

Butte County Office of Education

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SP 6000

CONCEPTS AND ROLES IN INSTRUCTION

Strategies for improving the educational program shall take into consideration the needs of individual students and subpopulations of students. Students who are failing or at risk of failing to meet academic standards shall be provided with alternative programs and/or supplemental assistance designed to raise achievement.

Parents/guardians are critical partners in their children's education, parents/guardians shall be provided with opportunities to be meaningfully involved both in support of their children's education program at school and with learning at home.

With regard to student achievement, the Butte County Office of Education shall work collaboratively with school leadership to:

1. Establish standards of student achievement for core subjects at each grade level that are aligned with the vision for student learning, the specific needs and strengths of the students, the expectations of parents/guardians and the community, and available resources
2. Establish graduation requirements
3. Support the professional staff's implementation of the curriculum by providing consistent policy direction, allocating resources based on educational program priorities, ensuring that collective bargaining agreements do not constrain the ability to achieve curricular goals, recognizing staff accomplishments, and including reasonable annual goals related to student learning in the evaluation process
4. Review and evaluate the educational program on the basis of state and federal accountability measures, disaggregated student achievement data, and other indicators and ensure that evaluation results are used to improve programs, curriculum, and/or instructional practices as necessary to enhance student achievement
5. Determine the general methods of instruction to be used
6. Communicate clear information about instructional goals, programs, and progress in student achievement to the community and media
7. Provide a continuing program of professional development to keep instructional staff and administrators, updated about current issues and research pertaining to curriculum, instructional strategies, and student assessment
8. Evaluate and report to the Board on student achievement as demonstrated through testing and other types of appraisal, and recommend necessary changes in curriculum, programs, and instruction as indicated by student performance data

With regard to curriculum selection, the Butte County Office of Education shall work collaboratively with school leadership to:

1. Ensure that a process is in place, involving teachers, administrators, students, and parents/guardians, for the development and review of curriculum
2. Review research related to curriculum/ issues
3. Ensure the articulation of the curriculum between grade levels and with postsecondary education and the workplace
4. Select and/or develop curricula for recommendation to the Board in accordance with the curriculum development and review process
5. Recommend instructional materials and direct the purchase of approved materials and equipment

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Legal Reference:

Education Code

51000-51007 Legislative intent, educational program Code of Regulations, Title 5

3940 Maintenance of Effort 4424 Comparability of Services United States Code, Title 20 6321 Fiscal requirements/comparability of services

Approved: **July 2004**
 September 2020
 July 2021

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SP 6020

PARENT INVOLVEMENT

The County Superintendent recognizes that parents/guardians are their children's first and most influential teachers and that sustained parent involvement in the education of their children contributes greatly to student achievement and a positive school environment. The County Superintendent or designee shall work with staff and parents/guardians to jointly develop and agree upon policy and strategies to meaningfully involve parents/guardians and family members in County Office and school activities at all grade levels; advisory, decision-making, and advocacy roles; and activities to support learning at home.

Parents/guardians shall be notified of their rights to be informed about and to participate in their children's education and of the opportunities available to them to do so.

The BCOE local control and accountability plan (LCAP) shall include goals and strategies for parent/guardian involvement, including efforts to seek parent/guardian input in County Office and school site decision making and to promote parent/guardian participation in programs for English learners, foster youth, students eligible for free and reduced-price meals, and students with disabilities.

The County Superintendent, or designee, shall regularly evaluate and report to the Board on the effectiveness of parent involvement efforts, including, but not limited to, input from parents/guardians and school staff on the adequacy of parent involvement opportunities and barriers that may inhibit parent/guardian participation.

Title I Schools

The County Superintendent or designee shall involve parents/guardians and family members in establishing expectations and objectives for meaningful parent/guardian and family engagement in schools supported by Title I funding, developing strategies that describe how the County Office will carry out each activity listed in 20 USC 6318, as contained in the accompanying administrative regulation, and implementing and evaluating such programs, activities, and procedures. As appropriate, the County Superintendent or designee shall conduct outreach to all parents/guardians and family members.

When the County Office Title I, Part A allocation exceeds the amount specified in 20 USC 6318, the County Office shall reserve at least one percent of the funding to implement parent/guardian and family engagement activities and shall distribute at least 90 percent of those reserved funds to eligible schools, with priority given to high-need schools as defined in 20 USC 6631. The County Superintendent or designee shall involve parents/guardians and family members of participating students in decisions regarding how Title I funds will be allotted for parent/guardian and family engagement activities.

Expenditures of such funds shall be consistent with the activities specified in this policy and shall include at least one of the following:

1. Support for schools and nonprofit organizations in providing professional development for County Office and school staff regarding parent/guardian and family engagement strategies, which may be provided jointly to teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, early childhood educators, and parents/guardians and family members
2. Support for programs that reach parents/guardians and family members at home, in the community, and at school
3. Dissemination of information on best practices focused on parent/guardian and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents/guardians and family members
4. Collaboration with, or the provision of subgrants to schools to enable collaboration, with community-based or

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other organizations or employers with a record of success in improving and increasing parent and family engagement

5. Any other activities and strategies that the County Office determines are appropriate and consistent with this policy

If the County Office receives funds under federal Title IV, Part E, to coordinate and enhance family engagement programs, the County Superintendent or designee shall inform parents/guardians and organizations of the existence of Title IV.

The County Superintendent Policy and Administrative Regulation aligned parent/guardian and family engagement strategies are addressed in the Federal Addendum to the LCAP, per SP 0460 and 20 USC 6312.

The County Superintendent or designee shall ensure that each school receiving Title I funds develops a school-level parent/guardian and family engagement policy in accordance with 20 USC 6318.

County Office and school-level parent/guardian and family engagement policies and administrative regulations shall be distributed to parents/guardians of students participating in Title I programs and shall be available to the local community. Parents/guardians shall be notified of the policy in an understandable and uniform format and, to the extent practicable, provided in a language the parents/guardians can understand.

Non-Title I Schools

The County Superintendent or designee shall develop and implement strategies applicable to each school that does not receive federal Title I funds to encourage the involvement and support of parents/guardians in the education of their children, including, but not limited to, strategies describing how schools will address the purposes and goals described in Education Code § 11502.

Legal Reference:

Education Code

11500-11506 Programs to encourage parent involvement 48985 Notices in languages other than English

51101 Parent rights and responsibilities

52060-52077 Local control and accountability plan

54444.1-54444.2 Parent advisory councils, services to migrant children 56190-56194 Community advisory committee, special education 64001 Single plan for student achievement

LABOR CODE

230.8 Time off to visit child's school CODE OF REGULATIONS, TITLE 5

18275 Child care and development programs, parent involvement and education UNITED STATES CODE, TITLE 20 6311 State plan

6312 Local educational agency plan 6314 Schoolwide programs 6318 Parent and family engagement

6631 Teacher and school leader incentive program, purposes and definitions 7241-7246 Family engagement in education programs

CODE OF FEDERAL REGULATIONS, TITLE 28

35.104 Definitions, auxiliary aids and services

35.160 Communications

Approved: August, 2006

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Butte County Office of Education

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AR 6020

REGULATIONS REGARDING PARENT INVOLVEMENT

Strategies for Title I Schools

To ensure that parents/guardians and family members of students participating in Title I programs are provided with opportunities to be involved in their children's education, the County Office shall:

1. Involve parents/guardians of participating students in the joint development of the Title I local educational agency plan and the process of school review and improvement. The County Superintendent or designee may:
 - a. Establish a County Office -level parent advisory committee and, as applicable, an English learner parent advisory committee to review and comment on the plan in accordance with the review schedule
 - b. Invite input on the plan from other committees and school site councils
 - c. Communicate with parents/guardians through the County Office newsletter, web site, or other methods regarding the plan and the opportunity to provide input
 - d. Provide copies of working drafts of the plan to parents/guardians in an understandable and uniform format and, to the extent practicable, in a language the parents/guardians can understand
 - e. Ensure that there is an opportunity at a public Board meeting for public comment on the plan prior to the Board's approval of the plan or revisions to the plan
 - f. Ensure that school-level policies on parent/guardian and family engagement address the role of school site councils and other parents/guardians as appropriate in the development and review of school plans
2. Provide coordination, technical assistance, and other support necessary to assist Title I schools in planning and implementing effective parent/guardian and family members involvement activities to improve student academic achievement and school performance, which may include meaningful consultation with employers, business leaders, and philanthropic organizations or individuals with expertise in effectively engaging parents/guardians and family members in education. The County Superintendent or designee shall:
 - a. Assign personnel to serve as a liaison to the schools regarding Title I parent/guardian and family engagement issues
 - b. Identify funding and other resources, including community resources and services that may be used to strengthen County Office and school parent/guardian and family engagement programs
 - c. Provide training for the principal or designee of each participating school regarding Title I requirements for parent/guardian and family engagement, leadership strategies, and communication skills to assist in facilitating the planning and implementation of related activities
 - d. With the assistance of parents/guardians, provide information and training to teachers and other staff regarding effective parent/guardian involvement practices and legal requirements
 - e. Provide information to schools about the indicators and assessment tools that will be used to monitor progress
3. To the extent feasible and appropriate, coordinate and integrate Title I parent/guardian and family engagement strategies with parent/guardian and family engagement strategies of other relevant federal, state, and local programs and ensure consistency with federal, state, and local laws
The County Superintendent or designee may:
 - a. Identify overlapping or similar program requirements
 - b. Involve County Office and school site representatives from other programs to assist in identifying specific population needs
 - c. Schedule joint meetings with representatives from related programs and share data and information across programs
 - d. Develop a cohesive, coordinated plan focused on student needs and shared goals
4. Conduct, with meaningful involvement of parents/guardians and family members, an annual evaluation of the content and effectiveness of the parent/guardian and family engagement policy in improving the academic quality of the schools served by Title I, including identification of:

