

TITLE I PROGRAM IMPROVEMENT SCHOOLS**Definitions**

Adequate yearly progress (AYP) refers to a series of annual academic performance goals, as defined by the State Board of Education, that incorporate student participation levels on state assessments, minimum required percentages of students scoring at the proficient level or above on English language arts and mathematics state assessments, high school graduation rates, and growth on the state's Academic Performance Index (API). AYP includes measurable annual objectives for continuous and substantial improvement for the achievement of all students at the school and for any subgroup of students, including economically disadvantaged students, students from major racial and ethnic groups, students with disabilities, and students with limited English proficiency, when the number of students in the subgroup is sufficient to yield statistically reliable results. (20 USC 6311)

Program improvement (PI) school refers to a school that is receiving federal Title I funds and has failed to make AYP for each of two consecutive school years. (20 USC 6316)

A school shall be identified for PI by the California Department of Education (CDE) whenever, for each of two consecutive years, it either does not make AYP in the same content area (English language arts or mathematics) schoolwide or for any numerically significant student subgroup or does not make AYP on the same indicator (Academic Performance Index or high school graduation rate) schoolwide. If a small school has too few students to generate a school-level report, its results shall be aggregated into a district accountability measure.

Year 1 Program Improvement

When any Title I school is initially identified for PI: (20 USC 6316)

1. The Superintendent or designee shall provide students enrolled in the school the option of transferring, as described below in the section "Student Transfers," to another school, which may include a charter school, served by the district that has not been identified for PI.

2. Not later than three months of being identified for PI, the school shall develop or revise a school plan, in consultation with parents/guardians, school staff, the district, and outside experts, for approval by the Board of Education. The plan shall cover a two-year period and address the components specified in 20 USC 6316.

To fulfill this requirement, the school may revise its Single Plan for Student Achievement to reflect the requirements of 20 USC 6316.

3. Within 45 days of receiving the plan, the Board shall establish a peer review process to assist with its review of the plan, work with the school as necessary, and approve the plan if it meets the requirements of law.

4. The school shall implement the plan no later than the beginning of the next full school year following the school's identification for PI, or, if the plan has not been approved prior to beginning the school year, immediately upon approval of the plan.

5. As the school develops and implements the school plan, the Superintendent or designee shall ensure that the school receives technical assistance from the district, CDE, an institution of

~~higher education, a private organization, an educational service agency, or another entity with experience in helping schools improve academic achievement, including assistance in:~~

~~a. Analyzing data from state assessments and other examples of student work to identify and address problems in instruction and/or problems in implementing Title I requirements pertaining to parent involvement, professional development, or school and district responsibilities identified in the school plan~~

~~b. Identifying and implementing professional development, instructional strategies, and methods of instruction that are derived from scientifically based research and that have proven effective in addressing the specific instructional issues that caused the school to be identified for PI~~

~~c. Analyzing and revising the school's budget so that the school's resources are more effectively allocated to the activities most likely to increase student achievement and remove the school from PI status~~

Year 2 Program Improvement

~~For any Title I school that fails to make AYP by the end of the first full school year after being identified for PI, the Superintendent or designee shall take all of the following actions: (20 USC 6316)~~

~~1. Continue to provide all students enrolled in the school the option of transferring, as described below in the section "Student Transfers"~~

~~2. Arrange for the provision of supplemental educational services (SES) to eligible students from low-income families by a provider with a demonstrated record of effectiveness, as described below in the section "Supplemental Educational Services"~~

~~3. Continue to provide for technical assistance in accordance with item #5 in the section "Year 1 Program Improvement" above~~

Year 3 Program Improvement: Corrective Action

~~When a school continues to fail to make AYP by the end of the second full school year after identification for PI (four consecutive years of failure to make AYP), the Superintendent or designee shall continue to provide all elements of Year 1 and Year 2 PI specified above. In addition, the Board shall take one or more of the following corrective actions: (20 USC 6316)~~

~~1. Replace school staff relevant to the failure~~

~~2. Implement a new curriculum and related professional development~~

~~3. Significantly decrease management authority at the school level~~

~~4. Appoint an outside expert to advise the school~~

~~5. Extend the school year or school day for the school~~

~~6. Restructure the internal organization of the school~~

~~Whenever a school is identified for Year 3 PI, continues to fail to make AYP, has an API of less than 800, and 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 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)~~

