

CSBA Sample Board Policy

Philosophy, Goals, Objectives, and Comprehensive Plans

BP 0520.2(a)

TITLE I PROGRAM IMPROVEMENT SCHOOLS

Comment [WT1]: Currently – Sunset Ridge is frozen at PI year 3; IBL is frozen at PI year 4

Once direction is given, IBL will no longer fall under Federal Guidelines as the school no longer receives Title I funds.

Note: The following **optional policy and accompanying administrative regulation are is** for use by districts that receive federal Title I funds to improve the academic achievement of students from economically disadvantaged families; see BP/AR 6171 – Title I Programs. Pursuant to the No Child Left Behind Act of 2001 (NCLB) (20 USC 6316), schools receiving Title I funds are identified for "program improvement" (PI) if they fail to make "adequate yearly progress" (AYP), as defined by the State Board of Education (SBE), for two or more consecutive years. See the definition of AYP in the accompanying administrative regulation. According to the state criteria, a school is identified for PI if, for each of two consecutive years, it either (1) does not make AYP in the same content area (English language arts or mathematics) schoolwide or for any numerically significant student subgroup or (2) does not make AYP on the same indicator (Academic Performance Index or high school graduation rate) schoolwide. The assessment scores of small schools that have too few students to generate a school-level report are aggregated into a district accountability measure. For further information about the identification of PI schools, see the California Department of Education's (CDE) Adequate Yearly Progress Report Information Guide. As amended by the Every Student Succeeds Act (ESSA) (P.L. 114-95), 20 USC 6311 provides for a new system of school support and improvement activities for Title I schools beginning in the 2017-18 school year. Using a methodology to be established in the state plan, the California Department of Education (CDE) will be required to identify and notify districts regarding schools that need "comprehensive support and improvement," including schools in the lowest performing five percent of Title I schools, all high schools failing to graduate one third or more of their students, and schools in which a subgroup of students, considered on its own, would lead to identification among the lowest performing five percent of schools. The CDE will also be required to notify districts of schools that have a consistently underperforming subgroup of students and therefore need "targeted support and improvement." Until the new school improvement system is in place, schools that were previously identified for program improvement (PI) for failure to make "adequate yearly progress" (AYP) for two or more consecutive years must continue to implement their improvement plans and are subject to the requirements of this policy and the accompanying administrative regulation.

For requirements pertaining to districts identified for PI, ~~pursuant to 20 USC 6316~~ see BP/AR 0520.3 - Title I Program Improvement Districts.

~~The following paragraph reflects the goals of the PI program pursuant to 20 USC 6311 and may be revised to reflect district practice.~~

The Governing Board is committed to enabling all district students to meet state academic achievement standards and to narrowing the achievement gap among student groups. To that end, the ~~Board shall assist all district schools, including those receiving federal Title I funds, to achieve adequate yearly progress, as defined by the State Board of Education~~ **district shall provide support and assistance to increase student achievement in any school that receives federal Title I funding and has been identified by the California Department of Education as a program improvement (PI) school.**

~~(cf. 4112.24 – Teacher Qualifications Under the No Child Left Behind Act)
(cf. 6011 - Academic Standards)
(cf. 6162.5 - Student Assessment)~~

(cf. 6162.51 - State Academic Achievement Tests)
(cf. 6171 - Title I Programs)

BP 0520.2(b)

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

Whenever a district school is identified by the California Department of Education as in need of program improvement (PI), The Superintendent or designee shall ensure that school improvement efforts are coordinated, and aligned. He/she shall also revise the school's Single Plan for Student Achievement in accordance with law and as specified in administrative regulation.

Note: Pursuant to 20 USC 6316, whenever a school is identified for PI, the district must allow, in Year 1 of PI and in subsequent years, all students in that school to transfer to another district school or charter school that has not been identified for PI. In addition to the transfer option, 20 USC 6316 requires the district to arrange for supplemental educational services for eligible students in schools that are in Year 2 of PI and beyond. For schools in Year 3 of PI and beyond, other corrective actions and/or restructuring must also be implemented. See the accompanying administrative regulation.

20 USC 6316 and 34 CFR 200.48 require that the district set aside an amount equal to at least 20 percent of district Title I funds to pay for costs related to supplemental educational services and transportation for student transfers. Districts have some discretion as to how much is spent on each purpose, provided that at least 5 percent of the district's total Title I allocation is allotted to each purpose. The district may spend less if the demand is met. The district may, but is not required to, use non Title I funds or additional federal, state, or local sources of funding for these purposes if the demand for services exceeds 20 percent.