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- a. Barriers to participation in parent/guardian and family member engagement activities, with particular attention to parents/guardians who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background
- b. The needs of parents/guardians and family members, so they can better assist with their children's learning and engage with school personnel and teachers
- c. Strategies to support successful school and family interactions

The County Superintendent or designee may:

- a. Use a variety of methods, such as focus groups, surveys, and workshops, to evaluate the satisfaction of parents/guardians and staff with the quality and frequency of school communications
 - b. Gather and monitor data regarding the number of parents/guardians and family members participating in district activities and the types of activities in which they are engaged
 - c. Implement measures to evaluate the impact of the County Office and school's parent/guardian and family engagement efforts on student achievement
5. Use the findings of the evaluation conducted pursuant to item #4 above to design evidence-based strategies for more effective parent/guardian and family involvement and, if necessary, to revise the parent/guardian and family engagement policy
 6. Involve parents/guardians and family members in activities of schools served by Title I. The County Superintendent or designee may:
 - a. Analyze data from the evaluation to identify parent/guardian and family engagement activities that have been successful and those activities that have had lower participation or less meaningful involvement by parents/guardians
 - b. Analyze parent/guardian and family participation to determine the level of participation by traditionally underrepresented groups
 - c. With the involvement of parents/guardians, recommend and draft proposed policy revisions to submit to the County Superintendent for consideration

In addition, the County Office shall promote the effective involvement of parents/guardians and support a partnership among the school, parents/guardians, and the community to improve student achievement by implementing the actions specified in item #7 of the section "School-Level Policies for Title I Schools" below. (20 USC 6318)

School-Level Policies for Title I Schools

At each school receiving Title I funds, a written policy on parent/guardian and family member involvement shall be developed jointly with and agreed upon by parents/guardians and family members of participating students. Such policy shall describe the means by which the school will:

1. Convene an annual meeting, at a convenient time, to which all parents/guardians of participating students shall be invited and encouraged to attend, in order to inform parents/guardians of their school's participation in Title I and to explain Title I requirements and the right of parents/guardians to be involved;
2. Offer a flexible number of meetings, such as meetings in the morning or evening, for which related transportation, child care, and/or home visits may be provided as such services relate to parent involvement;
3. Involve parents/guardians in an organized, ongoing, and timely way in the planning, review, and improvement of Title I programs, including the planning, review, and improvement of the school's parent/guardian and family member involvement policy and, if applicable, the joint development of the plan for school wide programs.

The school may use an existing process for involving parents/guardians in the joint planning and design of the school's programs provided that the process includes adequate representation of parents/guardians of participating students.

4. Provide the parents/guardians of participating students all of the following:
 - a. Timely information about Title I programs;
 - b. A description and explanation of the school's curriculum, forms of academic assessment used to

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measure student progress, and the proficiency levels students are expected to meet;

- c. If requested by parents/guardians, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions related to their children's education, and, as soon as practicably possible, responses to the suggestions of parents/guardians.
5. If the school wide program plan is not satisfactory to the parents/guardians of participating students, submit any parent/guardian comments when the school makes the plan available to the Butte County Office of Education
6. Jointly develop with the parents/guardians of participating students a school-parent compact that outlines how parents/guardians, the entire school staff, and students will share responsibility for improved student academic achievement and the means by which the school and parents/guardians will build a partnership to help students achieve state standards

This compact shall address:

- a. The school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables participating students to achieve the state's student academic achievement standards
- b. Ways in which parents/guardians will be responsible for supporting their children's learning, such as monitoring attendance, homework completion, and television viewing; volunteering in the classroom; and participating, as appropriate, in decisions related to their children's education and the positive use of extracurricular time
- c. The importance of communication between teachers and parents/guardians on an ongoing basis through, at a minimum:
 - 1) Parent-teacher conferences in elementary schools, at least annually, during which the compact shall be discussed as it relates to the student's achievement
 - 2) Frequent reports to parents/guardians on their children's progress
 - 3) Reasonable access to staff, opportunities to volunteer and participate in their child's classroom, and observation of classroom activities
 - 4) Regular two-way, meaningful communication between family members and school staff, and, to the extent practicable, in a language that family members can understand
7. Promote the effective involvement of parents/guardians and support a partnership among the school, parents/guardians, and the community to improve student achievement through the following actions:
 - a. Assist parents/guardians in understanding such topics as the state academic standards, state and local academic assessments, the requirements of Title I, and how to monitor a child's progress and work with educators to improve the achievement of their children
 - b. Provide parents/guardians with materials and training, such as literacy training and using technology (including education about the harms of copyright piracy), as appropriate, to help them work with their children to improve their children's achievement
 - c. With the assistance of parents/guardians, educate teachers, specialized instructional support personnel, principals and other school leaders, and other staff, in the value and utility of parent/guardian contributions and in how to reach out to, communicate with, and work with parents/guardians as equal partners, implement and coordinate parent/guardian programs, and build ties between parents/guardians and the schools
 - d. To the extent feasible and appropriate, coordinate and integrate parent/guardian involvement programs and activities with other federal, state, and local programs, including public preschool programs, and conduct other activities, such as parent resource centers, that encourage and support parents/guardians in fully participating in their children's education
 - e. Ensure that information related to school and parent/guardian programs, meetings, and other activities is sent to the parents/guardians of participating students in a format and, to the extent practicable, in a language the parents/guardians can understand
 - f. Provide other such reasonable support for parent/guardian involvement activities as parents/guardians may request
8. To the extent practicable, provide full opportunities for the participation of parents/guardians with limited

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English proficiency, parents/guardians with disabilities, and parents/guardians of migrant children, including providing information and school reports in a format and language such parents/guardians can understand

If the school has a parent involvement policy that applies to all parents/guardians, it may amend that policy to meet the above requirements. Each school's parent involvement policy shall be made available to the local community and distributed to parents/guardians of participating students in an understandable and uniform format and, to the extent practicable, provided in a language the parents/guardians can understand.

The school's policy shall be periodically updated to meet the changing needs of parents/guardians and the school.

Strategies for Non-Title I Schools

For each school that does not receive federal Title I funds, the County Superintendent, or designee shall, at a minimum:

1. Engage parents/guardians and family members positively in their children's education by providing assistance and training on topics such as state academic standards and assessments to increase their knowledge and skills to use at home to support their children's academic efforts at school and their children's development as responsible members of society (Education Code 11502, 11504)

The County Superintendent or designee may:

- a. Provide or make referrals to literacy training and/or parent education programs designed to improve the skills of parents/guardians and enhance their ability to support their children's education
- b. Provide information, in parent handbooks and through other appropriate means, regarding academic expectations and resources to assist with the subject matter
- c. Provide parents/guardians with information about students' class assignments and homework assignments
2. Inform parents/guardians that they can directly affect the success of their children's learning, by providing them with techniques and strategies that they may use to improve their children's academic success and to assist their children in learning at home (Education Code 11502, 11504)

The County Superintendent or designee may:

- a. Provide parents/guardians with information regarding ways to create an effective study environment for their children at home and to encourage good study habits
- b. Encourage parents/guardians to monitor their children's school attendance, homework completion, and television viewing
- c. Encourage parents/guardians to volunteer in their child's classroom and to participate in school advisory committees
3. Build consistent and effective two-way communication between the home and school so that parents/guardians and family members may know when and how to assist their children in support of classroom learning activities (Education Code 11502, 11504)

The County Superintendent or designee may:

- a. Ensure that teachers provide frequent reports to parents/guardians on their children's progress and hold parent-teacher conferences at least once per year with parents/guardians of elementary school students
- b. Provide opportunities for parents/guardians to observe classroom activities and to volunteer in their child's classroom
- c. Provide information about parent/guardian and family engagement opportunities through district, school, and/or class newsletters, the school's web site, and other written or electronic communications
- d. To the extent practicable, provide notices and information to parents/guardians in a format and language they can understand
- e. Develop mechanisms to encourage parent/guardian input on school issues
- f. Identify barriers to parent/guardian and family participation in school activities, including