~~Year 4 Program Improvement and Beyond: Restructuring~~

~~For any school that continues to fail to make AYP after one full year of corrective action, the Superintendent or designee shall continue to provide all students enrolled in the school with the option to transfer to another school within the district and continue to make SES available to eligible students who remain in the school. In addition, the Board shall develop a plan and make necessary arrangements to implement one of the following options for alternative governance and restructuring, consistent with state law: (20 USC 6316)~~

- ~~1. Reopen the school as a charter school~~
- ~~2. Replace all or most of the school staff relevant to the failure~~
- ~~3. Enter into a contract with an entity with a demonstrated record of effectiveness to operate the school~~
- ~~4. Turn the operation of the school over to the CDE~~
- ~~5. Institute any other major restructuring of the school's governance arrangements that makes fundamental reforms~~

Notifications

~~Whenever a school is identified for PI, corrective action, or restructuring, the Superintendent or designee shall promptly notify parents/guardians of students enrolled in that school. The notification shall include: (20 USC 6316; 34 CFR 200.37)~~

- ~~1. An explanation of what the identification means, and how the school compares in terms of academic achievement to other elementary or secondary schools in the district and state~~
- ~~2. The reasons for the identification~~
- ~~3. An explanation of what the school is doing to address the problem of low achievement~~
- ~~4. An explanation of what the district or state is doing to help the school address the achievement problem~~
- ~~5. An explanation of how parents/guardians can become involved in addressing the academic issues that caused the school to be identified for PI~~
- ~~6. An explanation of the option to transfer to another school within the district, as described below in the section "Student Transfers"~~

~~7. If the school is in Year 2 of PI or beyond, an explanation of how parents/guardians can obtain SES for their child as described below in the section "Supplemental Educational Services"~~

~~The Superintendent or designee shall disseminate information about corrective actions taken at any district school to the parents/guardians of each student in that school and to the public through such means as the Internet, the media, and public agencies. (20 USC 6316)~~

~~The Superintendent or designee shall promptly notify teachers and parents/guardians whenever a school is identified for restructuring and shall provide them adequate opportunities to comment before taking action and to participate in developing any plan for restructuring school governance. (20 USC 6316)~~

~~All notifications pertaining to PI shall be written in an understandable and uniform format and, to the extent practicable, in a language the parents/guardians can understand. (20 USC 6316; 34 CFR 200.36)~~

~~To the extent practicable, the district shall partner with outside groups, such as faith-based organizations, community-based organizations, and business groups, to help inform eligible students and their families of the opportunities to transfer or to receive SES. (34 CFR 200.48)~~

Student Transfers

~~All students enrolled in a school in Year 1 of PI or beyond shall be provided an option to transfer to another school, which may include a charter school, served by the district provided that the school: (20 USC 6316; 34 CFR 200.44)~~

~~1. Has not been identified for PI, corrective action, or restructuring~~

~~In the event that all district schools are identified for PI, the district shall, to the extent practicable, establish a cooperative agreement with other local educational agencies in the area for interdistrict transfers.~~

~~2. Has not been identified by the CDE as a "persistently dangerous" school pursuant to 20 USC 7912 and 5 CCR 11992-11994~~

~~Among the students offered an option to transfer out of a PI school, priority shall be given to the lowest achieving students from low-income families, as defined by the district for purposes of allocating Title I funds. (20 USC 6316; 34 CFR 200.44)~~

~~If two or more district schools are eligible to accept transfers based on criteria listed in items #1-2 above, the district shall provide a choice of more than one such school and shall take into account parent/guardian preferences among the choices offered. (34 CFR 200.44)~~

~~The Superintendent or designee may consider school capacity in selecting schools that will be offered as alternatives for school choice, but shall not use the lack of school capacity to deny transfer opportunities to students. The district may increase capacity in eligible district schools to accommodate all students who wish to transfer.~~

~~The transfer option shall be offered so that students may transfer in the school year following the school year in which the district administered the assessments that resulted in the identification of the school for PI, corrective action, or restructuring. In order to provide adequate time for parents/guardians to exercise their transfer option before the school year begins, the Superintendent or designee shall notify parents/guardians of the available school choices sufficiently in advance of, but no later than 14 calendar days before, the start of the~~

