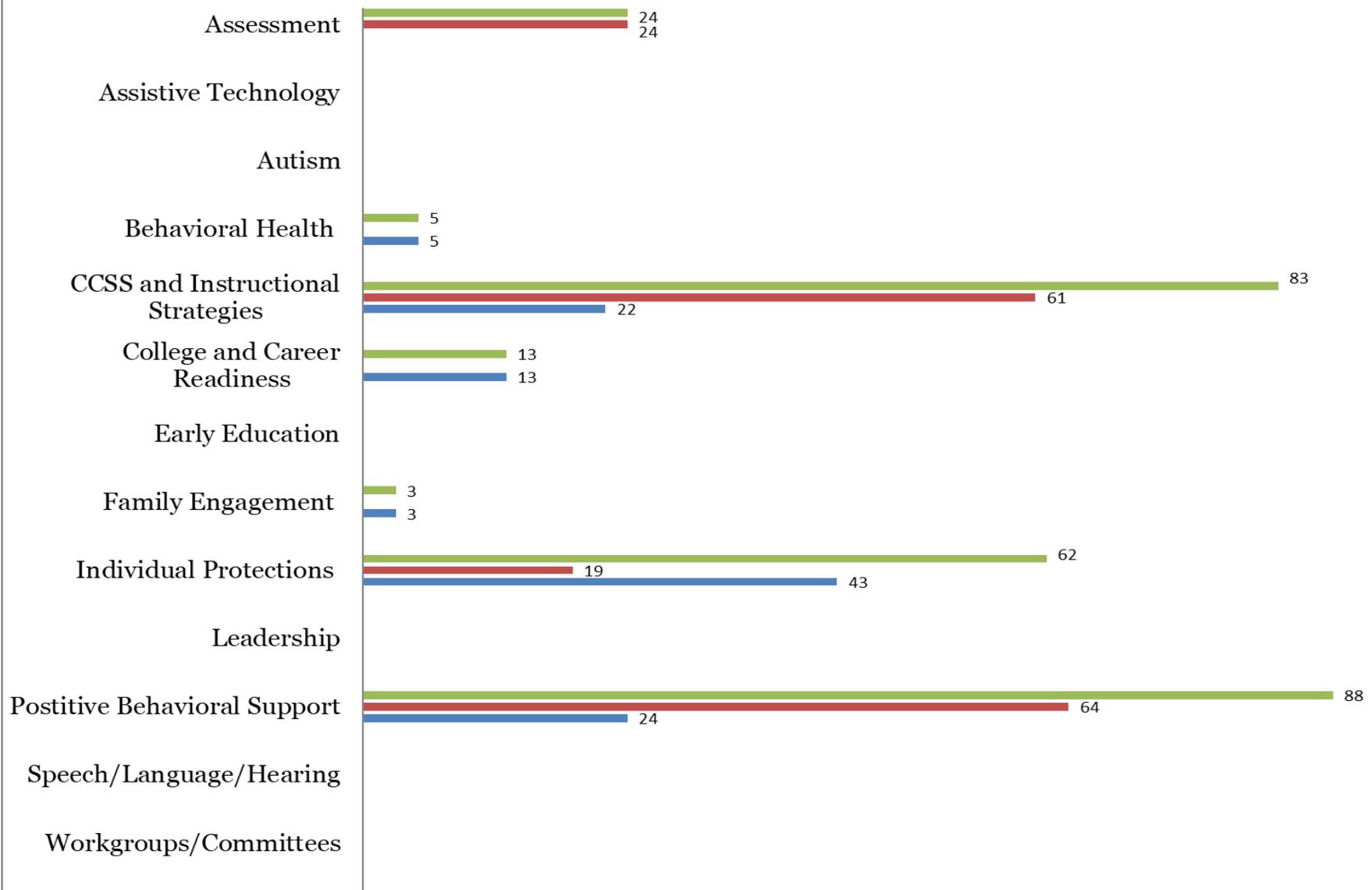
- Screening, Assessment, Referral and Treatment (SART)
- Early Identification Intervention Services (EIIS)
- School-Age Treatment Services (SATS)
- Therapeutic Behavioral Services (TBS)
- Student Assistance Program (SAP)
- Children's Intensive Services (CIS)
- Speech and occupational therapy

If you should have any questions, please contact me at (760) 955-3606 or by email at linda.llamas@cahelp.org

D/M CHARTER SELPA PROFESSIONAL LEARNING PARTICIPATION SUMMARY

2018-19 YEAR END TOTALS
278 YEAR-TO-DATE-PARTICIPANTS

■ Total Participants by Content Area ■ On-Site Trainings ■ Regional Trainings



**Desert/Mountain Charter SELPA
Due Process Summary
July 1, 2018 - June 30, 2019**

D = Complaint Dismissed W = Complaint Withdrawn

DISTRICT										CASE ACTIVITY FOR CURRENT YEAR				
	13/14	14/15	15/16	16/17	17/18	18/19			Total	D/W	Resolution	Mediation	Settled	Hearing
Allegiance STEAM Acad - Thrive	N/A	N/A	N/A	N/A	N/A	0			0	0	0	0	0	0
Aveson Global Leadership Acad	N/A	N/A	2	1	5	1.5			9.5	0	0	0	1.5	0
Aveson School of Leaders	N/A	N/A	0	3	1	1.5			5.5	0	0	0	1.5	0
Ballington Acad for Arts & Sci	N/A	N/A	N/A	N/A	0	2			2	0	0	0	2	0
Desert Trails Prep Academy	0	0	0	0	0	0			0	0	0	0	0	0
Encore Junior/Senior High School	0	0	0	0	0	0			0	0	0	0	0	0
Encore High School, Riverside	N/A	N/A	0	0	0	1			1	0	0	0	1	0
Julia Lee Performing Arts Acad	N/A	N/A	N/A	N/A	N/A	0			0	0	0	0	0	0
LaVerne Elem Preparatory	0	0	0	0	0	0.5			0.5	0	0	0	0.5	0
Odyssey Charter School	N/A	N/A	0	0	0	0			0	0	0	0	0	0
Odyssey Charter School - South	N/A	N/A	N/A	N/A	N/A	0			0	0	0	0	0	0
Pasadena Rosebud Academy	N/A	N/A	N/A	N/A	N/A	1			1	0	0	0	1	0
Pathways to College	0	0	0	0	0	0			0	0	0	0	0	0
Taylion High Desert Academy	0	0	0	0	0	0			0	0	0	0	0	0
SELPA-WIDE TOTALS	0	0	2	4	6	7.5			19.5	0	0	0	7.5	0

Desert/Mountain Charter SELPA
Resolution Support Services Activity Summary
July 1, 2018 – June 30, 2019

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Pre- Hearing Conference	Due Process Hearing	Status
1. Ballington Academy for the Arts & Sciences Case No. 2018090779	1. Child Find: Failure to assess 2. Denial of FAPE	09/19/18	10/09/18		11/02/18	11/14/18	10/09/18 - resolution meeting scheduled 10/09/18 - settled at resolution - CLOSED
2. Ballington Academy for the Arts & Sciences Case No. 2018090777	1. Not appropriately assessed in all areas of suspected disability 2. Did not offer goals 3. Did not offer services in all areas of suspected disability 4. Did not address behavior needs 5. Placement 6. Incomplete IEP team 7. Inappropriate OT exit 8. Denial of FAPE	09/19/18	10/09/18		11/02/18	11/15/18	10/09/18 - resolution meeting scheduled 10/09/18 - settled at resolution – CLOSED
3. LaVerne Elem Prep Academy Case No. 2018100445	1. Child Find between 2011 and 2018 2. Failure to assess in all areas of suspected disability SLP, OT, FBA, AT, health, ERMS 3. Violation of procedural safeguards 4. Failure to design appropriate program	10/09/18	WAIVED	12/12/18 CANCELLED	03/22/19	04/02 – 04/04/19	Resolution meeting waived; mediation date calendared; Mediation cancelled due to parent refusal; hearing rescheduled; witness prep 03/21/19; settled; CLOSED

**Desert/Mountain Charter SELPA
Resolution Support Services Activity Summary
July 1, 2018 – June 30, 2019**

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Pre- Hearing Conference	Due Process Hearing	Status
	5. No PWN for refusal of OT exam 6. Impeded parent participation by not providing timely records 7. Denial of FAPE						
4. Aveson School of Leaders/Aveson Global Leadership Academy/Aveson Charter Schools Case No. 2018100905	1. DHH 2. Denial of FAPE 3. Predetermined IEP 4. Failure to assess in all areas 5. Nonpublic school placement	10/18/18	10/25/18	12/19/18	02/01/19	02/12-02/14/19	10/25/18 - resolution meeting cancelled; parties agreed to hold mediation; parent and student temporarily living out-of-state settled at mediation; costs of NPS placement shared with Pasadena USD; settled – CLOSED 12/9/18
5. Aveson Global Leadership Academy Case No. 2018110119	1. Challenge to assessments a. OT assessment b. Speech and language assessment c. Psycho-educational assessment d. FBA e. ERMHS 2. Failure to assess a. Vision b. Social Skills 3. Child find	11/02/18	01/04/19	02/22/19	03/29/19	04/16-04/18/19	01/04/19 - resolution meeting held; no agreement; parent seeking NPS reimbursement; mediation cancelled; hearing rescheduled; 03/26/19 preparing for hearing; settled 5/20/19; CLOSED

**Desert/Mountain Charter SELPA
Resolution Support Services Activity Summary
July 1, 2018 – June 30, 2019**

LEA Case Number	Issue(s)	Date Filed	Resolution Scheduled	Mediation Scheduled	Pre- Hearing Conference	Due Process Hearing	Status
	4. Nonpublic school placement						
6. Encore Performing Arts Academy Case No. 2018121027	1. Assessment in all areas of suspected disability a. CAPD 2. IEE Visual Processing; OT; Auditory Processing	12/28/18	01/22/19		02/06/19	02/20- 02/21/19	01/22/19 resolution held; no agreement; 02/20/19 petitioner withdrawal; CLOSED
7. Pasadena Rosebud Academy Charter Case No. 2019040986	1. Denial of FAPE – 30 - day transfer IEP not held; 2. IEP services not provided; 3. DHH; counseling; reduced SAI minutes; 4. Impeded parent participation	TBD	04/26/19	TBD	06/07/19	06/18/- 06/20/19	Parent has disenrolled student. Attorney is currently unresponsive; next steps unclear due to criminal history of the parents; 07/16/19 settled/CLOSED

Desert /Mountain Charter SELPA
Resolution Support Services Legal Expense Summary
As of June 30, 2019

SCHOOL YEAR	TOTAL
2000-2001	\$ -
2001-2002	\$ -
2002-2003	\$ -
2003-2004	\$ -
2004-2005	\$ -
2005-2006	\$ -
2006-2007	\$ -
2007-2008	\$ -
2008-2009	\$ -
2009-2010	\$ -
2010-2011	\$ -
2011-2012	\$ -
2012-2013	\$ -
2013-2014	\$ -
2014-2015	\$ -
2015-2016	\$ 7,378.00
2016-2017	\$ 33,886.61
2017-2018	\$ 70,994.67
2018-2019	\$ 113,834.81

SELPA PBIS Assignments & Contacts

Shane Mullikin, PBIS Specialist

Shane.Mullikin@cahelp.org (760) 955-3690

Silver Valley Unified School District

District Contact: Jeff Youskievicz, Asst. Supt. Educational Services
Cheri Rigdon, Director of Special Services

Active PBIS Sites

- Ft. Irwin Middle School
- Lewis Elementary School
- Newberry Springs Elementary
- Tiefert View Intermediate
- Silver Valley High School
- Yermo School

Barstow Unified School District

District Contact: Jane Schoffall, PBIS Coach
Derrick Delton, Director II, Pupil Services

Active PBIS Sites

- Barstow High School
- Barstow Jr. High School
- Barstow STEM Academy
- Cameron Elementary
- Central High School
- Crestline Elementary
- Henderson Elementary
- Lenwood Elementary
- Montana Elementary
- Skyline North

Desert Mountain Operations

District Contact: Thomas Hannett, Principal

Active PBIS Sites

- Alternative Education Center

SELPA PBIS Assignments & Contacts

Angela Mgbeke, PBIS Specialist

Angela.Mgbeke@cahelp.org (760) 955-3683

Helendale School District

District Contact: Mike Esposito, Director of Special Ed.