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parents/guardians and family members who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background

- g. Encourage greater parent/guardian participation by adjusting meeting schedules to accommodate parent/guardian needs and, to the extent practicable, by providing translation or interpreter services, transportation, and/or childcare
4. Train teachers, administrators, specialized instructional support personnel, and other staff to communicate effectively with parents/guardians as equal partners (Education Code 11502, 11504)

The County Superintendent or designee may:

- a. Provide staff development to assist staff in strengthening two-way communications with parents/guardians, including parents/guardians who have limited English proficiency or limited literacy
- b. Invite input from parents/guardians regarding the content of staff development activities pertaining to home-school communications
5. Integrate and coordinate parent/guardian and family engagement activities within the LCAP with other activities

The County Superintendent or designee may:

- a. Include parent/guardian and family engagement strategies in school reform or school improvement initiatives
- b. Involve parents/guardians and family members in school planning processes

Approved: February, 2014

Revised: September, 2020

Reviewed: July, 2021

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SP 6111

SCHOOL CALENDAR

For each Butte County Office of Education school, the County Superintendent shall adopt a school calendar that meets the requirements of law as well as the needs of the community, students, and the work year as negotiated with Butte County Office of Education's employee organization(s). As appropriate, the County Superintendent or designee shall ensure that the proposed calendar is aligned with assessment and accountability schedules in order to support Butte County Office of Education's goals for student achievement.

Each school calendar shall show the beginning and ending school dates, legal and local holidays, staff development days, orientation days, minimum days, vacation periods, and other pertinent dates.

Butte County Office of Education shall offer 180 days of instruction per school year, except for any school year in which Butte County Office of Education and employee organization(s) agree to have fewer days of instruction.

Staff development days shall not be counted as instructional days.

Notification of the schedule of minimum days shall be sent to all parents/guardians at the beginning of the school year. If any minimum days are added to the schedule, the County Superintendent or designee shall notify parents/guardians of the affected students as soon as possible and at least one month before the scheduled minimum day.

If a school will be used as a polling place on an election day, the County Superintendent shall determine whether to continue school in session, designate the day for staff training and development, or close the school to students and non-classified staff.

Legal Reference Education Code

[37200-37202](#) School calendar

[37220-37223](#) Holidays

[37252-37254.1](#) Summer school

[37600-37672](#) Continuous school programs: year-round schools, especially [37618](#) School calendar

[37700-37711](#) Four-day week

41420 Apportionment withholding, schools not maintained for 175 days

[41422](#) Schools not maintained for 175 days

42238.02 Local control funding formula

[46200-46206](#) Incentives for longer instructional day and year

[46300](#) Method of computing ADA

[48980](#) Notice at beginning of term

Elections Code

[12283](#) School closures, election days

Approved: July, 2011

Revised: June, 2017; September, 2020

Reviewed: July, 2021

Butte County Office of Education

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AR 6112

REGULATIONS REGARDING SCHOOL DAY

Kindergarten/Transitional Kindergarten

Kindergarten and transitional kindergarten (TK) classes in BCOE schools may be maintained for different lengths of time, either at the same or different school sites. (Education Code 37202)

Except as otherwise permitted by law, the average school day established for kindergarten and TK students shall be at least three hours, including recesses but excluding noon intermissions, but no longer than four hours, excluding recesses.

Legal References:

EDUCATION CODE

[8970-8974](#) Early primary program, including extended-day kindergarten

[37202](#) Equal time in all schools

[37670](#) Year-round schools

[46010](#) Total days of attendance

[46100](#) Length of school day

[46110-46119](#) Kindergarten and elementary schools, day of attendance

[46140-46147](#) Junior high school and high school, day of attendance

[46160-46162](#) Alternative schedule - junior high and high school

[46170](#) Continuation schools, minimum day

[46180](#) Opportunity schools, minimum day

[46190-46192](#) Adult education classes, day of attendance

[46200-46206](#) Minimum instructional time

[48200](#) Compulsory attendance for minimum school day

[48663](#) Community day school, minimum school day

[48800-48802](#) Concurrent enrollment in community college

[51222](#) Physical education, instructional minutes

[51760-51769.5](#) Work experience education

[52325](#) Regional occupational center, minimum day

Approved: June, 2018

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SP 6115

CEREMONIES AND OBSERVANCES

Instruction

The County Superintendent recognizes the importance of having students observe holidays, celebrate events of cultural or historical significance, and acknowledge the contributions of outstanding individuals in society. On days designated by the County Superintendent, staff shall provide students with appropriate commemorative exercises so that they may acquire the knowledge, skills, and principles essential for informed, responsible citizenship in a democratic society.

County Office schools shall be closed on the holidays specified in Education Code 37220 and on any other day designated as a holiday by the County Superintendent. The County Superintendent may revise the date upon which schools close in observance of any holiday except Veterans Day, which shall be celebrated on its actual date. (Education Code 37220)

In addition, the County Superintendent may authorize the display of symbolic flags or banners in support of specific awareness months.

EDUCATION CODE

[37220-37222.20](#) Holidays and commemorative events

[44015.1](#) Week of the School Administrator

[45203](#) Paid holidays, classified employees

[45460](#) Classified School Employee Week

[52720-52730](#) Patriotic exercises and instruction GOVERNMENT CODE

[430-439](#) Display of flags

[3540-3549.3](#) Meeting and negotiating UNITED STATES CODE, TITLE 4

6 Time and occasion for display of flag 7 Position and manner of display of flag UNITED STATES CODE, TITLE 36

[106](#) Constitution Day and Citizenship Day

[106](#) Note Educational program on the U.S. Constitution

Approved: September, 2020

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Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

AR 6115

REGULATIONS REGARDING CEREMONIES AND OBSERVANCES

Holidays

Butte County Office of Education schools shall be closed on the following holidays:

- New Year's Day January 1
- Dr. Martin Luther King Jr. Day-Third Monday in January or the Monday or Friday of the week in which January 15 occurs
- Lincoln Day-The Monday or Friday of the week in which February 12 occurs
- Washington Day-Third Monday in February
- Memorial Day-Last Monday in May
- Juneteenth National Independence Day- June 19
- Independence Day-July 4
- Labor Day-First Monday in September
- Veterans Day-November 11
- Thanksgiving Day-The Thursday in November designated by the President
- Christmas Day-December 25

In addition, schools shall be closed on any day designated by the Governor or President for a holiday, any special or limited holiday on which the Governor provides that the schools shall close, and any other day designated as a holiday by the Governing Board and/or negotiated with employee organizations. (Education Code 37220)

Holidays which fall on a Sunday shall be observed the following Monday. Holidays which fall on a Saturday shall be observed the preceding Friday. If any of the above holidays occurs under federal law on a date different from that indicated above, the County Superintendent may close the schools on the date recognized by federal law instead of on the date above. (Education Code 37220)

Commemorative Exercises

Butte County Office of Education schools shall hold exercises in accordance with law to commemorate the following special days:

- U.S. Constitution and Citizenship Day On or near September 17
- Dr. Martin Luther King, Jr. Day The Friday before the day schools are closed for this holiday
- Abraham Lincoln's Birthday The school day before the day schools are closed for this holiday
- Susan B. Anthony Day February 15
- George Washington's Birthday The Friday preceding the third Monday in February
- Black American Day March 5
- Conservation, Bird, and Arbor Day March 7
- Classified Employee Week Third week in May

Commemorative exercises shall be integrated into the regular educational program to the extent feasible.

Patriotic Exercises

Each school shall conduct patriotic exercises daily. These patriotic exercises may consist of the reciting of the Pledge of Allegiance or instruction that promotes understanding of the concepts of "pledge," "allegiance," "republic," and "indivisible" and understanding of the importance of the pledge as an expression of patriotism, love of country, and pride in the United States.

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

- At elementary schools, such exercises shall be conducted at the beginning of each school day.
- At secondary schools, such exercises shall be conducted during the homeroom period.
- Individuals may choose not to participate in the flag salute for personal reasons.

Display of Flag

The flag of the United States and the flag of California shall be displayed during business hours at the entrance or on the grounds of every Butte County Office of Education school and on or near the Butte County Office of Education. At all times, the national flag shall be placed in the position of first honor.

When displayed on a building or on a flagstaff in the open, the national flag shall be displayed only from sunrise to sunset unless properly illuminated during the hours of darkness. The flag should not be displayed during inclement weather unless an all-weather flag is used.