~~school year or on a date otherwise determined necessary by the CDE. (34 CFR 200.37, 200.44)~~

~~Notice of the transfer option shall:~~

- ~~1. Inform parents/guardians that, due to the identification of the current school as in need of improvement, their child is eligible to attend another school, including a charter school, served by the district~~
- ~~2. Identify each school that the parent/guardian may select~~
- ~~3. Explain why the choices made available to the parents/guardians may have been limited~~
- ~~4. Describe the timelines and procedures that parents/guardians must follow in selecting a school for their child, including a requirement that parents/guardians rank-order their preferences of eligible schools as appropriate~~
- ~~5. Provide information on the academic achievement of the school(s) to which the student may transfer (34 CFR 200.37)~~
- ~~6. Explain the provision of transportation to the new school (34 CFR 200.37)~~

~~The notice may include other information about the school(s) to which the student may transfer, such as a description of any special academic programs or facilities, the availability of before- and after-school programs, the professional qualifications of teachers in the core academic subjects, and a description of parent involvement opportunities. (34 CFR 200.37)~~

~~In addition to mailing notices directly to parents/guardians, the Superintendent or designee shall provide information about transfer options through broader means, such as the Internet, the media, and public agencies serving students and their families. (34 CFR 200.36)~~

~~The district shall prominently display on its web site, in a timely manner each school year, a list of available schools to which eligible students may transfer in the current school year. The district shall also display data on the number of students who were eligible for and who participated in the student transfer option, beginning with data from the 2007-08 school year and each subsequent year thereafter. (34 CFR 200.39)~~

~~In accordance with timelines established for the transfer request process, the Superintendent or designee shall notify parents/guardians of their child's school assignment and shall establish a reasonable deadline by which parents/guardians must either accept the assignment or decline the assignment and remain in the school of origin.~~

~~The district shall provide, or shall pay for the provision of, transportation to the district school which the student chooses to attend. (20 USC 6316; 34 CFR 200.44)~~

~~To ensure that transportation may be reasonably provided, the Superintendent or designee may establish transportation zones based on geographic location within the district. Transportation to schools within a zone shall be fully provided, while transportation outside the zone may be partially provided.~~

~~Any student who transfers to another district school may remain in that school until he/she has completed the highest grade in that school. However, the district shall not be obligated to provide, or pay for the provision of, transportation for the student after the end of the school year that the school of origin is no longer identified for PI, corrective action, or restructuring. (20 USC 6316; 34 CFR 200.44)~~

Supplemental Educational Services

~~When required by law, SES shall be provided outside the regular school day and shall be specifically designed to increase achievement of eligible students from low-income families on state academic assessments and to assist them in attaining state academic standards. (20 USC 6316)~~

~~When a school is required to provide SES, the Superintendent or designee shall provide annual notice to parents/guardians that includes: (20 USC 6316; 34 CFR 200.37)~~

- ~~1. The availability of SES~~
- ~~2. The identity of approved providers that are within the district or are reasonably available in neighboring local educational agencies~~
- ~~3. The identity of approved providers of technology-based or distance learning services~~
- ~~4. The services, qualifications, and demonstrated effectiveness of each provider, including an indication of those providers who are able to serve students with disabilities or limited English proficiency~~
- ~~5. The benefits of receiving SES~~

~~In addition, the notification shall describe procedures and timelines that parents/guardians must follow to select a provider.~~

~~This notification shall be clearly distinguishable from other information sent to parents/guardians regarding identification of the school for PI, corrective action, or restructuring. (34 CFR 200.37)~~

~~The district shall prominently display on its web site, in a timely manner each school year, a list of state-approved providers serving the district in the current year and the location where services are provided. The district shall also display the number of students who were eligible for and who participated in SES, beginning with data from the 2007-08 school year and each subsequent year thereafter. (34 CFR 200.39)~~

~~The Superintendent or designee shall distribute sign-up forms for SES directly to all eligible students and their parents/guardians and make them available and accessible through broad means of dissemination such as the Internet, other media, and communications through public agencies serving eligible students and their families. (34 CFR 200.48)~~