Administrative costs cannot be counted in these amounts. However, pursuant to 34 CFR 200.48, as amended by 73 Fed. Reg. 210, the cost of determining outreach and assistance to parents/guardians concerning their choice to transfer their child or to request supplemental services may be included within specified limits. 73 Fed. Reg. 210 also amended 34 CFR 200.48 to provide that, if a district does not meet its 20 percent spending obligation in a given school year, it must spend the unexpended amount on these purposes in the subsequent school year, unless it meets specified criteria; see the accompanying administrative regulation.

Although school improvement plans are still in effect for PI schools, districts are no longer required, because of the repeal of 20 USC 6316 by P.L. 114-95, to (1) offer intradistrict transfers to all students in Title I schools identified for Year 1 PI or beyond or (2) provide supplemental educational services from an approved service provider to eligible students in schools identified for Year 2 PI or beyond.

At their discretion, districts may choose to continue to offer intradistrict transfers to students in PI schools. If the Governing Board elects to continue to offer the option to transfer, it may revise the paragraph below to reflect that option. 20 USC 6311, as amended by P.L. 114-95, requires that any student who was previously granted a transfer out of a PI school be allowed to remain at the school to which he/she transferred until the highest grade maintained at that school; see BP/AR 5116.1 - Intradistrict Open Enrollment.

In addition, although the requirement to provide supplemental educational services was repealed, the CDE has elected to instead require the provision of alternative supports, defined and administered by the district, to eligible students beginning with the 2016-17 school year; see the accompanying administrative regulation. Also see BP 6179 - Supplemental Instruction and the CDE's Every Student Succeeds Act 2016-17 School Year Transition Plan (April 2016).

Attachment [B](#) Use CSBA Sample As Is

Depending on the length of time a district school has been identified for PI, The district shall provide opportunities for student transfers, supplemental educational services, other corrective actions, and/or restructuring in accordance with law.

BP 0520.2(c)

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

The Superintendent or designee shall ensure that school improvement ~~efforts~~ **strategies developed for any PI school** are coordinated, ~~and~~ aligned, ~~and effectively implemented in accordance with administrative regulation and the Board-approved school improvement plan.~~

(cf. 0420 - School Plans/Site Councils)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. 6179 - Supplemental Instruction)

Note: When a school enters Year 3 PI, the Board is required to select corrective action(s) to be applied to the school. The Board also must select a restructuring option for any school that enters Year 4 PI. See the accompanying administrative regulation for allowable options.

As necessary, the Board shall determine corrective actions for schools in Year 3 of PI and/or restructuring options for schools in Year 4 of PI or beyond.

Comment [WT2]: We have selected corrective actions for SR and IBL when they were initially identified as PI 3 and 4.

Note: Pursuant to Education Code 53300-53303 (the Parent Empowerment Act) and 5 CCR 4800-4808, when a school is identified for Year 3 PI (corrective action) enters Year 4 PI, and meets other specified criteria continues to fail to make AYP, has a state Academic Performance Index (API) of less than 800, and is not identified by the CDE as a "persistently lowest achieving school," the parents/guardians of that school may petition the district to implement one of four intervention models (i.e., turnaround model, restart model, school closure, or transformation model) or an alternative governance arrangement, as these models are described in 5 CCR 4803-4807. However, both the AYP and API measures are currently suspended and the CDE's last identification of "persistently lowest achieving schools" was in 2015 based on 2013-14 data. Thus, districts should consult with legal counsel if they have questions about their eligibility to receive a parent/guardian petition under the Parent Empowerment Act. The district must notify the Superintendent of Public Instruction and the State Board of Education when it receives such a petition and when it takes action on the petition. This option is limited to 75 schools statewide.

Whenever a school is identified for Year ~~3~~ **4 PI, continues to fail to make AYP, has an API of less than 800, and but** is not identified as a "persistently lowest achieving school" pursuant to Education Code 53201, the parents/guardians of students attending that school may petition the ~~district~~ **Board** to implement an intervention for the purpose of improving academic achievement or student safety, provided that the state limit on the number of such schools has not yet been reached. To be considered by the Board, the petition shall contain all required content and signatures and specify one of four intervention models (i.e., turnaround model, restart model, school closure, or transformation model) or an alternative governance arrangement, as described in 5 CCR 4803-4807. The district shall implement the option requested by the parents/guardians unless, at a regularly scheduled public hearing, the Board makes a finding in writing stating the

reason it cannot implement the recommended option and instead designates one of the other options to be implemented. (Education Code 53300-53303; 5 CCR 4800-4808)

BP 0520.2(d)

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

Program Evaluation

Note: The following **optional** section may be revised to reflect indicators of program effectiveness agreed upon by the Governing Board and Superintendent and/or required by the state plan for NCLB adopted pursuant to 20 USC 6311. Pursuant to 20 USC 6311, any district receiving Title I, Part A funds must prepare and disseminate an annual report card which includes specified information. **As amended by P.L. 114-95, 20 USC 6311 expands the required content of the report card but no longer requires that it include annual measurable objectives, AYP, or teacher quality information.** regarding student achievement on statewide academic assessments, indicators of AYP, whether the district or district schools have been identified for PI, graduation rates, and teacher qualifications. 34 CFR 200.11, as amended by 73 Fed. Reg. 210, adds a requirement that districts report the most recent available academic achievement results in grades 4 and 8 on the National Assessment of Educational Progress reading and mathematics assessments. The report cards must include the percentage of students at each achievement level, for the total student population and for each numerically significant subgroup, and participation rates for students with disabilities and English learners.