Kelly Henderson, School Administrative Manager, District PBIS Coach

Active PBIS Sites

- ACE High School
- Helendale Elementary
- Riverview Middle

Needles Unified School District

District Contact: Jamie Wiesner, Sp. Ed. Services Coordinator

Active PBIS Sites

- Chemehuevi Valley Elementary School
- Needles High School
- Needles Middle School
- Vista Colorado Elementary School

Apple Valley Unified School District

District Contact: Pat Shelby, Director CWA

David Wheeler, Director of Student Services/Special Education

Active PBIS Sites

- Apple Valley High School
- Desert Knolls Elementary
- Granite Hills High School
- High Desert Premier
- Mariana Academy
- Phoenix Academy
- Rancho Verde Elementary
- Rio Vista School
- Sandia Academy
- Sitting Bull Academy
- Sycamore Rocks Elementary
- Vanguard Elementary
- Yucca Loma Elementary

SELPA PBIS Assignments & Contacts

Stephanie Ward, PBIS Specialist

Stephanie.Ward@cahelp.org (760) 955-3682

Hesperia USD Preschool Academy

District Contact: Yazmin Medina, Preschool Coordinator

Active PBIS Sites

- Cottonwood
- Hollyvale
- Joshua Circle
- Juniper
- Mesa Grande
- Oak Hills

High Desert Church

Barstow 4K and TK

2019-2020 Preschool Services Division

Charis Washington, PBIS Specialist

Charis.Washington@cahelp.org (760) 955-

Pathways to College

LEA Contact: Craig Merrill, Director of Special Education

Trona

District Contact: TBD

Adelanto Elementary School District

District Contact: Beth Bartholomew, CWA
Kristi Philip, Special Education Coordinator

Active PBIS Sites

- Adelanto Elementary
- Bradach Elementary
- Columbia Middle School
- Eagle Ranch Elementary
- El Mirage
- George Magnet School
- Gus Franklin STEM
- Mesa Linda Middle School

SELPA PBIS Assignments & Contacts

- Melva Davis Academy
- Morgan Kincaid Prep
- Theodore Vick Elementary
- Victoria Magathan Elementary
- West Creek Elementary
- Westside Park Elementary

Jessica Soto, PBIS Specialist

Jessica.Soto@cahelp.org (760) 955-3693

Desert/Mountain Operations

District Contact: Penny Tharpe, County Principal
Richard Frederick, Area Director

Active PBIS Sites

- Apple Valley County Early Education Center
- Lucy Siegrist

Apple Valley USD State Preschools

District Contact: Sue Rhoades, Coordinator School Readiness

Active PBIS Sites

- Early Education Center
- Desert Knolls
- Mariana Academy
- Phoenix Academy
- Rancho Verde
- Sandia Academy
- Sitting Bull Academy
- Sycamore Rocks
- Vanguard Preparatory
- Yucca Loma

SBCSS Sites

District Contact: Diana McCann, State Preschool Program Supervisor

Active PBIS Sites

- Adelanto
- Adelanto Academy
- Bradach
- Colin Powell
- Del Rey
- Lemon Street
- Liberty I
- Liberty II
- Lucerne Valley
- Mojave Vista
- Northshore
- Parkview
- Puesta del Sol
- Siegrist I
- Siegrist II

SELPA PBIS Assignments & Contacts

Ariel Clark, PBIS Specialist

Ariel.Clark@cahelp.org (760) 955-

Victor Valley Union High School District

District Contact: Laureen Byer, Coordinator

Margaret Akinnusi, Director of Special Ed./Psych. Services

Active PBIS Sites

- Adelanto High School
- Good Will Education Center
- Hook Junior High
- Lakeview Leadership
- Silverado High School
- Victor Valley High School

Victor Elementary School District

District Contact: Brian Bettger, Director of School Climate and Student Wellness

Tanya Benitez, Ed.D, Assistant Superintendent, Pupil Services

Active PBIS Sites

- Discovery School of the Arts
- Puesta del Sol
- Lomitas
- Parkview

Hesperia Elementary School District

District Contact: Matt Fedders, Director of Special Ed. (760) 244-4411

Active PBIS Sites

- Mesquite Trails

Revised 04/16/2019



JULY 2019							AUGUST 2019							SEPTEMBER 2019						
SU	M	TUE	W	TH	FR	SA	SU	M	TUE	W	TH	FR	SA	SU	M	TUE	W	TH	FR	SA
	1	2	3	4	5	6					1	2	3	1	2	3	4	5	6	7
7	8	9	10	11	12	13	4	5	6	7	8	9	10	8	9	10	11	12	13	14
14	15	16	17	18	19	20	11	12	13	14	15	16	17	15	16	17	18	19	20	21
21	22	23	24	25	26	27	18	19	20	21	22	23	24	22	23	24	25	26	27	28
28	29	30	31				25	26	27	28	29	30	31	29	30					
OCTOBER 2019							NOVEMBER 2019							DECEMBER 2019						
SU	M	TUE	W	TH	FR	SA	SU	M	TUE	W	TH	FR	SA	SU	M	TUE	W	TH	FR	SA
		1	2	3	4	5						1	2	1	2	3	4	5	6	7
6	7	8	9	10	11	12	3	4	5	6	7	8	9	8	9	10	11	12	13	14
13	14	15	16	17	18	19	10	11	12	13	14	15	16	15	16	17	18	19	20	21
20	21	22	23	24	25	26	17	18	19	20	21	22	23	22	23	24	25	26	27	28
27	28	29	30	31			24	25	26	27	28	29	30	29	30	31				
JANUARY 2020							FEBRUARY 2020							MARCH 2020						
SU	M	TUE	W	TH	FR	SA	SU	M	TUE	W	TH	FR	SA	SU	M	TUE	W	TH	FR	SA
			1	2	3	4							1	1	2	3	4	5	6	7
5	6	7	8	9	10	11	2	3	4	5	6	7	8	8	9	10	11	12	13	14
12	13	14	15	16	17	18	9	10	11	12	13	14	15	15	16	17	18	19	20	21
19	20	21	22	23	24	25	16	17	18	19	20	21	22	22	23	24	25	26	27	28
26	27	28	29	30	31		23	24	25	26	27	28	29	29	30	31				
APRIL 2020							MAY 2020							JUNE 2020						
SU	M	TUE	W	TH	FR	SA	SU	M	TUE	W	TH	FR	SA	SU	M	TUE	W	TH	FR	SA
			1	2	3	4						1	2		1	2	3	4	5	6
5	6	7	8	9	10	11	3	4	5	6	7	8	9	7	8	9	10	11	12	13
12	13	14	15	16	17	18	10	11	12	13	14	15	16	14	15	16	17	18	19	20
19	20	21	22	23	24	25	17	18	19	20	21	22	23	21	22	23	24	25	26	27
26	27	28	29	30			24	25	26	27	28	29	30/31	28	29	30				

	Assessment Name	Completed By?	When?
...	Self Assessment Survey (SAS)	All Staff (anonymous survey)	9/1/19 – 10/31/19 <i>*Optional second assessment in spring at request of site</i>
	School Climate Survey	Students (anonymous survey)	Winter
	Tiered Fidelity Inventory (TFI)	PBIS Team	2x annually during fall and spring
★	School Safety Survey (SSS)	Sampling of staff and stakeholders	<i>*Optional survey available annually at the site/district request</i>

TFI Requirement

For sustainability the TFI walk through tool will be completed by an **ERAT certified external reviewer**. (ex. district coach, external coach, or reviewer from a neighboring school) and it is recommended that the TFI is completed by the site PBIS team with the active presence and guidance of this ERAT certified coach.

Assessments

Tiered Fidelity Inventory **completed by the PBIS team*

Who: School Systems Planning teams – a team of three to eight people including the administrator and district coach – with input from Tier I, II, and/or III teams. It is strongly recommended the team complete the TFI with an external PBIS coach serving as a facilitator. Coordinators and school teams can enter TFI results in PBIS Assessment.

When: First-year implementers may conduct the TFI as an initial assessment – moving to administering the survey every third or fourth meeting. Schools reaching 80% fidelity three consecutive times may choose to take the TFI as an annual assessment.

[The TFI \(PDF\)](#) is based on earlier PBIS fidelity surveys (SET, BoQ, TIC, SAS, BAT, MATT). The TFI gives teams a single, efficient, valid, reliable survey to guide implementation and sustained use of SWPBIS. Using the TFI, teams measure the extent to which school personnel apply the core features of SWPBIS at all three tiers – either individually or collectively. Schools may take the TFI as:

- An initial assessment to determine if they are using, or need, SWPBIS
- A guide for implementation of Tier I, Tier II, and/or Tier III practices
- An index of sustained SWPBIS implementation
- A metric for identifying schools for recognition within their state implementation efforts

Self-Assessment Survey (SAS) **completed by all staff*

Who: Teams interested in knowing more about staff perception of PBIS implementation across all systems may favor the SAS. All school staff are encouraged to take the survey in PBIS Assessment, with at least 80% recommended for reliable results. When the survey window has closed and all participants have had a chance to take the survey, PBIS Assessment summarizes the individual responses providing a summary available to view the next day.

When: Annually

[The SAS \(RTF\)](#) is an annual assessment used by schools to identify the staff perception of the implementation status and improvement priority for school-wide, classroom, non-classroom and individual student systems. Results of the SAS are effective in identifying the staff priorities for Action Planning.

School Climate Survey **completed by students*

Who: School teams wanting to gain a student perspective on the overall climate in the building will use the School Climate Survey. To know which survey a school should administer – the Elementary vs. the Middle/High – follow the guidance below:

- **Elementary:** Survey students between grades 3-5. (If the elementary school includes grade 6, these students should also complete the elementary survey.)
- **Middle/High:** Survey students between grades 6-12.

When: As an outcome tool, the School Climate Survey is taken annually. If taken twice a year, the first administration should happen in the first 45 days of school and the last should happen in the last 45 days of school.

[The School Climate Survey \(PDF\)](#) is a set of multi-dimensional surveys to measure student perceptions of school climate. The surveys are brief, reliable, and valid for assessing perceived school climate among students in grades 3-12. Each survey includes a set of demographic questions about the participant and a number of questions related to school climate with Likert-type response options. Surveys include:

- School Climate Survey: Elementary
- School Climate Survey: Middle/High

Students take the survey under the guidance of teachers or other school personnel.

School Safety Survey (SSS) **completed by a sampling of staff and stakeholders*

Who: The survey is to be completed in PBIS Assessment by a minimum of five educators including an administrator, custodial staff member, supervisory/classified staff member, certified staff member and office staff member. When the survey window has closed, PBIS Assessment summarizes the individual responses providing a summary available to view the next day.

When: Annually

[The SSS \(RTF\)](#) is survey to help teams determine risk and protective factors for the school. Teams use the SSS summary to determine what training and support may be needed related to school safety and violence prevention in the school. Results may be tracked over time to see if risk factors decrease and protective factors increase when implementing SWPBIS.