The national flag shall fly at half-staff on the following occasions:

1. For 30 days from the death of the President or a former President
2. For 10 days from the death of the Vice President, the Chief Justice or a retired Chief Justice, or the Speaker of the House of Representatives
3. From the day of death until interment of an Associate Justice of the Supreme Court, a secretary of an executive or military department, former Vice President, or the Governor of a state
4. On the day of death and the following day for a Member of Congress
5. On Memorial Day, until noon only
6. On Peace Officers Memorial Day (May 15), unless it falls on Armed Forces Day
7. Upon a proclamation from the Governor in the event of the death of a present or former official of the state government or a member of the Armed Forces from the state who has died while serving on active duty
8. On other occasions by order of the President and in accordance with presidential instructions or orders

Approved: November, 2010

Revised: September, 2020

Reviewed: July, 2021

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6116

CLASSROOM INTERRUPTIONS

The County Superintendent recognizes that class time should be dedicated to student learning. The County Superintendent believes that classroom interruptions which are not related to the educational program shall be kept at an absolute minimum. Every attempt shall be made to avoid staff or student activities that conflict with the instructional period.

School visitors and observers should make appointments in advance, with the exception of parents visiting their own children. Parents are encouraged to also notify schools of intended visits. Classes operated at school sites will follow the school site visitation sign-in procedures. Program administrators will notify parents in writing annually of the program visitation policy and procedures.

Classroom maintenance operations involving noise or classroom disruption will be performed before or after school hours whenever possible.

Legal Reference Education Code

[32211](#) Restricting access to school grounds based on threatened disruption or interference

[32212](#) Classroom interruptions

[44810-44811](#) Disruptions; misdemeanor

[48901.5](#) Authority to regulate use of electronic devices

[51512](#) Prohibited use of electronic listening or recording device

Approved: July, 2004

Revised: June, 2017; September, 2020

Reviewed: July, 2021

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6120

RESPONSE TO INSTRUCTION AND INTERVENTION

The County Superintendent desires to provide a high-quality, data-driven educational program to meet the learning and behavioral needs of each student and to help reduce disparities in achievement among subgroups of students. Students who are not making academic progress pursuant to Butte County Office of Education measures of performance shall receive intensive instruction and intervention supports designed to meet their individual learning needs.

The County Superintendent or designee shall convene a team of certificated personnel, other staff, and parents/guardians, as appropriate, to assist in designing the Butte County Office of Education's system of supports based on an examination of indicators of Butte County Office of Education and school wide student achievement.

Butte County Office of Education's system of supports shall include research-base, standards-based, culturally relevant instruction for students in the general education program; universal screening and continuous classroom monitoring to determine students' needs and to identify those students who are not making progress; criteria for determining the types and levels of interventions to be provided; and subsequent monitoring of student progress to determine the effectiveness of the intervention and to make changes as needed.

When data from the system of supports indicate that a student may have a specific learning disability, the student may be referred for evaluation for special education or other services.

The Butte County Office of Education shall provide staff development to teacher regarding the use of assessments, data analysis, and research-based instructional practices and strategies. In addition, Butte County Office of Education system of supports shall emphasize a collaborative approach of professional learning communities among teachers within and across grade spans.

Legal Reference Education Code

56329 Assessment, written notice to parent

56333-56338 Eligibility for specific learning disabilities 56500-56509 Procedural safeguards United States Code, Title 20 1400-1482 Individuals with Disabilities Education Act, especially: 1416 Monitoring, technical assistance, and enforcement

Code of Federal Regulations, Title 34

300.307 Specific learning disabilities

300.309 Determining the existence of specific learning disabilities

300.311 Specific documentation for eligibility determination

Approved: June, 2017

Revised:

Reviewed: July, 2021

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6141

CURRICULUM DEVELOPMENT AND EVALUATION

The County Superintendent supports the continuing development of courses of study in programs under its jurisdiction. Such development should reflect the changing needs of the student population served and the changing needs of society, including economic and technical advances.

Standards-based curriculum for Butte County Office of Education educational programs will be developed and implemented as appropriate. State mandates and standards will be incorporated into courses of study as necessary and appropriate.

Legal Reference: Education Code

Equal opportunity

35160 Authority of governing boards

35160.1 Broad authority of school districts 51050-51057 Enforcement of courses of study 51200-51263 Required courses of study 51500-51540 Prohibited instruction

51720-51879.9 Authorized classes and courses of instruction 60000-60424 Instructional materials Government Code

3543.2 Scope of representation Code of Regulations, Title 5 4000-4091 School improvement programs

4400-4426 Improvement of elementary and secondary education

Approved: July, 2008

Revised: June, 2017; September, 2020

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Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6141.2

RECOGNITION OF RELIGIOUS BELIEFS AND CUSTOMS

The County Superintendent recognizes that instructional programs may include references to religion and may use religious literature, art, music, or symbols to illustrate the subject matter being taught. Such instruction should be designed to broaden the students' understanding of social and cultural history and their tolerance for the multiple ways of life practiced by the peoples of the world. Any instruction about religious holidays shall be carefully tied to these educational objectives.

Factual and objective teaching about religion must be distinguished from religious indoctrination, which is clearly forbidden in public schools. The schools may teach about religion from a historical, cultural, sociological, or other educational perspective, but must not advance, nor inhibit religion, nor favor the beliefs and customs of any particular religion or sect over any others in such teaching.

Staff shall be highly sensitive to its obligation not to interfere with the philosophical/religious development of each student in whatever tradition the student embraces. School-sponsored programs shall not be, nor have the effect of being, religiously oriented or a religious celebration. Instruction which is contrary to a student's religious beliefs and teachings may be optional for that student, in accordance with the Education Code.

Music, art, literature, or drama programs having religious themes are permitted as part of the curriculum for school-sponsored activities and programs if presented in an objective manner and as a traditional part of the cultural and religious heritage. The use of religious symbols that are part of a religious holiday is permitted as a teaching aid or resource provided that such symbols are displayed as an example of cultural and religious heritage of the holiday and are temporary in nature.

The following options will be available to students whose religious beliefs are in conflict with the subject matter being taught:

1. The student will be excused from attending the class while that topic is under study with no penalty of any kind;
2. The students will attend the class but no examination about the topic will be required of the student. No penalty for not taking the examination will be assessed;
3. The student will attend the class and may be tested about the topic as expected of every other student.

Legal Reference: Education Code 38130-38138 Civic Center Act

46014 Absences for religious purposes

51511 Religious matters properly included in courses of study

51938 Right of parent/guardian to excuse from sexual health instruction United States Code, Title 20

[4071-4074](#) Equal Access Act

[6061](#) School prayer

[7904](#) School prayer

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Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6142.1

SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION

The County Superintendent desires to provide a well-planned, integrated sequence of medically accurate and inclusive instruction on comprehensive sexual health and human immunodeficiency virus (HIV) prevention. School programs shall address the goals of the California Healthy Youth Act pursuant to Education Code 51930-51939, including providing students with the knowledge and skills necessary to protect them from risks presented by sexually transmitted infections, unintended pregnancy, sexual harassment, sexual assault, sexual abuse, and human trafficking and to have healthy, positive, and safe relationships and behaviors. School programs shall also promote students' understanding of sexuality as a normal part of human development and their development of healthy attitudes and behaviors concerning adolescent growth and development, body image, gender, gender identity, gender expression, sexual orientation, relationships, marriage, and family.

Comprehensive sexual health education and HIV prevention education shall be offered to all students in grades 7-12 at least once in junior high or middle school and at least once in high school.

For schools with a health requirement for graduation, comprehensive sexual health education program shall include information on the affirmative consent standard. Affirmative consent is defined as affirmative, conscious, and voluntary agreement to engage in sexual activity. Teachers delivering such instruction shall consult information related to sexual harassment and violence in the state health curriculum framework.

The County Superintendent or designee shall identify appropriate methods for informing the school community about subjects related to the County Office's comprehensive sexual health and HIV prevention education. The County Superintendent or designee shall use such identified methods to inform parents/guardians of students in grades 6-12 about human trafficking prevention resources, as required pursuant to Education Code 49381.

Parent/Guardian Consent

School programs shall respect the rights of parents/guardians to supervise their children's education on these subjects and to impart values regarding human sexuality to their children. At the beginning of each school year or at the time of a student's enrollment, parents/guardians shall be notified, in the manner specified in the accompanying administrative regulation, that they may request in writing that their child be excused from participating in comprehensive sexual health and HIV prevention education. Students so excused by their parents/guardians shall be given an alternative educational activity.

A student shall not be subject to disciplinary action, academic penalty, or other sanction if the student's parent/guardian declines to permit the student to receive the instruction.