Rather than issuing a district-level report card, districts are allowed by 20 USC 6311 to incorporate the information into the school accountability report card required by Education Code 35256; see BP 0510 - School Accountability Report Card.

~~The Board shall annually review the adequate yearly progress of each district school based on state academic assessments and other indicators specified in the state plan for the No Child Left Behind Act. The Superintendent or designee shall publicize and disseminate the results of this review to parents/guardians, principals, schools, and the community so that the instructional program can be continually refined to help all students meet state academic standards. (20 USC 6316)~~

The Superintendent or designee shall develop an annual report card that includes the information specified in 20 USC 6311 for each district school and for the district as a whole. The required information may be incorporated into each school's school accountability report card. (20 USC 6311)

(cf. 0510 - School Accountability Report Card)
(cf. 6190 - Evaluation of the Instructional Program)

~~The Board and Superintendent or designee also shall review the effectiveness of the actions and activities carried out by PI schools with respect to parental involvement, professional development, and other PI activities. (20 USC 6316)~~

Attachment [B](#) Use CSBA Sample As Is

~~(cf. 4131—Staff Development)~~
~~(cf. 6020—Parent Involvement)~~

Note: 20 USC 6311 requires that the report card be accessible to the public by posting it on the district's web site or, if the district does not have its own web site, then in a manner determined by the district. A district that does not have a web site should revise the following paragraph to reflect the method it will use to disseminate the report card.

BP 0520.2(e)

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

The report card shall be concise, presented in an understandable and uniform format and, to the extent practicable, in a language that parents/guardians can understand. It shall be made accessible to the public on the district's web site. (20 USC 6311)

~~(cf. 1113 - District and School Web Sites)~~

As necessary based on the results of ~~these~~ **this** evaluations, the Board may require the Superintendent or designee to review and revise any of the school's reform plans, including the school's Single Plan for Student Achievement, allocate additional resources toward the implementation of the plan, and/or require more frequent monitoring of the school's progress in order to raise student achievement.

Legal Reference:

EDUCATION CODE

35256 School accountability report card

53200-53203 Persistently lowest achieving schools

53300-53303 Parent Empowerment Act

~~60642.5—California Standards Tests~~

~~60850-60856—High School Exit Examination~~

64000 Categorical programs included in consolidated application

64001 Single school plan for student achievement, consolidated application programs

CODE OF REGULATIONS, TITLE 5

11992-11994 Persistently dangerous schools, definition

~~13075-13075.9—Supplemental educational services~~

4800-4808 Parent Empowerment petitions

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

6301 Title I program purpose

6311 ~~Adequate yearly progress State plan; state and local educational agency report cards~~

6312 Local educational agency plan

6313 Eligibility of schools and school attendance areas; funding allocation

~~6316—School improvement~~

7912 Persistently dangerous schools

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

| Attachment [B](#) Use CSBA Sample As Is

200.13-200.20 Adequate yearly progress
200.30-200.35 Identification of program improvement schools
200.36-200.38 Notification requirements
200.39-200.43 Requirements for program improvement, corrective action, and restructuring
200.44 School choice option
200.45-200.47 Supplemental educational services
200.48 Funding for transportation and supplemental services
200.49-200.51 State responsibilities
200.52-200.53 District improvement

Management Resources: (see next page)

BP 0520.2(f)

TITLE I PROGRAM IMPROVEMENT SCHOOLS (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Every Student Succeeds Act 2016-17 School Year Transition Plan, April 2016

2008 Adequate Yearly Progress Report Information Guide, August 2008

California's Accountability Workbook

FEDERAL REGISTER

Final Rule and Supplementary Information, October 29, 2008. Vol. 73, No. 210, pages 64436-64513

U.S. DEPARTMENT OF EDUCATION GUIDANCE PUBLICATIONS

Transitioning to the Every Student Succeeds Act (ESSA): Frequently Asked Questions, rev. May 4, 2016

Public School Choice, January 14, 2009

Supplemental Educational Services, January 14, 2009

WEB SITES

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

California Department of Education, Program Improvement:

<http://www.cde.ca.gov/ta/ac/ti/programimprov.asp>

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

| Attachment [B](#) Use CSBA Sample As Is

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Policy Reference UPDATE Service

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