SAVE
THE DATE

PBIS Recognition Event

9.24.19

Granite Hills High School

5:00 P.M. - 7:00 P.M.

7.11 Compliance Update
Verbal report, no materials



California Assessment of
Student Performance and Progress

2019–20 California Alternate Assessment for Science Administration Planning Guide

Version Assignments

Starting in 2019–20, both Administration Planning Guides and *Directions for Administration (DFAs)* are version-specific.

Each school is assigned one of four versions. All grade levels within a school will have the same version assignment. For example, a school assigned to Version 1 will use Version 1 of the Administration Planning Guides and *DFAs* for each grade level tested. Use the school's version assignment to select the correct Administration Planning Guides and *DFAs*. The school-level version assignments can be found on CAASPP.org portal at <http://www.caaspp.org/>.

Purpose and Use of This Administration Planning Guide

This guide provides:

- Basic information on the CAA for Science administration and test security
- Information about what to consider when deciding the best time to administer a CAA for Science performance task (PT) to a student
- The science content being assessed this year
- A schedule planner template to assist in determining when to administer each PT

Administration Planning Guides are not intended to guide instruction or to limit what science content is taught in the classroom.

Administration Planning Guides are made available in advance in order to give teachers and test examiners as much time as possible to plan how best to integrate each of the four embedded PTs into the 2019–20 instructional calendar.

The test examiner tutorial necessary to administer the 2019–20 CAA for Science will be available beginning in summer 2019. The CAA for Science embedded PTs will be available for administration beginning September 3, 2019.



California Practitioners' Guide for Educating English Learners with Disabilities

California Special Education Local Plan Areas Association
Sacramento, CA
July 11, 2019



Presenters

Theresa Hawk, Administrator
English Learner Support Division
California Department of Education (CDE)

Renzo Bernales, Educational Programs Consultant
Special Education Division
CDE



Purpose

Provides an overview of the *California Practitioners' Guide for English Learners with Disabilities*

Engage in one chapter of the guide and accompanying resources.

Understand the connections between the:

- *California English Learner Roadmap* (CA EL Roadmap)
- Local Control Accountability Plan (LCAP) State Indicators
- Special Education Annual Performance Report (APR) Measures
- Multi-tiered System of Supports (MTSS)



California Practitioners' Guide for Educating English Learners with Disabilities

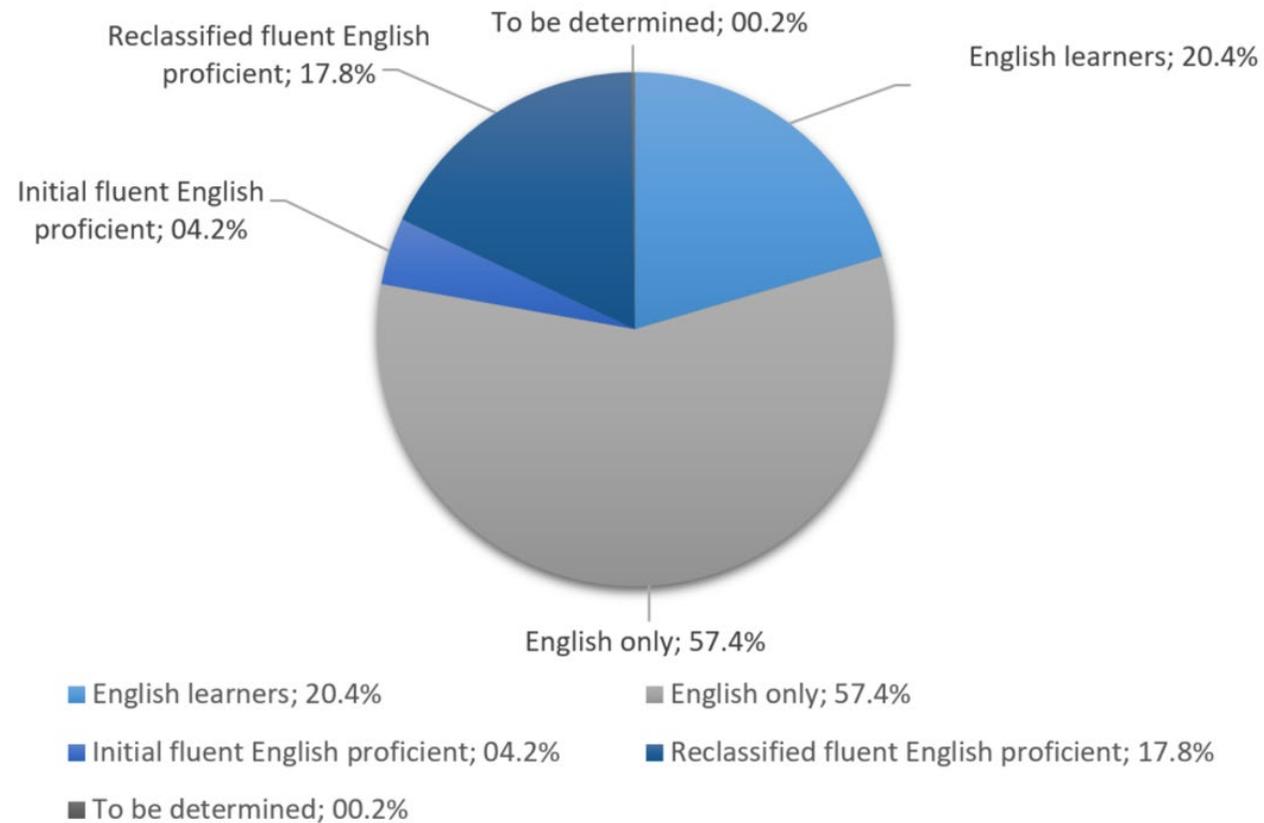


California Department of Education
Sacramento 2019
Last revised April 2019

THE NECESSITY OF THE PRACTITIONERS' GUIDE



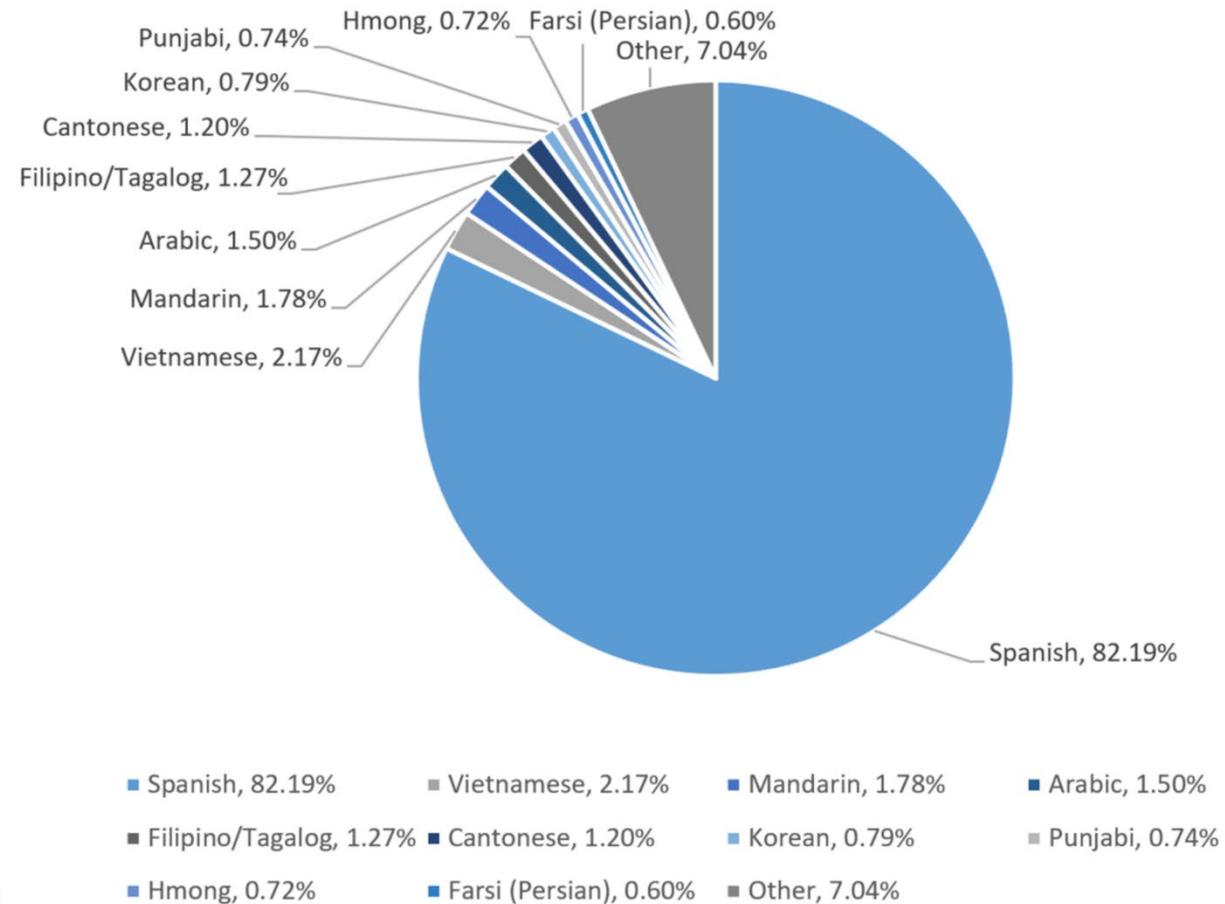
Enrollment in California Schools (Kindergarten through Grade Twelve) by English Language Acquisition Status, 2017–18



Source: 2017–18 California Longitudinal Pupil Achievement Data System (CALPADS)



Language Spoken by English Learners in California, 2017–18

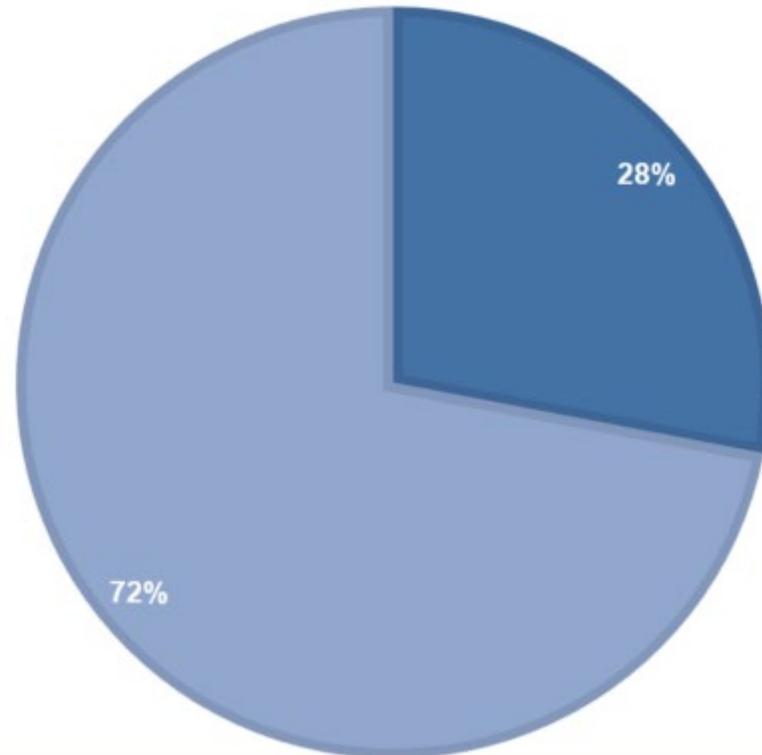


Source: 2017–18 CALPADS



English Learner Students with Disabilities

- EL students with disabilities
- Students with Disabilities not categorized as English learners