Legal Reference:

Education Code

20 Prohibition of discrimination

33544 Inclusion of sexual harassment and violence in health curriculum framework 48980 Notice at beginning of term

49381 Human trafficking prevention resources

51202 Instruction in personal and public health and safety

51210.8 Health education curriculum

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SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

51225.36 Instruction in sexual harassment and violence; districts that require health education for graduation

51240 Excuse from instruction due to religious beliefs

51513 Test, questionnaire, survey, or examination containing questions about beliefs or practices

51930-51939 California Healthy Youth Act

51950 Abuse, sexual abuse, and human trafficking prevention education 67386 Student safety; affirmative consent standard

Health and Safety Code

1255.7 Parents surrendering physical custody of a baby Penal Code

243.4 Sexual battery

261.5 Unlawful sexual intercourse

Parents voluntarily surrendering custody of a baby United States Code, Title 20

1232h Protection of student rights

7906 Sex education requirements and prohibited use of funds

Approved: June 2017

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Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

AR 6142.1

REGULATIONS REGARDING SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION

Definitions

Comprehensive sexual health education means education regarding human development and sexuality, including education on pregnancy, contraception, and sexually transmitted infections.

HIV prevention education means instruction on the nature of human immunodeficiency virus (HIV) and acquired immune deficiency syndrome (AIDS), methods of transmission, strategies to reduce the risk of HIV infection, and social and public health issues related to HIV and AIDS.

Age appropriate refers to topics, messages, and teaching methods suitable to particular ages or age groups of children and adolescents, based on developing cognitive, emotional, and behavioral capacity typical for the age or age group.

Medically accurate means verified or supported by research conducted in compliance with scientific methods and published in peer-reviewed journals, where appropriate, and recognized as accurate and objective by professional organizations and agencies with expertise in the relevant field, such as the federal Centers for Disease Control and Prevention, the American Public Health Association, the American Academy of Pediatrics, and the American College of Obstetricians and Gynecologists.

General Criteria for Instruction and Materials

The County Superintendent or designee shall ensure that the comprehensive sexual health and HIV prevention instruction and materials:

1. Are age appropriate
2. Are factually and medically accurate and objective
3. Align with and support the following purposes as specified in Education Code [51930](#):
 - a. To provide students with the knowledge and skills necessary to protect their sexual and reproductive health from HIV and other sexually transmitted infections and from unintended pregnancy
 - b. To provide students with the knowledge and skills they need to develop healthy attitudes concerning adolescent growth and development, body image, gender, sexual orientation, relationships, marriage, and family
 - c. To promote understanding of sexuality as a normal part of human development
 - d. To ensure students receive integrated, comprehensive, accurate, and unbiased sexual health and HIV prevention instruction and provide educators with clear tools and guidance to accomplish that end
 - e. To provide students with the knowledge and skills necessary to have healthy, positive, and safe relationships and behaviors
4. Are appropriate for use with students of all races, genders, sexual orientations, and ethnic and cultural backgrounds; students with disabilities; and English learners
5. Are available on an equal basis to a student who is an English learner, consistent with the existing curriculum and alternative options for an English learner as otherwise provided in the Education Code
6. Are accessible to students with disabilities, including, but not limited to, the provision of a modified curriculum, materials, and instruction in alternative formats and auxiliary aids
7. Do not reflect or promote bias against any person in protected categories of discrimination pursuant to Education Code [220](#)
8. Affirmatively recognize that people have different sexual orientations and, when discussing or providing examples of relationships and couples, shall be inclusive of same-sex relationships
9. Teach students about gender, gender expression, and gender identity, and explore the harm of negative gender stereotypes
10. Encourage students to communicate with their parents/guardians and other trusted adults about human

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

sexuality and provide the knowledge and skills necessary to do so

11. Teach the value of and prepare students to have and maintain committed relationships such as marriage
12. Provide students with knowledge and skills they need to form healthy relationships that are based on mutual respect and affection and are free from violence, coercion, and intimidation
13. Provide students with knowledge and skills for making and implementing healthy decisions about sexuality, including negotiation and refusal skills to assist students in overcoming peer pressure and using effective decision-making skills to avoid high-risk activities
14. Do not teach or promote religious doctrine

Components of Sexual Health and HIV Prevention Education

Butte County Office of Education's comprehensive sexual health education and HIV prevention education for students in grades 7-12, in addition to complying with the criteria listed above in the section "General Criteria for Instruction and Materials," shall include all of the following:

1. Information on the nature of HIV and other sexually transmitted infections and their effects on the human body
2. Information on the manner in which HIV and other sexually transmitted infections are and are not transmitted, including information on the relative risk of infection according to specific behaviors, including sexual behaviors and injection drug use
3. Information that abstinence from sexual activity and injection drug use is the only certain way to prevent HIV and other sexually transmitted infections, and that abstinence from sexual intercourse is the only certain way to prevent unintended pregnancy

The instruction shall provide information about the value of delaying sexual activity while also providing medically accurate information on other methods of preventing HIV and other sexually transmitted infections and pregnancy

4. Information about the effectiveness and safety of all federal Food and Drug Administration (FDA) approved methods that prevent or reduce the risk of contracting HIV and other sexually transmitted infections, including use of antiretroviral medication, consistent with the Centers for Disease Control and Prevention
5. Information about the effectiveness and safety of reducing the risk of HIV transmission as a result of injection drug use by decreasing needle use and needle sharing
6. Information about the treatment of HIV and other sexually transmitted infections, including how antiretroviral therapy can dramatically prolong the lives of many people living with HIV and reduce the likelihood of transmitting HIV to others
7. Discussion about social views on HIV and AIDS, including addressing unfounded stereotypes and myths regarding HIV and AIDS and people living with HIV

This instruction shall emphasize that successfully treated HIV-positive individuals have a normal life expectancy, all people are at some risk of contracting HIV, and that testing is the only way to know if one is HIV-positive

8. Information about local resources, how to access local resources, and students' legal rights to access local resources for sexual and reproductive health care such as testing and medical care for HIV and other sexually transmitted infections and pregnancy prevention and care, as well as local resources for assistance with sexual assault and intimate partner violence

9. Information about the effectiveness and safety of FDA-approved contraceptive methods in preventing pregnancy, including, but not limited to, emergency contraception. Instruction on pregnancy shall include an objective discussion of all legally available pregnancy outcomes, including, but not limited to:

- a. Parenting, adoption, and abortion
- b. Information on the law on surrendering physical custody of a minor child 72 hours of age or younger, pursuant to Health and Safety Code [1255.7](#) and Penal Code [271.5](#)
- c. The importance of prenatal care

10. Information about sexual harassment, sexual assault, sexual abuse, and human trafficking, including:

- a. Information on the prevalence and nature of human trafficking, strategies to reduce the risk of human trafficking, techniques to set healthy boundaries, and how to safely seek assistance if there is a suspicion of trafficking

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

b. Information on how social media and mobile device applications are used for human trafficking

11. Information about adolescent relationship abuse and intimate partner violence, including the early warning signs of each

Comprehensive sexual health education and HIV prevention education shall include instruction regarding the potential risks and consequences of creating and sharing suggestive or sexually explicit materials through cell phones, social networking web sites, computer networks, or other digital media.

Professional Development

The comprehensive sexual health education and HIV prevention education shall be provided by instructors trained in the appropriate courses who are knowledgeable of the most recent medically accurate research on human sexuality, healthy relationships, pregnancy, and HIV and other sexually transmitted infections.

The County Superintendent or designee shall cooperatively plan and conduct in-service training for all personnel who provide HIV prevention education, through regional planning, joint powers agreements, or contract services.

In developing and providing in-service training, the County Superintendent or designee shall cooperate and collaborate with the teachers who provide HIV prevention education and with the California Department of Education.

The County Office shall periodically conduct in-service training to enable personnel to learn new developments in the scientific understanding of HIV. In-service training shall be voluntary for personnel who have demonstrated expertise or received in-service training from the California Department of Education or Centers for Disease Control and Prevention.

The County Superintendent or designee may expand HIV in-service training to cover the topic of comprehensive sexual health education for personnel teaching comprehensive sexual health education to learn new developments in the scientific understanding of sexual health.

The County Superintendent or designee shall periodically provide continuing education that enables personnel to learn about new developments in the understanding of abuse, including sexual abuse, and human trafficking and current prevention efforts and methods. Such education may include early identification of abuse, including sexual abuse, and human trafficking of students and minors.

Use of Consultants or Guest Speakers

The County Superintendent or designee may contract with outside consultants or guest speakers, including those who have developed multilingual curricula or curricula accessible to persons with disabilities, to deliver comprehensive sexual health and HIV prevention education or to provide training for personnel. All outside consultants and guest speakers shall have expertise in comprehensive sexual health education and HIV prevention education and knowledge of the most recent medically accurate research on the relevant topic(s) covered in the instruction. The County Superintendent or designee shall ensure that any instruction provided by an outside speaker or consultant complies with Butte County Office of Education County Superintendent's Policy and Administrative Regulations, and Education Code [51930-51939](#).