~~The district shall provide a minimum of two enrollment windows, at separate points in the school year, that are of sufficient length to enable the parents/guardians of eligible students to make informed decisions about requesting SES and selecting a provider. (34 CFR 200.48)~~

~~Within a reasonable period of time established by the Superintendent or designee, parents/guardians shall select a SES provider from among those approved by the SBE. Upon request, the Superintendent or designee shall assist parents/guardians in choosing a provider. (20 USC 6316; 34 CFR 200.46)~~

~~The district shall not prohibit or limit an approved provider from promoting its program or the general availability of SES to members of the community. (5 CCR 13075.9)~~

~~When the district is an approved SES provider, the Superintendent or designee shall be careful to provide parents/guardians with a balanced presentation of the options available to them and shall ensure that they understand their right to select the district or any other service provider.~~

~~No district employee who administers or provides SES, either solely or in collaboration with a SES provider, or who has a financial interest of any kind in a SES provider, shall use his/her position as a district employee to encourage district students or their parents/guardians to use the services of that provider. (5 CCR 13075.7)~~

~~The Superintendent or designee shall ensure that eligible students with disabilities, students covered under Section 504 of the federal Rehabilitation Act, and students with limited English proficiency receive appropriate SES with any necessary accommodations or language assistance. (34 CFR 200.46)~~

~~If no provider is able to make the services available to such students, the district shall provide the services with necessary accommodations or language assistance, either directly or through a contract. Services shall be consistent with a student's individualized education program (IEP) or Section 504 services plan, as applicable.~~

~~If available funds are insufficient to provide SES to each eligible student whose parents/guardians request those services, priority shall be given to the lowest achieving eligible students. (20 USC 6316)~~

~~If the number of parents/guardians selecting a particular provider exceeds the capacity of that provider, priority shall be given to the lowest achieving eligible students.~~

~~Once a SES provider has been selected by a parent/guardian, the Superintendent or designee shall enter into an agreement with the provider. The agreement shall: (20 USC 6316)~~

~~1.Require the district to develop, in consultation with the parents/guardians and the provider, a student learning plan which includes specific achievement goals for the student, a description of how the student's progress will be measured, and a timetable for improving achievement. In the case of a student with disabilities, the student learning plan shall be consistent with the student's IEP.~~

~~2.Describe how the student's parents/guardians and teacher(s) will be regularly informed of the student's progress.~~

~~3.Provide for the termination of the agreement if the provider is unable to meet such goals and timetables.~~

~~4._____Contain provisions with respect to the district making payments to the provider.~~

~~5.Prohibit the provider, without written parent/guardian permission, from disclosing to the public the identity of any student eligible for or receiving SES.~~

~~In developing the student learning plan as required by item #1 above, the Superintendent or designee shall consult with the parent/guardian of each student to, at a minimum, provide the parent/guardian an opportunity to express his/her views and have them considered. Consultation may include, but is not limited to, communication by telephone, email, home visits, parent/guardian meetings, and/or parent/guardian signature(s). Evidence of this consultation shall be included in the student learning plan. In the event that a consultation does not take place but the parent/guardian has selected an approved SES provider, the Superintendent or designee, or the provider acting on the district's behalf, shall show evidence of at least three separate attempts to contact the parent/guardian using at least two different means of~~

~~communication. If the parent/guardian elects not to participate in the consultation, the Superintendent or designee, or approved provider acting on the district's behalf, must develop a student learning plan for the student. (5 CCR 13075.7)~~

~~The Superintendent or designee may request, but not require, that the SES provider develop the student learning plan on behalf of the district for each student served by the provider as indicated in the agreement. In such cases, the Superintendent or designee shall make available to the provider pertinent student academic achievement data with parent/guardian permission and other technical assistance that will facilitate the development of the plan. The Superintendent or designee shall maintain responsibility to review and approve the student learning plan to ensure that it is developed in consultation with the parent/guardian and contains all required information. (5 CCR 13075.7)~~

~~Eligible SES providers shall be given access to school facilities, using a fair, open, and objective process, on the same basis as other groups that seek access to school facilities. (34 CFR 200.48)~~

~~Regulation~~ ~~SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT~~
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