English learners
with disabilities:
216,953

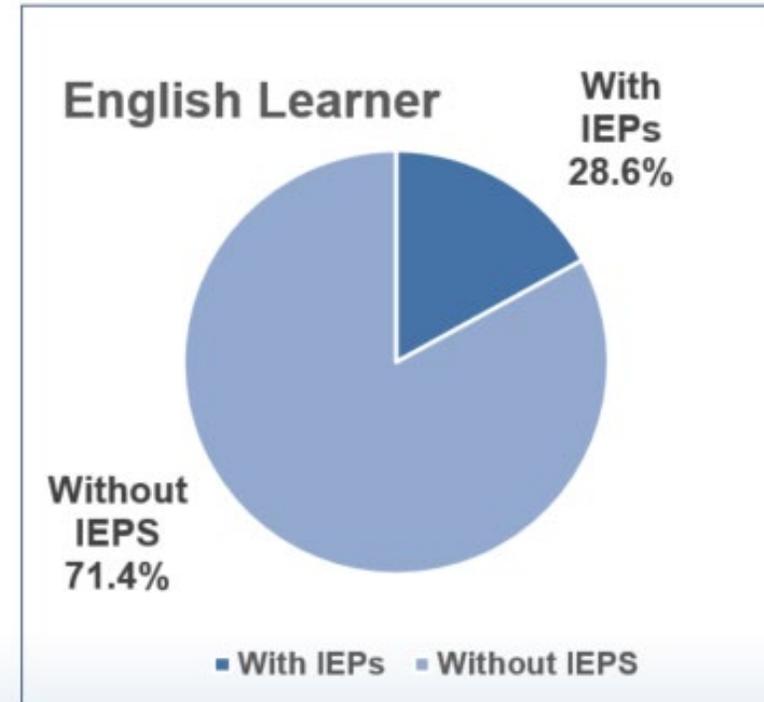
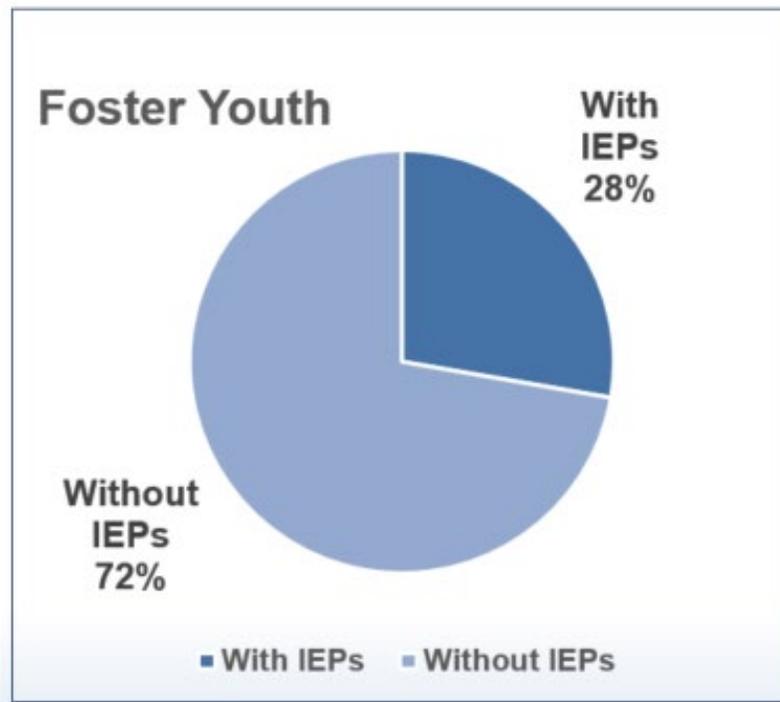
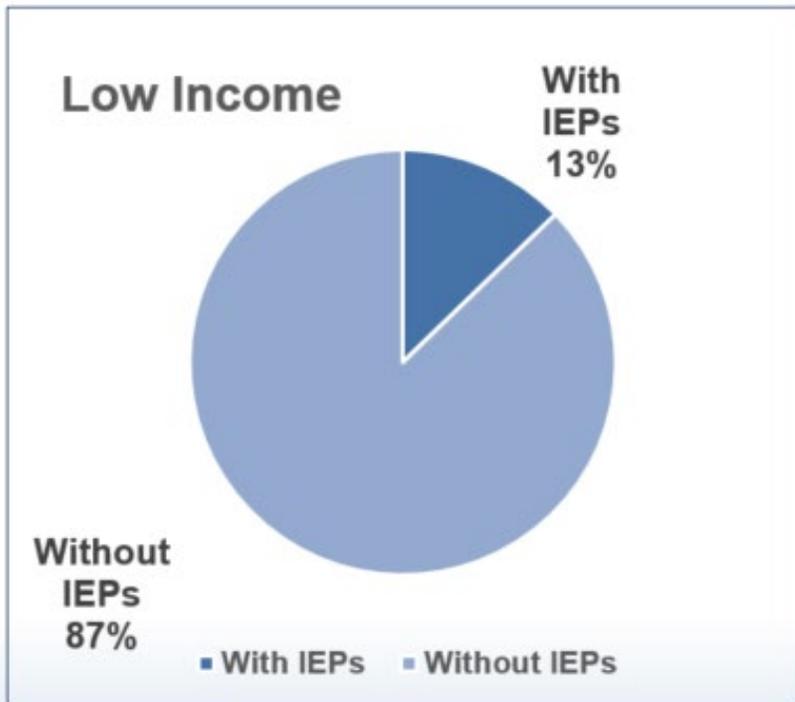
Total students
with disabilities:
774,665

Students with Disabilities Total Population for Ages 0 to 22: 774,665

Source: CASEMIS, December 2017



Students in LCFF Student Groups with IEPs, 2018–19



Source: CALPADS Fall 1



What is Equity?

EQUALITY

VS.

EQUITY



EQUALITY = SAMENESS

GIVING EVERYONE THE SAME THING

It only works if everyone starts from the same place



EQUITY = FAIRNESS

ACCESS TO SAME OPPORTUNITIES

We must ensure equity before we can enjoy equality



California *Education Code*

Section 33080:

Purpose of the Educational System

“Each child is a unique person, with unique needs, and the purpose of the education system of this state is to enable each child to develop all of his or her own potential.”



What is the “Guide”?

The California Practitioners’ Guide for Educating English Learners with Disabilities (the Manual) will provide guidance to general and special educators from transitional kindergarten/kindergarten through grade 12 to help appropriately identify and support English learners who may qualify for special education and related services, and English learners with diagnosed disabilities [Assembly Bill 2785 (Chapter 579), Statutes of 2016].

The requirements of the bill are now codified in California Education Code (EC) Section 56305.



Section 1

Identification of English Learners, Multi-Tiered System of Supports, and Pre-Referral Interventions

- Chapter 1 – Students with Disabilities Who May Be Identified as English Learners
- Chapter 2 – Supports for English Learners within the Multi-Tiered System of Support Framework



Section 2

Pre-referral and Referral, Assessment, and Individualized Education Plan Process

- Chapter 3 – Special Education Referral Process for English Learners
- Chapter 4 – Assessment of English Learners for Identification as Students with Disabilities.



Section 3

Educational Programs and Instructional Strategies

- Chapter 5 – Developing an Individualized Education Program for English Learners
- Chapter Six – Educational Programming: Access and Equity for English Learners with Disabilities
- Chapter 7 – Teaching and Learning to Meet Student Needs



Section 4

Proposing Exit from Special Education Services

- Chapter 8 – Exiting English Learners from Special Education Status
 - Appropriate exit of English learners from special education
 - Criteria for exiting students from special education under the Individuals with Disabilities Education Act
 - Transition from special education



Section 5

Reclassification from English Learner Status

- Chapter 9 – Reclassifying Students with Disabilities from English Learner Status
 - Reclassification procedures and criteria
 - Approaches for reclassifying English learners with a disability
 - Considerations when making reclassification decisions



Appendices

- The Appendices contain:
 - Resources for dual language learners in pre-school
 - Sample checklists
 - Sample local forms
 - Sample flow charts

Note: The contents of the appendices are not endorsed by the CDE. They are provided as resources that could be considered by local educational agencies.



INSIDE THE 'GUIDE': SNAPSHOTS OF SECTION, CHAPTER, AND APPENDIX FEATURES



Questions Addressed in This Chapter

Questions Addressed in This Chapter

For Teachers

- How are students with disabilities identified and classified as being English learners?
- What types of services and programs are available to my English learner students?
- What types of accessibility resources are available for my students with disabilities who also are English learners?
- What types of information do families receive and what information should I consider sharing with them?

For Administrators

- What strategies can I use to reduce misclassification?
- How can I implement an appropriate and consistent initial identification process?

Chapter Overview

This chapter describes how students with disabilities may also be classified as English learners, using appropriate assessment accessibility resources, and placed in a language acquisition program (California *Education Code [EC] 306[c]*) (accessible at: <https://bit.ly/2PbN8WJ>).¹ It also describes the process to correct the misclassification of students with disabilities as English learners.



Student Scenario

Student Scenario

The scenario that follows illustrates the application of information provided in this chapter.

Javier

Javier is a five-year-old kindergartner who was diagnosed with autism when he was four years old. He is the oldest child in his family, with two younger siblings. His family had concerns that he was not speaking and was communicating only through gestures and crying. Not sure what to do, the family took him to the neighborhood school at the suggestion of neighbors. Javier was assessed and identified as a child needing special education services due to the diagnosis of autism and speech and language delays. His IEP team recommended a special education preschool program for students on the autism spectrum that was housed at another school in the district.

In preschool Javier communicated primarily through pictures but used very few symbols to communicate his needs. His preschool teachers were concerned that he struggled with following directions, but they provided instruction only in English as the special education preschool is attended primarily by English speakers.

Because Javier is non-verbal, his parents did not include information to questions number one and two on the HLS (i.e., which language did your child learn when he/she first began to talk and which language does your child most frequently speak at home). For questions three and four, the parents did respond that they most frequently use Spanish when addressing Javier, and that others in the home, including his younger siblings, speak Spanish. Based on these responses, Javier was identified as a potential English learner, and he was administered the Initial ELPAC.



Chapter Summary

Chapter Summary

This chapter summarizes how students with disabilities may also be classified as English learners, how misclassifications can occur and be corrected, and how to support English learner students' progress in and attainment of English language proficiency.

Frequently Asked Questions

Q: Should a student be given both the Initial and Summative ELPAC if she enrolls in school midyear, close to the Summative ELPAC window opening?

A: Yes. After the student has been identified as a potential English learner (based on the HLS), the student is administered the Initial ELPAC. The LEA has 30 days to assess and notify the parents of results. Whether this occurs before or during the Summative ELPAC window, if the student is classified as an English learner, within the Summative ELPAC window, she should be administered the Summative ELPAC.

Q: Can a special education teacher provide English language development services to English learner students in her classroom or on her caseload?