Parent/Guardian Notification

At the beginning of each school year or at the time of a student's enrollment, the County Superintendent or designee shall notify parents/guardians about instruction in comprehensive sexual health education and HIV prevention education, as well as research on student health behaviors and risks, planned for the coming year. The notice shall advise parents/guardians:

1. That written and audiovisual educational materials to be used in comprehensive sexual health and HIV prevention education are available for inspection
2. That parents/guardians have a right to excuse their child from comprehensive sexual health or HIV prevention education, or research on student health behaviors and risks, provided they submit their request in writing to

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

the Principal

3. That parents/guardians have a right to request a copy of Education Code [51930-51939](#)
4. Whether the comprehensive sexual health or HIV prevention education will be taught by school personnel or outside consultants

If Butte County Office of Education chooses to use outside consultants or to hold an assembly with guest speakers to deliver comprehensive sexual health or HIV prevention education, the notification shall include:

- a. The date of the instruction
- b. The name of the organization or affiliation of each guest speaker
- c. Information stating the right of the parent/guardian to request a copy of Education Code [51933](#), [51934](#), and [51938](#)

If the arrangements for instruction by outside consultants or guest speakers are made after the beginning of the school year, the County Superintendent or designee shall notify parents/guardians by mail or another commonly used method of notification no fewer than 14 days before the instruction is given.

Non-Applicability to Certain Instruction or Materials

The requirements of Education Code [51930-51939](#) pertaining to instructional content, teacher training, and parental notification and consent shall not apply to the following:

1. A description or illustration of human reproductive organs that may appear in a textbook, adopted pursuant to law, if the textbook does not include other elements of comprehensive sexual health education or HIV prevention education
2. Instruction or materials that discuss gender, gender identity, gender expression, sexual orientation, discrimination, harassment, bullying, intimidation, relationships, or family and do not discuss human reproductive organs and their functions

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Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6142.7

PHYSICAL EDUCATION AND ACTIVITY

The County Superintendent recognizes the positive benefits of physical activity on student health and academic achievement. Butte County Office of Education shall provide all students the opportunity to be physically active on a regular basis through high-quality physical education instruction and may provide additional opportunities for physical activity throughout the school day. The physical education and activity programs shall support the student wellness program and encourage students' lifelong fitness.

Physical education classes shall be conducted in the coeducational, inclusive manner prescribed by law. The Butte County Office of Education shall provide instruction in physical education that provides equal access and equal opportunities for participation for all students in grades 1-12 regardless of gender, gender expression, sexual orientation, and mental or physical disability.

The physical education program shall provide a developmentally appropriate sequence of instruction aligned with the state's model content standards and curriculum framework.

The district's physical education program shall engage students in age-appropriate moderate to vigorous physical activity, as defined in the accompanying administrative regulation, including aerobic, muscle-strengthening, and bone-strengthening activities. The Superintendent or designee shall develop strategies to monitor the amount of moderate to vigorous physical activity that takes place in the physical education instructional program.

The overall course of study for grades 9-12 shall include the effects of physical activity upon dynamic health, the mechanics of body movement, aquatics, gymnastics and tumbling, individual and dual sports, rhythms and dance, team sports, and combatives.

The County Superintendent shall approve the courses in grades 9-12 for which physical education credit may be granted.

The physical education program shall engage students in moderate to vigorous physical activity, for at least 50 percent of class or session time. The County Superintendent or designee shall develop strategies to monitor the amount of moderate to vigorous physical activity that takes place in the physical education instructional program.

Students with disabilities shall be provided instruction in physical education in accordance with their individualized education program or Section 504 accommodation plan.

During air pollution episodes, extreme weather, or other inclement conditions, staff shall make appropriate adjustments to the program or shall seek alternative indoor space to enable students to participate in active physical education.

Additional Opportunities for Physical Activity

The County Superintendent or designee shall develop strategies to supplement physical education instruction with additional opportunities for students to be physically active before, during, and after the school day.

Staffing

Physical education instruction shall be delivered by appropriately credentialed teachers who may be assisted by instructional aides, paraprofessionals, and/or volunteers.

Butte County Office of Education shall provide physical education teachers with continuing professional development, including classroom management and instructional strategies designed to keep students engaged and active and to enhance the quality of physical education instruction and assessment.

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SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

Physical Fitness Testing

The County Superintendent or designee shall annually administer the physical fitness test designated by the State Board of Education to students in grades 5, 7, and 9.

Temporary Exemptions

The County Superintendent or designee may grant a temporary exemption from physical education under either of the following conditions:

The student is ill or injured and a modified program to meet their needs cannot be provided.

The student is enrolled for one-half time or less.

Two-Year Exemptions

With the student's consent, the County Superintendent or designee may exempt a student from physical education courses for any two years during grades 10-12 provided that the student has satisfactorily met at least five of the six standards of the state's physical fitness test in grade 9.

Upon request by students and/or their parents/guardians, the County Superintendent or designee may administer the physical fitness test to students in grades 10-12 who need to pass the test in order to qualify for a two-year exemption from physical education courses.

Students in grades 10-12 who have been granted a two-year exemption shall be offered a variety of elective physical education courses of not less than 400 minutes each 10 school days.

Such students shall not be permitted to attend fewer total hours of courses and classes than they would have attended if enrolled in a physical education course.

Permanent Exemptions

The County Superintendent or designee may grant a permanent exemption from physical education to an individual student under any of the following conditions:

1. The student is age 16 years or older and has been enrolled in grade 10 for one or more academic years. However, such a student shall not be permitted to attend fewer total hours of courses and classes than the student would have attended if enrolled in a physical education course.
2. The student is enrolled as a postgraduate student.
3. The student is enrolled in a juvenile home, ranch, camp, or forestry camp school with scheduled recreation and exercise.

Other Exemptions

The County Superintendent or designee may grant an exemption from physical education under the following special circumstances:

1. The student in grades 10-12 is excused for up to 24 clock hours in order to participate in automobile driver training.
2. The student in grades 10-12 attends a regional occupational center or program and attendance in physical education courses results in hardship because of the travel time involved.
3. The student is in high school and is engaged in a regular school-sponsored interscholastic athletic program carried on wholly or partially after regular school hours.

Students who have been granted a permanent exemption shall be offered a variety of elective physical education courses of not less than 400 minutes each 10 school days.

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SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

Legal Reference:

Education Code

220 Prohibition of discrimination
221.5 Sex equity in education
33126 School accountability report card
33350-33354 CDE responsibilities re: physical education
35256 School accountability report card
44250-44277 Credential types
49066 Grades; physical education class 51210 Course of study, grades 1-6
51220 Course of study, grades 7-12
51222 Physical education
51223 Physical education, elementary schools
51241 Temporary, two-year or permanent exemption from physical education
51242 Exemption from physical education for athletic program participants
52316 Excuse from attending physical education classes; regional occupational center/program
60800 Physical performance test
Code of Regulations, Title 5
1040-1044 Physical performance test
1047-1048 Testing variations and accommodations
3051.5 Adapted physical education for individuals with exceptional needs 4600-4670 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
10060 Criteria for high school physical education programs
80020 Additional assignment authorizations for specific credentials
80037 Designated subjects teaching credential; special teaching authorization in physical education
80046.1 Added authorization to teach adapted physical education
United States Code, Title 29
794 Rehabilitation Act of 1973, Section 504 United States Code, Title 42
1758b Local wellness policy
Code of Federal Regulations, Title 34
Nondiscrimination on the basis of sex; comparable facilities
Nondiscrimination on the basis of sex; access to classes and schools
Assistance to states for the education of children with disabilities; physical education

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SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

AR 6142.7

REGULATIONS REGARDING PHYSICAL EDUCATION AND ACTIVITY

Physical education is a sequential educational program that teaches students to understand and participate in regular physical activity for developing and maintaining physical fitness throughout their lifetimes, understand and improve their motor skills, enjoy using their skills and knowledge to establish a healthy lifestyle, and understand how their bodies work.

Physical activity is bodily movement that is produced by the contraction of skeletal muscle and that substantially increases energy expenditure, including exercise, sport, dance, and other movement forms. Moderate physical activity is any activity which generally requires sustained, rhythmic movements and refers to a level of effort a healthy individual might expend while, for example, walking briskly, dancing, swimming, or bicycling on level terrain. A person should feel some exertion but should be able to carry on a conversation comfortably during the activity.

Vigorous physical activity is any activity which generally requires sustained, rhythmic movements and refers to a level of effort a healthy individual might expend while, for example, jogging, participating in high-impact aerobic dancing, swimming continuous laps, or bicycling uphill. Vigorous physical activity may be intense enough to result in a significant increase in heart and respiration rate.

