

# CSBA Sample

## Board Policy

### Supplemental Instruction

BP 6179  
**Instruction**

\*\*\*Note: The following policy is mandated pursuant to Education Code 48070.5 and should be revised to reflect the grade levels offered by the district. \*\*\*

\*\*\*Note: Pursuant to Education Code 52060-52077, the Governing Board must annually adopt a local control and accountability plan which includes goals and actions aligned with eight state priorities, including student achievement; see BP/AR 0460 - Local Control and Accountability Plan. The provision of high-quality supplemental instruction may be one strategy to improve student achievement outcomes for underperforming students. \*\*\*

The Governing Board recognizes that high-quality supplemental instruction can motivate and support students to attain grade-level academic standards, overcome academic deficiencies, and/or acquire critical skills. The district shall offer programs of direct, systematic, and intensive supplemental instruction to meet student needs. Supplemental instruction shall be offered in accordance with law and may be used to assist the district in meeting its goals for student achievement.

(cf. 0460 - Local Control and Accountability Plan)  
(cf. 5113.1 - Chronic Absence and Truancy)  
(cf. 5147 - Dropout Prevention)  
(cf. 6011 - Academic Standards)  
(cf. 6146.1 - High School Graduation Requirements)  
(cf. 6146.5 - Elementary/Middle School Graduation Requirements)  
(cf. 6164.5 - Student Success Teams)

Supplemental instruction may be offered during and outside the regular school day, including during the summer, before school, after school, on Saturday, and/or during intersessions. When supplemental instruction is offered during the regular school day, it shall not supplant the student's instruction in the core curriculum areas or physical education.

(cf. 5148.2 - Before/After School Programs)  
(cf. 6111 - School Calendar)  
(cf. 6112 - School Day)  
(cf. 6142.7 - Physical Education and Activity)  
(cf. 6176 - Weekend/Saturday Classes)  
(cf. 6177 - Summer Learning Programs)

As appropriate, supplemental instruction may be provided through a classroom setting, individual or small group instruction, technology-based instruction, and/or an arrangement with a community or other external service provider.

(cf. 1020 - Youth Services)

When determined to be necessary by the principal or designee, a student may be required to participate in supplemental instruction outside the regular school day. In such cases, parent/guardian consent shall be obtained for the student's participation.

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Supplemental instruction shall be offered to:

\*\*\*Note: Pursuant to Education Code 37252.2, districts are required to provide supplemental instruction to students in grades 2-9, inclusive, who have been retained or recommended for retention, as provided in item #1 below. Education Code 48070.5 mandates that districts adopt policy indicating the manner in which opportunities for remedial instruction will be provided to students who are recommended for retention. See BP/AR 5123 - Promotion/Acceleration/Retention for information regarding the criteria for identifying students for retention. \*\*\*

1. Students in grades 2-8 who have been retained or recommended for retention at their current grade level (Education Code 37252.2, 48070.5)

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(cf. 5123 - Promotion/Acceleration/Retention)

\*\*\*Note: Item #2 below is for use by districts that receive federal Title I funding. 20 USC 6316 requires that eligible students from low-income families be provided supplemental educational services (e.g., tutoring and other supplemental academic enrichment services) if their Title I school is identified for program improvement for two or more years based on failure to make "adequate yearly progress." Parents/guardians select these services from a list of providers with a demonstrated record of effectiveness. See BP/AR 0520.2 - Title I Program Improvement Schools for details regarding these services. \*\*\*

\*\*\*Note: In addition, if the district is identified for program improvement pursuant to 20 USC 6316, the district must revise its local educational agency plan to incorporate, as appropriate, student learning activities before school, after school, during the summer, and during any extension of the school year. See AR 0520.3 - Title I Program Improvement Districts. \*\*\*

2. Eligible students from low-income families whenever the district or a district school receiving federal Title I funds has been identified by the California Department of Education for program improvement for two or more consecutive years (20 USC 6316)

(cf. 0520.2 - Title I Program Improvement Schools)

(cf. 0520.3 - Title I Program Improvement Districts)

\*\*\*Note: Items #1-3 below are optional and may be revised to reflect district practice. \*\*\*

In addition, supplemental instruction may be offered to:

\*\*\*Note: Education Code 37252.8 authorizes, but does not require, districts to offer supplemental instruction to students in grades 2-6 who have been identified as being "at risk" for retention based on state assessment results, grades, or other indicators. See BP 5123 - Promotion/Acceleration/Retention for further information about criteria for identifying students as at risk of retention. If districts choose to offer such instruction, Education Code 48070.5 mandates that they adopt policy indicating the manner in which opportunities for remedial instruction will be provided to students who are at risk for retention. \*\*\*

1. Students who are identified as being at risk for retention based on state assessment results, grades, or other indicators

(cf. 5121 - Grades/Evaluation of Student Achievement)  
(cf. 6162.51 - State Academic Achievement Tests)

\*\*\*Note: Education Code 37252.8 authorizes, but does not require, districts to offer supplemental instruction to students in grades 2-6 who are identified as having a deficiency in mathematics, reading, or written expression based on state assessment results. At their discretion, districts may offer such instruction to students who demonstrate academic deficiencies at any grade level or in any subject matter. \*\*\*

2. Students who demonstrate academic deficiencies that may jeopardize their attainment of academic standards

(cf. 6142.6 - Visual and Performing Arts Education)  
(cf. 6142.7 - Physical Education and Activity)  
(cf. 6142.91 - Reading/Language Arts Instruction)  
(cf. 6142.92 - Mathematics Instruction)  
(cf. 6142.93 - Science Instruction)  
(cf. 6142.94 - History-Social Science Instruction)

\*\*\*Note: The following optional item may be used by districts maintaining high schools to provide support to students who need assistance to meet graduation requirements. Education Code 60851 requires districts to provide supplemental instruction to students in grades 7-12 who do not demonstrate "sufficient progress" toward passing the California High School Exit Examination. However, pursuant to Education Code 60851.5, as added by SB 172 (Ch. 572, Statutes of 2015), administration of the exit exam is suspended through the 2017-18 school year. Thus, supplemental instruction that is focused on assisting high school students to succeed on the exit exam is not currently required. \*\*\*

Comment [WT1]: Note- #3 Not Applicable

Deleted: 3. High school students who need support to successfully complete courses required for graduation¶

Legal Reference:

EDUCATION CODE

37200-37202 School calendar

37223 Weekend classes

37252-37254.1 Supplemental instruction, summer school

42238.01-42238.07 Local control funding formula

46100 Length of school day

48070-48070.5 Promotion and retention

48200 Compulsory education

48985 Translation of notices

51210-51212 Courses of study, elementary schools

51220-51228 Courses of study, secondary schools

52060-52077 Local control and accountability plan

60603 Definitions, core curriculum areas

60640-60649 California Assessment of Student Performance and Progress

60850-60859 High school exit examination, especially:

60851.5 Suspension of high school exit examination

CODE OF REGULATIONS, TITLE 5

11470-11472 Summer school

UNITED STATES CODE, TITLE 20

6316 Program improvement schools and districts

Management Resources:

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Supplemental Educational Services, January 14, 2009

Innovations in Education: Creating Strong Supplemental Educational Services Programs, May 2004

WEB SITES

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

California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Education: <http://www.ed.gov>

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