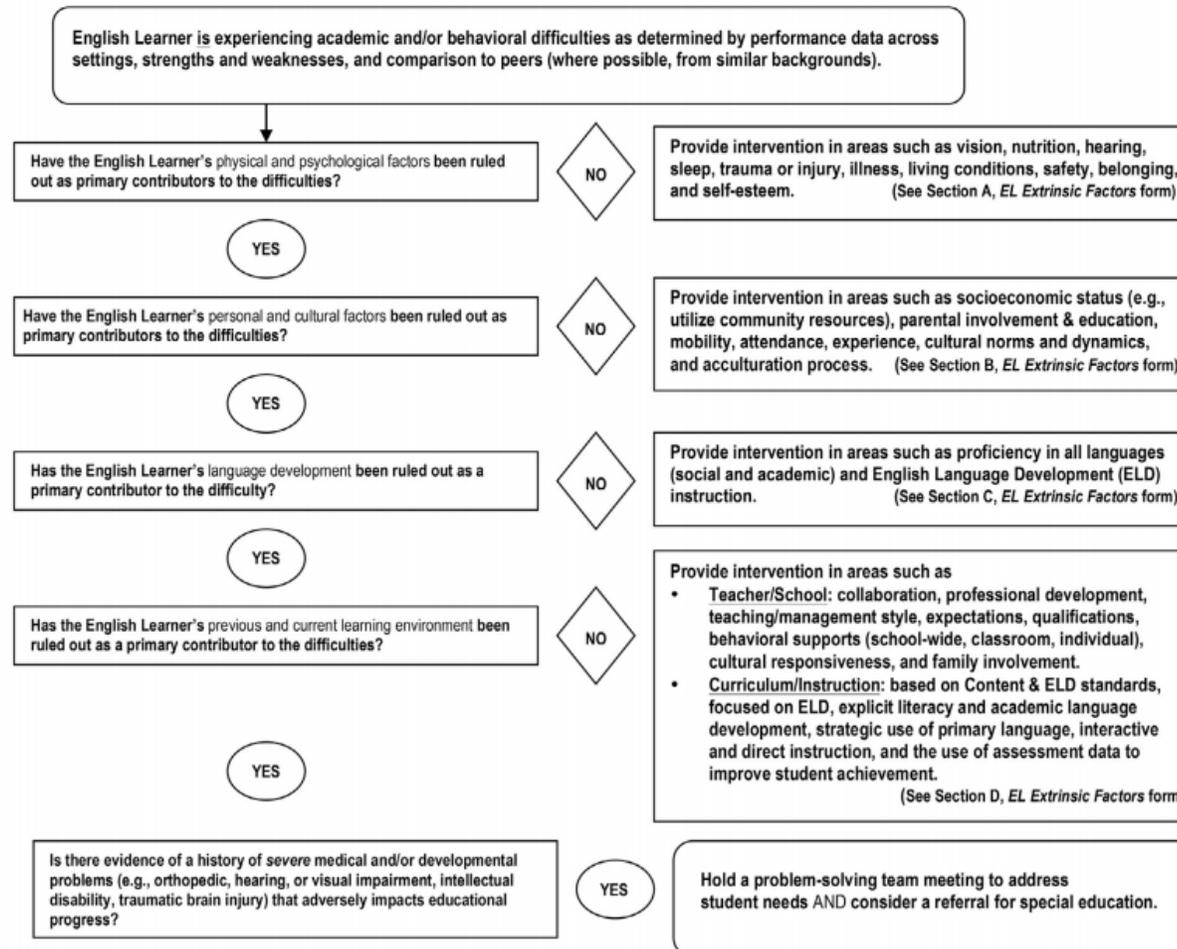
A: Yes. Under the current credentialing requirements, all special education teachers should have the appropriate English learner authorization to provide English learner services to students. It is not a requirement that the special education case manager or teacher provide the ELD instruction, unless the IEP states so, but ELD is a federal requirement.



Appendix 3.5

section Appendices |

Appendix 3.5: English Learner Initial Referral and Decision Making Process





Appendix 5.1

section Appendices |

Appendix 5.1: IEP Team Checklist For English Learners (ELs)

Directions: The school IEP team should complete this checklist to ensure that all areas pertinent to English language learners (ELLs) are considered.

1. The IEP indicates if the student is classified as an English learner.

Yes No

Comments:

2. The IEP includes the student's current level of English language proficiency in listening, speaking, reading, and writing (alternative assessment scores/levels).

Yes No

Comments:

3. The IEP indicates if the student requires alternate assessments to required statewide ELD assessments by domain, and if so, what the alternate assessments will be administered.

Yes No

Comments:



Connecting the *California Practitioners' Guide for Educating English Learners With Disabilities* to the Statewide System of Support

- Engaging in developing a continuous improvement cycle for students with disabilities who are English learners.



Multiple Entry Points to the Guide

- APR/LCAP Development
- Systems and Structures
- MTSS
- Student Study Team/Referral/Individualized Education Program (IEP) Team
- Professional Development
- Instructional Coaching
- Data Team/Professional Learning Community
- IEP Development and Lesson Planning
- Formative Assessments
- Parent Engagement/Communication
- Multilingual instruction as a systems discussion and potential LCAP goal area

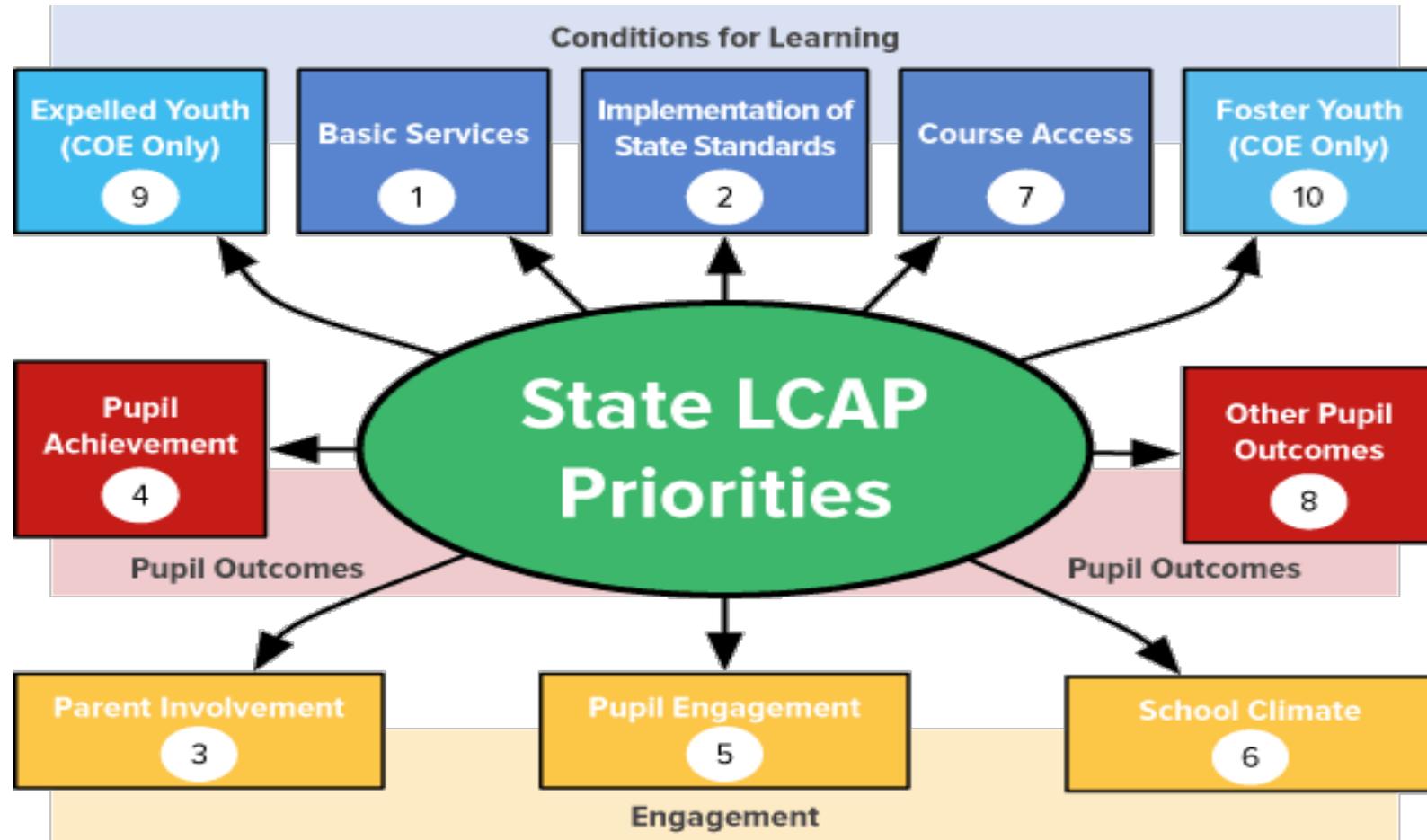


Coherent System

- Bringing it all together
 - LCAP/State Indicators (connected to local educational agency (LEA) selection for differentiated assistance)
 - Annual Performance Report (APR) Indicators (connected to LEA selection for special education monitoring)
 - EL Roadmap (sets the state's policy direction for English learner policy)
- Setting the stage: connecting to local context
- System of supports



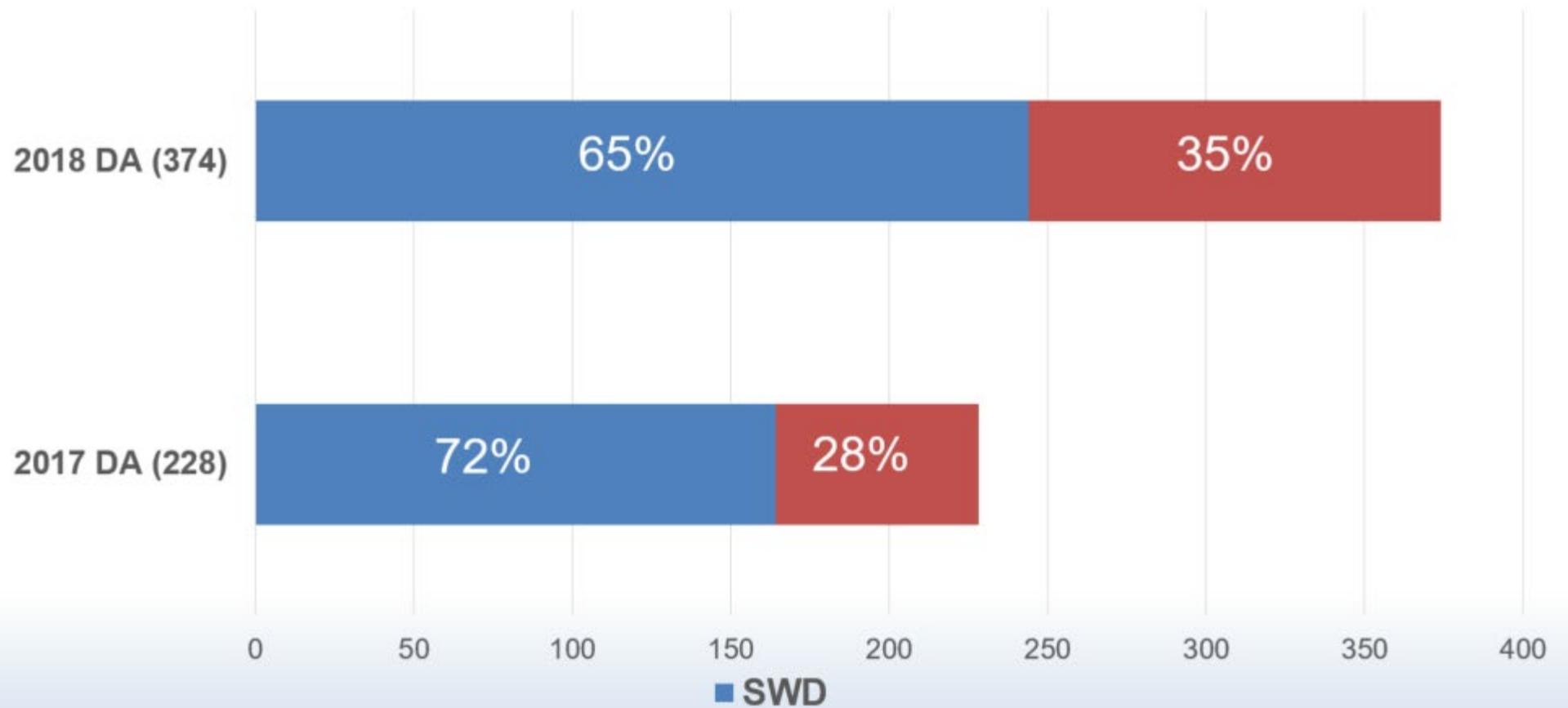
State and Local Indicators



Local
Data



Dashboard Results





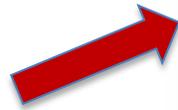
Annual Performance Report Measures

Monitoring Activities 2018-19:

Performance Indicator Review (PIR);

Data Identified Noncompliance (DINC)

No.	Indicator	Rate	Target	Target Met?	Monitoring Activities
1	4 Year Cohort Graduation Rate *	22.58%	>90.0%	No	NA
2	Dropout Rate *	4.76%	≤11.72%	Yes	NA
3	Assessment: ELA Participation	94.88%	>95.0%	No	PIR
3	Math Participation Rate	94.88%	>95.0%	No	PIR
3	ELA Achievement Rate	5.14%	>14.9%	No	NA
3	Math Achievement Rate	2.31%	>12.6%	No	NA
4a	Discipline (>10 days) Rate *	2.21	<2.76	Yes	NA
4b	Discipline (>10 days) Areas Disproportionate *	0	0	Yes	NA
5a	LRE Rate: In Regular Class more than 80%	62.07%	≥51.2%	Yes	NA
5b	In Regular Class less than 40%	15.52%	≤22.6%	Yes	NA
5c	Separate Schools	0.00%	≤4.0%	Yes	NA





California English Learner Roadmap Principles

- Principle 1: Assets Oriented and Needs-Responsive Schools
- Principle 2: Intellectual Quality of Instruction and Meaningful Access
- Principle 3: System Conditions that Support Effectiveness
- Principle 4: Alignment and Articulation Within and Across Systems

Each principle is supported by multiple elements



Bringing it All Together

The Three-Way Crosswalk

What is the relationship between the:

- LCAP Indicators
- APR Indicators for special education
- EL Roadmap

Opportunities to address student needs (data/systems) through local initiatives/programs (e.g. multilingualism)



Three-Way Crosswalk

The Three-Way Crosswalk is available at: <https://www.cde.ca.gov/sp/el/t3/documents/lcapelapcrosswalk.docx>

THREE-WAY CROSSWALK											
LCAP STATE PRIORITIES	LCAP I Basic Conditions of Learning	LCAP II State Standards	LCAP III Parental Involvement	LCAP IV Pupil Achievement	LCAP V Pupil Engagement	LCAP VI School Climate	LCAP VII Course Access	LCAP VIII Pupil Outcomes	LCAP IX* Expelled Pupils	LCAP X** Foster Youth	
EL ROADMAP PRINCIPLES	1A, 1C, 1E, 2A, 2B, 2D, 3B, 3D, 4A, 4B, 4C	1A, 1B, 1E, 2A, 2B, 2F, 2G, 3B, 3D, 4B, 4C	1B, 1D, 1E, 2D, 3D, 4C	2C, 3A, 3B, 4B, 4C	1B, 1C, 1D, 2E, 2F, 3D, 4C	1A, 1D, 2A, 2D, 3D, 4C	1B, 1D, 2D, 2E, 2G, 3C, 3D, 4B, 4C	3A, 3C, 3D, 4A, 4C	4A-C	4A-C	
SPECIAL EDUCATION ANNUAL PERFORMANCE REPORT INDICATORS	1. Graduation Four Year Rate	2A, 2B, 2D, 3B, 3D	2A, 2B, 3B, 3D	2D, 3D	2A, 2B, 2C, 3A, 3B	X 4A-C, 1A-E	2A, 2D, 3D	2D, 3C, 3D	3C, 3D	4A-C	4A-C
	2. Drop Out Four Year Rate	1A, 1C, 3B, 3D, 4A, 4B, 4C	1A, 1B, 2F, 2G, 3B, 3D, 4B, 4C	1B, 1D, 2D, 3D, 4C	1C, 2C, 3B, 4B, 4C	X 4A-C, 1A-E	1A, 1D, 2D, 3D, 4C	1B, 1D, 2D, 2G, 3D, 4B, 4C	3D, 4A, 4C	X 4A-C	X 4A-C
	3. Statewide Assessments (A) Districts Meeting targets for Disability Subgroup (B) Participation for Students with IEPs (C) Proficiency for Students with IEPs	1A, 1E	1A, 1B, 1E	1B, 1E	X	1B	1A	X 1A, 2D, 2F	X	X 4A-C	X 4A-C
		1E, 2D	1B, 1E, 2F	1B, 1E, 2D	X 1A, 1B, 2B, 2C, 3C, 4A-C	1B, 2E, 2F	2D	X 1B, 1E, 2B, 2E, 2F, 3B, 4A-C	X 1B, 2A-G, 4A-C	X 4A-C	X 4A-C
		1E, 2A, 2B, 2D, 4C	1E, 2A, 2B, 2F, 4C	1E, 2D, 4C	X 1A, 1B, 2B, 2C, 3C, 4A-C	2F, 4C	2A, 2D, 4C	X 1B, 1E, 2B, 2E, 2F, 3B, 4A-C	X 1B, 1E, 2A-G, 4A-C	X 4A-C	X 4A-C
	4. (A) Suspension (B) Expulsion	1A, 1C, 4A, 4B, 4C, 3D	1A, 2F, 3D, 4B	1B, 1D, 3D	1C, 4B	1B, 1C, 1D, 2F, 3D	X 1C, 1E	1B, 1D, 3D, 4B	3D, 4A, 4C	X 4A-C	X 4A-C
	5. Least Restrictive Environment (LRE), ages 6-21 (A), (B), (C)	X	X	1B, 2D	1C, 3A, 4B	1C	2D	X 2D	3A	4A-C	X 4A-C
	6. Preschool LRE, ages 3-5 (A), (B), (C)	1A-E, 2A-G, 4A-C	1A-E, 2A-G, 4A-C	1A-E, 2A-G, 4A-C	1A-E, 2A-G, 4A-C	1A-E, 2A-G, 4A-C	1A-E, 2A-G, 4A-C	X 1A-E, 2A-G, 4A-C	1A-E, 2A-G, 4A-C	1A-E, 2A-G, 4A-C	1A-E, 2A-G, 4A-C
	7. Preschool Assessments	3C, 3D, 4A-C	3C, 3D, 4A-C	3C, 3D, 4A-C	3C, 3D, 4A-C	3C, 3D, 4A-C	3C, 3D, 4A-C	X 3C, 3D, 4A-C	3C, 3D, 4A-C	4A-C	4A-C
	8. Parent Involvement	1A, 1C	1A, 2G	X 1E	1C, 3A	1C, 2E	1A	2E, 2G	3A	4A-C	X 4A-C
	9. Disproportionality Overall	X 1A-1C, 4A-C	X 2B, 2D	1B, 1D, 1E, 3D	X 1C, 3A	1B, 1D, 3D	1A, 1D, 3D	X 2D	3D	4A-C	X 4A-C
	10. Disproportionality by Disability	X 3A, 4A-C	X 3A, 4A-C	1B, 1D, 1E, 3D	X 1C, 3A	1B, 1D, 3D	1A, 1D, 3D	X 2D	3D	4A-C	X 4A-C
11. Eligibility Evaluation (Child Find)	1A-E, 2A-G	1A-E, 2A-G	1A-E, 2A-G	1A-E, 2A-G	1A-E, 2A-G	1A-E, 2A-G	1A-E, 2A-G	1A-E, 2A-G	X 4A, 4B	4A, 4B	
12. Early Childhood Transition 13-17. No correspondence	4A, 4B	4A, 4B	4A, 4B	4A, 4B	4A, 4B	4A, 4B	4A, 4B	4A, 4B	4A, 4B	4A, 4B	

Boxes marked with numbers and letters in color indicate alignment with EL Roadmap Elements. Boxes marked with an "X" indicate alignment with the LCAP Priorities. Boxes marked with both numbers and letters in color and an "X" indicate alignment with the EL Roadmap Principles and the LCAP Priorities.

*This is a county office of education LCAP indicator. **The data for foster youth (FY) at the county level can be disaggregated by APR indicator to account for how FY have fared per indicator.



California System of Support Goal

To assist LEAs and their schools to meet the needs of *each student served*, with a focus on **building capacity to sustain improvement and effectively address inequities** in student opportunities and outcomes.

California System of Support

California System of Support



LEVEL 1 SUPPORT FOR ALL

Various state and local agencies provide an array of support resources, tools, and voluntary technical assistance that all LEAs may use to improve student performance at the LEA and school level and narrow gaps in performance among student groups across the LCFF priorities.



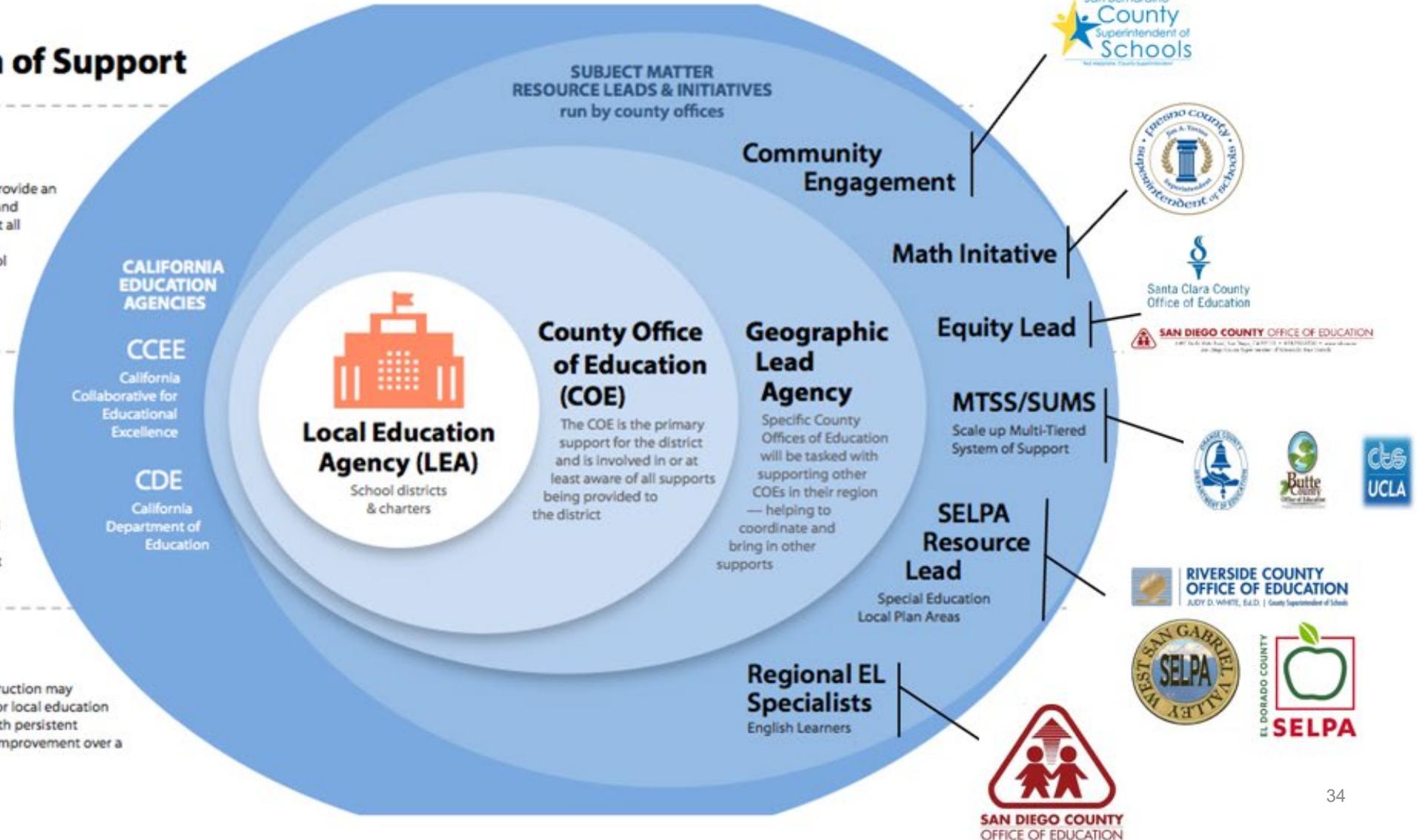
LEVEL 2 DIFFERENTIATED ASSISTANCE

County Superintendents, the California Department of Education, and the California Collaborative for Educational Excellence provide differentiated assistance by working with school districts to address identified performance gaps among student groups.