Instructional Time

Instruction in physical education shall be provided for at least the following minimum period of time:

1. For students in grades 1-6, 200 minutes each 10 school days, exclusive of recess and the lunch period
2. For students in grades 7-8 attending an elementary school, 200 minutes each 10 school days, exclusive of recess and the lunch period
3. For students in grades 7-8 attending a middle school or junior high school, 400 minutes each 10 school days
4. For students in grades 9-12, 400 minutes each 10 school days

If the instructional minute requirement cannot be met during any 10-day period due to inclement weather, a school assembly, field trip, student assessment, or other circumstance, the school shall make up those minutes on another day in order to satisfy the instructional minute requirement.

Any complaint alleging non-compliance with the instructional minute requirement for elementary schools may be filed in accordance with Butte County Office of Education's Uniform Complaint Procedures [AR1312.3]. A complaint not satisfied with Butte County Office of Education's decision may appeal the decision to the California Department of Education. If Butte County Office of Education or the California Department of Education finds merit in a complaint, Butte County Office of Education shall provide a remedy to all affected students and parents/guardians.

Physical Fitness Testing

During the annual assessment window between the months of February through May, students in grades, 5,7, and 9 shall be administered the physical fitness test designated by the State Board of Education.

The County Superintendent or designee may provide a make-up date for students who are unable to take the test based on absence or temporary physical restriction or limitations, such as students recovering from illness or injury.

Testing Variations

All students may be administered the physical fitness test with the following test variations:

1. Extra time within a testing day
2. Test directions that are simplified or clarified

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All students may have the following test variations if they are regularly used in the classroom:

1. Audio amplification equipment
2. Separate testing for individual students provided that they are directly supervised by the test examiner
3. Manually Coded English or American Sign Language to present directions for test administration

Students with a physical disability and students who are physically unable to take all of the test shall undergo as much of the test as their physical condition will permit.

Students with disabilities may be provided the following accommodations if specified in the individualized education program [IEP] or Section 504 Plan:

1. Administration of the test at the most beneficial time of day to the student after consultation with the test coordinator
2. Administration of the test by a test examiner to the student at home or in the hospital
3. Any other accommodation specified in the student's individualized education program or Section 504 Plan for the physical fitness test

Identified English learners may be allowed the following additional test variations if regularly used in the classroom:

1. Separate testing with other English learners, provided that they are directly supervised by the test examiner
2. Test directions translated into their primary language, and the opportunity to ask clarifying questions about the test directions in their primary language

Approved: June, 2017

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Reviewed: July, 2021

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6142.91

READING/LANGUAGE ARTS INSTRUCTION

The County Superintendent recognizes that reading and other language arts constitute the basic foundation for learning in other areas of study. The County Superintendent desires to offer a comprehensive, balanced reading/language arts program that ensures all students have the skills necessary to read fluently and for meaning and develops students' appreciation for literature. The program shall integrate reading and oral and written language arts activities in order to build effective communication skills.

For each grade level, Butte County Office of Education shall adopt academic standards that meet or exceed Common Core State Standards in the following strands:

1. Reading: Foundational skills, text complexity and analysis, and the growth of comprehension
2. Writing: Text types, responding to reading, production and distribution of writings, and research
3. Speaking and listening: Oral language development, comprehension, flexible communication, and collaboration
4. Language: Conventions, effective use, knowledge of language, and vocabulary

The County Superintendent or designee shall ensure that Butte County Office of Education's reading/language arts program offers sufficient access to standards-aligned textbooks and other instructional materials. The program shall provide instructional materials of varying levels of difficulty, including fiction and non-fiction works, so that students are continually reading at an appropriate level. In addition, technology should be available to support all areas of literacy.

Teachers are expected to use a variety of instructional strategies to accommodate the needs of beginning readers and the varying abilities of more advanced readers. The program shall provide ongoing diagnosis of students' skills and, as needed, may provide supplementary instruction during the school day and/or outside the regular school session to assist students who are experiencing difficulty learning to read.

The County Superintendent or designee shall make available professional development opportunities that are designed to provide instructional staff with knowledge about how students develop language skills, the ability to analyze students' literacy levels, and mastery of a variety of instructional strategies and materials.

Butte County Office of Education assigned staff shall provide the County Superintendent or designee with data from state and Butte County Office of Education's schools reading assessments and program evaluations to enable the County Superintendent or designee to monitor program effectiveness.

Legal Reference Education Code

41515-41508 Pupil Retention Block Grant

41530-41532 Professional Development Block Grant

44735 Teaching as a Priority Block Grant

44755-44757.5 Teacher Reading Instruction Development Program, K-3

51210 Areas of study, grades 1-6

51220 Areas of study, grades 7-12

60119 Sufficiency of textbooks and instructional materials

60200.4 Fundamental skills

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

60207 Curriculum frameworks

60350-60352 Core reading program instructional materials

60605 State-adopted content and performance standards in core curricular areas

60605.8 Common Core standards 99220-99221 California Reading Professional Development Institutes

99230-99242 Mathematics and Reading Professional Development Program [AB466 trainings]

Code of Regulations, Title 5

11980-11985 Mathematics and Reading Professional Development Program [AB466 trainings]

11991-11991.2 Reading First achievement index

United States Code, Title 20

6381-6381k Even Start Family Literacy Program 6383 Improving literacy through school libraries

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Revised:

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Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6142.92

MATHEMATICS INSTRUCTION

The County Superintendent desires to offer a rigorous mathematics program that progressively develops the knowledge and skills students will need to succeed in college and career. The Butte County Office of Education's mathematics program shall be designed to teach mathematical concepts in the context of real-world situations and to help students gain a strong conceptual understanding, a high degree of procedural skill and fluency, and ability to apply mathematics to solve problems.

For each grade level, the County Superintendent or designee shall adopt academic standards for mathematics that meet or exceed the Common Core State Standards. The County Superintendent or designee shall develop or select curricula that are aligned with these standards and the state curriculum framework.

The Butte County Office of Education's mathematics program shall address the following standards for mathematical practices which are the basis for mathematics instruction and learning:

1. Overarching habits of mind of a productive mathematical thinker: Making sense of problems and persevering in solving them: attending to precision
2. Reasoning and explaining: Reasoning abstractly and quantitatively; construction viable arguments and critiquing the reasoning of others
3. Modeling and using tools: Modeling with mathematics; using appropriate tools strategically
4. Seeing structure and generalizing: Looking for and making use of structure; looking for and expressing regularity in repeated reasoning

In addition, the program shall be aligned with grade-level standards for mathematics content.

For grades K-8, content shall address, at appropriate grade levels, counting and cardinality, operations and algebraic thinking, number and operations in base ten, fractions, measurement and data, geometry, ratios and proportional relationships, functions, expression and equations, the number system, and statistics and probability. Students shall learn the concepts and skills that prepare them for the rigor of higher mathematics.

For higher mathematics Butte County Office of Education shall offer a pathway of courses through which students shall be taught concepts that address number and quantity, algebra, functions, modeling, geometry, and statistics and probability.

The County Superintendent or designee shall ensure that students are appropriately placed in mathematics courses and are not required to repeat a course that they have successfully complete in an earlier grade level. Placement decisions shall be based on consistent protocols and multiple academic measures.

The County Superintendent or designee shall ensure that certificated staff have opportunities to participate in professional development activities designed to increase their knowledge and skills in effective mathematics teaching practices.

The County Superintendent or designee shall ensure that students have access to sufficient instructional materials, including manipulatives and technology, to support a balanced, standards-aligned mathematics program.

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Butte County Office of Education assigned staff shall provide the County Superintendent or designee with data from state and Butte County Office of Education's schools reading assessments and program evaluations to enable the County Superintendent or designee to monitor program effectiveness.

Legal Reference

Education Code 51210 Areas of study, grades 1-6

51220 Areas of study, grades 7-12

51224.5 Algebra in course of study for grades 7-12

51224.7 California Mathematics Placement Act of 2015

51225.3 High school graduation requirements

51284 Financial literacy

60605 State-adopted content and performance standards in core curricular areas

60605.8 Common Core standards

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Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6143

COURSES OF STUDY

Instruction

The County Superintendent recognizes that a well-aligned sequence of courses fosters academic progress and provides for the best possible use of instructional time. Butte County Office of Education's course of study shall provide students with opportunities to attain the skills, knowledge, and abilities they need to be successful in school, college, and the workplace.

The County Superintendent or designee shall establish processes for ensuring the articulation of courses across grade levels within Butte County Office of Education. As necessary, County Superintendent or designee shall also work with representatives of appropriate area districts and postsecondary institutions to ensure articulation of courses with other institutions to which Butte County Office of Education students may matriculate. The sequence of courses shall be designed to ensure that each course provides adequate preparation for the next course in the sequence, avoids significant duplication of content, and allows for reinforcement and progression in the subject matter.

Elementary Grades

The County Superintendent shall adopt a course of study for elementary grades that sufficiently prepares students for the secondary course of study.