LEVEL 3 INTENSIVE INTERVENTION

The Superintendent of Public Instruction may require more intensive supports for local education agencies (LEAs) and/or schools with persistent performance issues and a lack of improvement over a specified time period.





SELPA Systems Improvement Lead Agencies
 El Dorado COE SELPA
 Riverside COE SELPA
 West San Gabriel Valley SELPA

SELPA Content Lead Agencies
 Placer COE SELPA
 Marin COE SELPA
 Imperial COE SELPA
 South County SELPA

Equity Lead Agencies
 San Diego COE
 Santa Clara COE

Title III Liaison Agency
 San Diego COE

MTSS/SUMS Lead Agencies
 Orange CDE
 Butte COE
Early Math Initiative Lead Agency
 Fresno COE

California State System of Support: Lead Agencies



Community Engagement Initiative
 San Bernardino CSOS
 California Association for Bilingual Education (CABE)
 Families in Schools



Role of SELPA Leads

- Special Education Local Plan Agency (SELPA) Leads are part of the statewide leadership team, which includes the California Collaborative for Educational Excellence (CCEE), California Department of Education (CDE), State Board of Education (SBE), and other statewide leads
- SELPA Leads work collaboratively with one another to build capacity of SELPAs and lead agencies within the Statewide System of Support

Capacity Builders - Facilitators - Connectors



The SELPA System Improvement Lead: Theory of Action

If we build partnerships with:

- SELPAs
- Local Educational Agencies
- County Offices
- System of Support Lead Agencies
- CDE
- CCEE



And build the capacity of SELPAs and LEAs in the areas of:

1. Special education data use and governance.
2. Continuous improvement cultures and methodologies.
3. Access to resources and support to implement evidence-based practices.



Then students with disabilities will have access to cohesive and effective school systems intentionally designed to provide the necessary supports and interventions for educational and post-secondary success.



Self Reflection: Think/Pair/Share

- What are your takeaways?
- Where can you make the largest impact?
- How does integration and collaboration between English learner and special education programs help to support multilingualism?
- What are your next steps?
- What is your timeline?
- How will rollout and/or support change over time?
- What will you do immediately as a result of this workshop?



Questions?



Contact Information

Theresa Hawk, Administrator
Technical Assistance and Monitoring Office
English Learner Support Division
CDE

thawk@cde.ca.gov

Renzo Bernales, Education Programs Consultant
Special Education Division
Office of the Assistant Director
CDE

rbernales@cde.ca.gov

California Practitioners' Guide for Educating English Learners with Disabilities
September 2019
Resulting from Assembly Bill 2785

- **Purpose** - to provide guidance to general and special educators from TK-grade 12 to help appropriately identify and support English learners who may qualify for special education and related services
- **Contents** - the guide contains 9 chapters, including these topics:
 1. Students with Disabilities Who May Be Identified as English Learners
 2. Supports for English Learners within the Multi-Tiered System of Support Framework
 3. Special Education Referral Process for English Learners
 4. Assessment of English Learners for Identification as Students with Disabilities
 5. Developing an Individualized Education Program for English Learners
 6. Educational Programming: Access and Equity for English Learners with Disabilities
 7. Teaching and Learning to Meet Student Needs
 8. Exiting English Learners from Special Education Status
 9. Reclassifying Students with Disabilities from English Learner Status

Appendices contain:

- Resources for dual language learners in pre-school
- Sample checklists
- Sample local forms
- Sample flow charts
- **Formatting – each chapter is organized by:**
 - Questions for Teachers and For Administrators Addressed in The Chapter
 - Student Scenario
 - Chapter Summary
 - Frequently Asked Questions
- **Multiple Entry Points to the Guide**
 - LCAP development
 - Systems and structures
 - MTSS
 - SSTs/Pre-referral teams/IEP teams
 - Professional Development
 - Instructional Coaching
 - IEP development and lesson planning
 - Data teams/PLCs
 - Formative assessments
 - Parent Engagement



Adapting Curriculum: Engaging All Learners Through Universal Design for Learning

Presented By

Dr. Rebecca Brooks
Dr. Yazmin Pineda Zapata

Date

Thursday, September 26, 2019

Time

Registration begins at 8:00 a.m.
Training 8:30 a.m. - 4:00 p.m.

Cost

\$65 Per Attendee
*Includes lunch



Description

- ❖ Equips participants with Universal Design Learning (UDL) instruction.
- ❖ Provides knowledge of applying innovative adaptation strategies to create universally accessible general education curriculum for all students.
- ❖ Participants will have the opportunity to creatively find solutions for adapting curriculum, thereby ensuring an equitable education for all students.

We must allow ourselves to think outside the box if we are to develop successful inclusive environments. This hands-on, interactive training provides an understanding of UDL and curricular adaptations while highlighting the importance of collaboration. Peer supports and technology supports will be emphasized as an integral part in developing creative avenues for student access. Practical planning tools that facilitate equitable delivery of instruction, assessment of learning, and inclusion of IEP goals will also be shared.

Location

Desert Mountain Educational Service Center,
17800 Highway 18, Apple Valley, CA 92307

Registration

Please register online at:
<https://sbcss.k12oms.org/52-164780>

Audience

General and special education teachers, and paraeducators.

Special Accommodations

Please submit any special accommodation requests at least fifteen working days prior to the training by notating your request when registering.



CAHELP
17800 Highway 18
Apple Valley, CA 92307

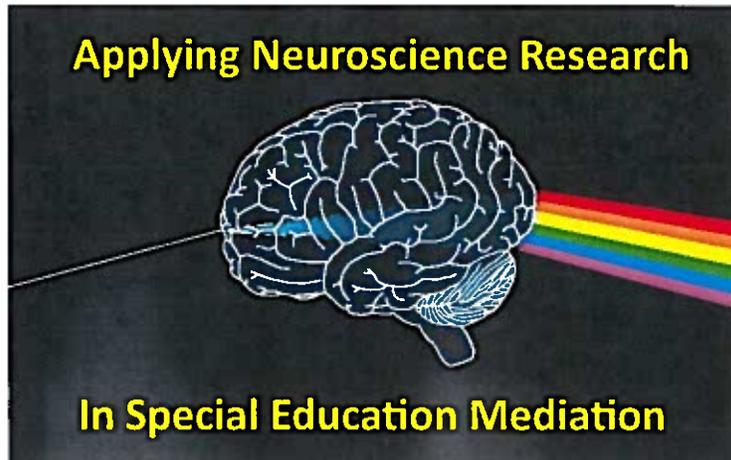


Cory Lopez
Cory.Lopez@cahelp.org
760.955.3625



www.cahelp.org
<https://sbcss.k12oms.org>

Region 10 Alternative Dispute Resolution (ADR) Committee Presentation:



Speaker:
Jennifer Kresge

Tuesday
SEPTEMBER 17, 2019
8:30 am - 3:00 pm
Registration Fee \$60.00

Learn how the latest in brain research can develop and enhance your ability to negotiate and mediate as you create the options for brain based explorations of purpose and choices. Explore how experience shapes the brain, creates the mind, and stimulates collaboration. How our brains handle conversation, conflict and decision making is paramount to the work we do. Explore brain sensitive strategies of influence, engagement and collaboration to support students, families and communities to ensure children and youth have opportunities to learn. Explore the ability to create organically sustainable agreements.

Register Online:
<https://sbcss.k12oms.org/46-169276>
Or call East Valley SELPA 909.252.4502

Location:
Dorothy Inghram Learning Center
Home of the East Valley SELPA
670 E. Carnegie Drive, San Bernardino 92408

Registration Opens August 15, 2019
for the State SELPA Administrator's

2020 ADR Conference

One Team, One Goal:
Utilizing Mindfulness to Build
Relationships in Education

Riverside

Convention Center

March 16 & 17, 2020



Hotel Accommodations at
Hyatt Place, Marriott and
Mission Inn



Early Registration:

August 15-September 30: \$275 per person paid by 10/31/19

Regular Registration:

October 1-January 10: \$300 per person paid by 1/10/20

Register at: <https://sbcss.k12oms.org/46-166437>

Inclusion-Focused Supports for Students with Behavioral Challenges

Presented By

Austin Johnson, Assistant Professor,
University of California- Riverside

Date

February 13, 2020

Time

Registration begins at 8:00 a.m.
Training time: 8:30 a.m. - 3:30 p.m.

Cost

\$50 Per Attendee
(includes breakfast & lunch)



Description

Educators are often faced with students who display behavioral challenges and seek support in learning how to manage these behaviors while keeping the integrity of their classrooms. This conference will provide attendees with evidence-based strategies and practices to utilize in order to support students with unique behavioral needs in the inclusion setting.

The morning session will consist of a presentation from Dr. Austin Johnson, a licensed psychologist and board certified behavior analyst.

The afternoon session will feature an inspirational speaker followed by a panel of educators who will provide firsthand accounts of their experiences with challenging behavior in the inclusion setting.

Outcomes: Participants will:

-Learn how evidence-based practices can be used to support individuals with challenging behavior

-Develop skills in behavior change procedures

-Acquire confidence in addressing challenging behavior in the inclusion setting

Location

Corona-Norco Unified School District
Learning Center South
2820 Clark Ave. Norco, CA 92860

Audience

School psychologists, counselors, behavior specialists, mental health therapists, administrators, program specialists, coaches, teachers, and paraeducators.

Registration

<https://sbcsc.k12oms.org/52-173102>

Register By: February 3, 2020



CASEMIS 2 CALPADS

Presented By

Colette Garland,
MIS Support Analyst and
Faucette Micro Systems

Date

September 16, 2019

Time

Registration begins at 8:30 a.m.
Training time 9:00 a.m. - 12:00 p.m.

Cost

None

Description

As we move forward with the CASEMIS 2 CALPADS merge, the Desert/Mountain SELPA and the Desert/Mountain Charter SELPA will be providing training to all Management Information Systems data entry contacts to implement the new California Department of Education's data collection and submission requirements for CALPADS. All MIS data entry contacts are encouraged to attend. This training will be provided by our system programmers, Faucette Micro Systems, and MIS Support Analyst.

Registration

Please register online at: <https://sbcss.k12oms.org/168817>

Location

Desert Mountain Educational
Service Center,
17800 Hwy 18, Apple Valley, CA
92307

Audience

Management Information
Systems data entry contacts

Special Accommodation

Please submit any special
accommodation requests at
least fifteen working days prior
to the training by notating your
request when registering.



CAHELP
17800 Highway 18
Apple Valley, CA 92307



Cindy Quan
Cindy.Quan@cahelp.org
760.955.3557



www.cahelp.org/
<https://sbcss.k12oms.org>



Desert Mountain Educational Service Center
17800 Highway 18 Apple Valley, CA 92307



Linda Rodriguez
linda.rodriguez@cahelp.org | 760.955.3681



www.cahelp.org
www.sbccs.k12oms.org

California Association of Health and
Education Linked Professions

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Special Education Teacher Academy

This pathway is designed to provide teachers new to special education with the knowledge and skills they need to have a successful start. Courses will cover classroom management and IEP basics.

Schedule

- Day 1: **August 28, 2019** | 8:30 a.m. - 3:30 p.m.
Classroom Structure and Management
Presented by Renee Garcia, Program Specialist
- Day 2: **September 4, 2019** | 8:30 a.m. - 3:30 p.m.
Forms and Facts 101
Presented by Sheila Parisian, Program Specialist and Colette Garland, MIS Support Analyst
- Day 3: **September 12, 2019** | 8:30 a.m. - 3:30 p.m.
Plops and Goals
Presented by Sheila Parisian, Program Specialist
- Day 4: **Multiple dates to choose from** | please see PL Guide
Web IEP
Presented by Colette Garland, MIS Support Analyst

Registration

Please register online at:
<https://sbcss.k12oms.org/52-166659>

Cost

\$100 per individual
All materials and lunch on 8/28/19 are included.

Audience

Year 1 and year 2 special education teachers

Presenters

Renee Garcia, Program Specialist
Sheila Parisian, Program Specialist
Colette Garland, MIS Support Analyst

Special Accommodations

Please submit any special accommodation requests at least fifteen working days prior to the training by notating your request when registering.



Desert Mountain Educational Service Center
17800 Highway 18 Apple Valley, CA 92307



Judith Loera
judith.loera@cahelp.org | 760.955.3573



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California Association of Health and
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Special Education Teacher Academy

This pathway is designed to provide teachers new to special education with the knowledge and skills they need to have a successful start. Courses will cover classroom management and IEP basics.

Schedule

- Day 1: **February 26, 2020** | 8:30 a.m. - 3:30 p.m.
Forms and Facts 101
Presented by Sheila Parisian, Program Specialist and Colette Garland, MIS Support Analyst
- Day 2: **March 10, 2020** | 8:30 a.m. - 3:30 p.m.
High-Leverage Practices in Special Education/Classroom Structure and Management Presented by Renee Garcia, Program Specialist and Linda Rodriguez, Program Specialist
- Day 3: **March 18, 2020** | 8:30 a.m. - 3:30 p.m.
Plops, Goals, and Educational Benefit
Presented by Sheila Parisian, Program Specialist
- Day 4: **Provided Monthly** | 3 hour sessions
WebIEP- See [OMS](#) calendar on cahelp.org
Presented by Colette Garland, MIS Support Analyst

Registration

Please register online at:
<https://sbcss.k12oms.org/52-171071>

Cost

\$100 per individual
All materials included. Lunch will be provided on day one.

Audience

Year 1 and year 2 special education teachers.

Presenters

Renee Garcia, Program Specialist
Sheila Parisian, Program Specialist
Linda Rodriguez, Program Specialist
Colette Garland, MIS Support Analyst

Special Accommodations

Please submit any special accommodation requests at least fifteen working days prior to the training by notating your request when registering.



The Neurobiology of Attachment: Promoting Development and Learning through Relationships in Children with Prenatal Substance Exposure

Each year, over one million children in the U.S. are delivered to women who have used alcohol, marijuana, or illicit drugs during pregnancy. This session will explore the biological and psychosocial factors that impact the development of a nurturing relationship between a woman, with a history of substance misuse during pregnancy, and her child. An overview of intervention strategies that can promote positive attachment, development, and learning will be provided.

Outcomes: Participants will be able to:

- Describe the biological impact of substance use on the neuroendocrine system responsible for attachment.
- Discuss the impact of prenatal substance exposure on neonatal neurodevelopment and attachment strategies.
- Analyze the impact of prenatal substance exposure on the child's long-term development and learning.

Presented By

Ira Chasnoff, M.D.

Date

August 29, 2019

Time

Registration begins at 8:30 a.m.

Training time: 9:00 a.m. - 12:00 p.m.

Location

Courtyard by Marriott Hesperia

9619 Mariposa Road Hesperia, CA 92345



Audience

General education teachers, special education teachers, and site administrators.

Cost

\$ 45.00 per individual

Registration

Please register online at:

<https://sbcss.k12oms.org/52-171576>

Special Accommodations

Please submit any special accommodation requests at least fifteen working days prior to the training by notating your request when registering.



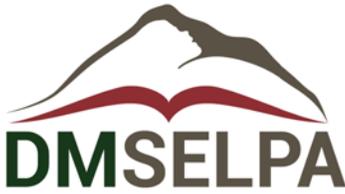
CAHELP
17800 Highway 18
Apple Valley, CA 92307



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Jamie.Adkins@cahelp.org
760.955.3552



www.cahelp.org
<https://sbcss.k12oms.org>



Desert/Mountain Special Education Local Plan Area
17800 Highway 18
Apple Valley, CA 92307-1219

P 760-552-6700
F 760-242-5363
W www.dmselpa.org

MEMORANDUM

Date August 22, 2019
To: Directors of Special Education
From: Kathleen Peters, Program Manager

Subject: **Occupational and Physical Therapy Reports**

Attached are the occupational and physical therapy Referral Status, and Current Students Direct Services reports by district.

If you have any questions concerning either report, please contact me at (760) 955-3568 at kathleen.peters@cahelp.org

California Association of Health and Education Linked Professions

Upcoming Trainings

Date/Time	Event	Location
8/27/2019 12:30 PM - 3:30 PM	CREATING A SAFE PLACE IN PRESCHOOL SETTINGS	DMESC
8/28/2019 8:30 AM - 3:30 PM	CPI	DMESC
8/28/2019 1:30 PM - 2:30 PM	SPANISH WEBIEP	DMESC
8/28/2019 8:30 AM - 3:30 PM	SPECIAL EDUCATION TEACHER ACADEMY	DMESC
9/4/2019 8:30 AM - 3:30 PM	EARLY CHILDHOOD TRAUMA INFORMED PBIS BOOTCAMP	AVUSD
9/5/2019 8:30 AM - 2:30 PM	PBIS BULLY PREVENTION AND INTERVENTION	DMESC
9/6/2019 2:30 PM - 4:00 PM	SPANISH TRANSLATORS' WORKGROUP	DMESC
9/6/2019 1:30 PM - 2:30 PM	SPANISH WEBIEP	DMESC
9/6/2019 1:30 PM - 2:30 PM	SPANISH WEBIEP	DMESC
9/6/2019 8:30 AM - 3:30 PM	TIER TWO EC TRAUMA INFORMED PBIS TARGETED SOCIAL EMOTIONAL SUPPORTS	HESPERIA FAMILY RESOURCE

For more information, visit the CAHELP Staff Development calendar ([url: www.cahelp.org/calendar](http://www.cahelp.org/calendar))
17800 Highway 18, Apple Valley, California 92307
(760) 552-6700 Office * (760) 242-5363 Fax

Upcoming Trainings

Date/Time	Event	Location
9/10/2019 8:30 AM - 3:30 PM	PBIS TEAM TRAINING - YEAR 2 - COHORT 10A	DMESC
9/10/2019 8:30 AM - 3:30 PM	THE PARAPROFESSIONAL SUPPORTING THE CLASSROOM	DMESC
9/10/2019 8:30 AM - 11:30 A	WEBIEP MORNING SESSION	DMESC
9/11/2019 8:30 AM - 3:30 PM	PBIS TEAM TRAINING - YEAR 2 - COHORT 10B	DMESC
9/11/2019 8:30 AM - 3:30 PM	TIER 2 EC PBIS TRAUMA INFORMED SOCIAL EMOTIONAL LEARNING	DMESC
9/13/2019 8:30 AM - 12:30 PM	AGES AND STAGES QUESTIONNAIRE 3 (ASQ 3) AND AGES AND STAGES QUESTIONNAIRE SOCIAL EMOTIONAL 2 (ASQ-SE2)	DMESC
9/13/2019 1:00 PM - 3:30 PM	THE WHAT, WHY AND HOW OF IEP MEETING NOTES	DMESC
9/16/2019 9:00 AM - 12:00 PM	CASEMIS 2 CALPADS	DMESC
9/17/2019 8:30 AM - 3:30 PM	classroom structure and management	DMESC
9/17/2019 8:30 AM - 3:30 PM	PBIS TEAM TRAINING - YEAR 1	DMESC

For more information, visit the CAHELP Staff Development calendar (url: www.cahelp.org/calendar)
 17800 Highway 18, Apple Valley, California 92307
 (760) 552-6700 Office * (760) 242-5363 Fax

Upcoming Trainings

Date/Time	Event	Location
9/18/2019 8:30 AM - 3:30 PM	CO-TEACHING: THE POWER OF TWO	DMESC
9/18/2019 8:30 AM - 3:30 PM	Plops, Goals and Educational Benefit	DMESC
9/18/2019 8:30 AM - 11:30 A	WEBIEP MORNING SESSION	DMESC
9/19/2019 8:30 AM - 12:30 PM	ADMINISTERING AN ALTERNATE ENGLISH LANGUAGE PROFICIENCY TEST TO STUDENTS WITH MODERATE TO SEVERE DISABILITIES	DMESC
9/19/2019 8:00 AM - 11:30 A	EC TRAUMA INFORMED PBIS TEAM EXPLORATION AND READINESS - PSD	DMESC
9/19/2019 8:30 AM - 3:30 PM	PBIS TEAM TRAINING - YEAR 3 - COHORT 9	DMESC
9/20/2019 12:30 PM - 4:00 PM	SOCIAL EMOTIONAL PATHWAY	DMESC
9/23/2019 9:00 AM - 11:30 A	SECTION 504 FOR EDUCATORS	DMESC
9/24/2019 10:00 A - 1:00 PM	STRATEGIES FOR POSITIVE PARENTING	DMESC
9/24/2019 8:00 AM - 1:00 PM	TPP BEGINNING OF THE YEAR MEETING	DMESC

For more information, visit the CAHELP Staff Development calendar (url: www.cahelp.org/calendar)
 17800 Highway 18, Apple Valley, California 92307
 (760) 552-6700 Office * (760) 242-5363 Fax

Upcoming Trainings

Date/Time	Event	Location
9/25/2019 8:30 AM - 3:30 PM	CPI	DMESC
9/25/2019 8:30 AM - 2:30 PM	PBIS YEAR 1 COACH AND ADMINISTRATOR TRAINING	DMESC
9/25/2019 8:30 AM - 3:30 PM	THE PARAPROFESSIONAL SUPPORTING BEHAVIOR	DMESC
9/25/2019 8:30 AM - 11:30 A	WEBIEP MORNING SESSION	DMESC
9/26/2019 8:30 AM - 4:00 PM	ADAPTING CURRICULUM: ENGAGING ALL LEARNERS THROUGH UNIVERSAL DESIGN FOR LEARNING	DMESC
9/26/2019 8:30 AM - 4:30 PM	MANAGING SCHOOL CRISIS: FROM THEORY TO APPLICATION	DMESC
9/26/2019 8:30 AM - 2:30 PM	PBIS COACH AND ADMINISTRATOR FORUM - YEARS 2 AND 3	DMESC

For more information, visit the CAHELP Staff Development calendar (url: www.cahelp.org/calendar)
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