Secondary Grades

Butte County Office of Education shall offer all otherwise qualified students in grades 7-12 a course of study that prepares them, upon graduation from high school, to meet the requirements and prerequisites for admission to California public colleges and universities and to attain entry-level employment skills in business or industry.

In addition, the course of study for students in grades 9-12 shall include instruction in skills and knowledge for adult life, career technical training, and a timely opportunity for all otherwise qualified students to enroll, within four years before graduation, in each course necessary to fulfill the requirements and prerequisites for admission to California public colleges and universities.

The Butte County Office of Education shall offer all otherwise qualified students in grades 7-12 a course of study that prepares them, upon graduation from high school, to meet the requirements and prerequisites for admission to California public colleges and universities and to attain entry-level employment skills in business or industry. The course of study may provide for a rigorous academic curriculum that integrates academic and career skills, includes applied learning across all disciplines, and prepares all students for high school graduation and career entry.

In addition, the course of study for students in grades 9-12 shall include instruction in skills and knowledge for adult life, career technical training, and a timely opportunity for all otherwise qualified students to enroll, within four years, in each course necessary to fulfill the requirements and prerequisites for admission to California public colleges and universities prior to graduation.

The County Superintendent or designee shall develop a process by which courses that meet California college admission criteria (referred to as "a-g" course requirements) are submitted to the University of California for review and certification. The County Superintendent or designee shall maintain an accurate list of all current high school courses that have been so certified, shall ensure that the list is provided annually to all students in grades 9-12 and their parents/guardians and shall make updated lists readily available.

Legal Reference:

STATE

5 CCR 10020-10043 Automobile driver education and training

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

5 CCR 10060 Criteria for high school physical education programs

5 CCR 4940 Nondiscrimination; course access

Ed. Code 33319.3 Driver education; CDE materials on road rage

Ed. Code 33540 Standards for government and civics instruction

Ed. Code 48980 Parental notifications

Ed. Code 51202 Instruction in personal and public health and safety

Ed. Code 51203 Instruction on alcohol, narcotics and dangerous drugs

Ed. Code 51204 Course of study designed for student's needs

Ed. Code 51204.5 History of California; contributions of men, women, and ethnic groups

Ed. Code 51210-51212 Course of study for grades 1-6

Ed. Code 51220-51229 Course of study for grades 7-12

Ed. Code 51241 Temporary, two-year or permanent exemption from physical education

Ed. Code 51911-51921 Comprehensive health education

Ed. Code 51930-51939 California Healthy Youth Act

Ed. Code 51940 Curriculum for brain and spinal cord injury prevention

Ed. Code 60040-60052 Requirements for instructional materials

Ed. Code 66204 Certification of high school courses as meeting university admission criteria

H&S Code 11032 Definition of dangerous drugs

FEDERAL

20 USC 6111-6251 School-to-Work Opportunities Act of 1994

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Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

AR 6143

REGULATIONS REGARDING COURSES OF STUDY

Grades 1-6

Courses of study for grades 1-6 shall include the following:

1. English: knowledge and appreciation of language and literature, and the skills of speaking, reading, listening, spelling, handwriting, and composition
2. Mathematics: concepts, operational skills, and problem solving
3. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, including instruction in:
 - a. The history, resources, development, and government of California and the United States Instruction shall include the early history of California and a study of the role and contributions of both men and women, Native Americans, African Americans, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ethnic and cultural groups to the economic, political, and social development of California and the United States, with particular emphasis on portraying the role of these groups in contemporary society.
 - b. The development of the American economic system, including the role of the entrepreneur and labor
 - c. The relations of persons to their human and natural environments
 - d. Eastern and western cultures and civilizations
 - e. Contemporary issues
 - f. The wise use of natural resources
4. Science: biological and physical aspects, with emphasis on experimental inquiry and the place of humans in ecological systems
5. Visual and performing arts: instruction in dance, music, theatre, and visual arts aimed at developing aesthetic appreciation and creative expression
6. Health: principles and practices of individual, family, and community health, including instruction at the appropriate grade levels and subject areas in:
 - a. Personal and public safety and accident prevention, including instruction in emergency first aid, hemorrhage control, treatment for poisoning, resuscitation techniques, and cardiopulmonary resuscitation when appropriate equipment is available
 - b. Fire prevention
 - c. The protection and conservation of resources, including the necessity for the protection of the environment
 - d. Venereal disease
 - e. The effects of alcohol, narcotics, drugs, and tobacco upon the human body
 - f. Violence as a public health issue
7. Physical education, with emphasis on physical activities conducive to health and vigor of body and mind
8. Violence awareness and prevention
9. Career awareness exploration

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

Grades 7-12

Courses of study for grades 7-12 shall include the following:

1. English: knowledge and appreciation of literature, language, and composition, and the skills of reading, listening, and speaking
2. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, with instruction in:
 - a. The history, resources, development, and government of California and the United States, including instruction in:
 - 1)The early history of California and a study of the role and contributions of both men and women, Native Americans, African Americans, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ethnic and cultural groups to the economic, political, and social development of California and the United States, with particular emphasis on portraying the role of these groups in contemporary society

BCOE schools are encouraged, but not required to provide instruction on the topics described in sub items #(2)-(4) below. When schools choose to offer such instruction, Education Code 51221.3 and 51221.4 encourages that a component be drawn from personal testimony, especially in the form of oral or video history. If oral histories are used, they must conform to the requirements of Education Code.

- 2)World War II and the role of Americans and Filipinos in that war
 - 3)The Vietnam War, including the "Secret War" in Laos and role of Southeast Asians in that war
 - 4)The Bracero program, in which there was a 1942 agreement between the United States and Mexico authorizing the temporary migration of laborers to the United States
 - b. The American legal system, the operation of the juvenile and adult criminal justice systems, and the rights and duties of citizens under the criminal and civil law and the state and federal constitutions. This course may include participation in a teen court or peer court program. For BCOE schools providing a teen court or peer court program, this course may include participation in a teen court or peer court program.
 - c. The development of the American economic system, including the role of the entrepreneur and labor
 - d. The relations of persons to their human and natural environments, including the wise use of natural resources
 - e. Eastern and western cultures and civilizations
 - f. Human rights issues, with particular attention to the study of the inhumanity of genocide (which may include, but is not limited to, the Armenian, Cambodian, Darfur, and Rwandan genocides), slavery, and the Holocaust
 - g. Contemporary issues
3. World language(s): understanding, speaking, reading, and writing, beginning not later than grade 7
4. Physical education: with emphasis on physical activities conducive to health and vigor of body and mind
5. Science: physical and biological aspects; emphasis on basic concepts, theories, and processes of scientific investigation and on the place of humans in ecological systems; appropriate applications of the interrelation and interdependence of the sciences
6. Mathematics: mathematical understandings, operational skills, and problem-solving procedures; algebra
7. Visual and performing arts: dance, music, theatre, and visual arts, with emphasis upon development of aesthetic appreciation and creative expression
8. Applied arts: consumer and homemaking education, industrial arts, general business education, or general agriculture
9. Career technical/vocational-technical education: in the occupations and in the numbers appropriate to the personnel needs of the state and community served and relevant to the career desires and needs of students
10. Comprehensive sexual health and HIV prevention
11. Personal and public safety, accident prevention and health, including instruction in:

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- a. Emergency first aid, hemorrhage control, treatment for poisoning, resuscitation techniques, and cardiopulmonary resuscitation (CPR) when appropriate equipment is available
12. Violence awareness and prevention
13. Ethnic studies: Commencing in the 2025-2026 school year, the Butte County Office of Education shall offer a one-semester course in ethnic studies as specified in Education Code 51225.3.

High schools shall offer automobile driver education that includes instruction in:

1. Vehicle Code provisions and other relevant state laws
2. Proper acceptance of personal responsibility in traffic
3. Appreciation of the causes, seriousness, and consequences of traffic accidents
4. Knowledge and attitudes necessary for the safe operation of motor vehicles
5. The safe operation of motorcycles
6. The dangers involved in consuming alcohol or drugs in connection with the operation of a motor vehicle
7. The rights and duties of a motorist pertaining to pedestrians and the rights and duties of pedestrians pertaining to traffic laws and traffic safety

Notification to Students in Grades 9-12

At the beginning of each school year, the County Superintendent or designee shall provide written notice to parents/guardians of students in grades 9-12 that, to the extent possible, shall not exceed one page in length and that includes all the following:

1. A brief explanation of the course requirements for admission to UC and the California State University (CSU)
2. A list of the current UC and CSU web sites that help students and their families learn about college admission requirements and that list high school courses that have been certified by UC as satisfying the requirements for admission to UC and CSU
3. A brief description of what career technical education is, as defined by the California Department of Education (CDE)
4. The Internet address for the portion of the CDE web site where students can learn more about career technical education
5. Information about how students may meet with school counselors to help them choose courses that will meet college admission requirements and/or enroll in career technical education courses

The County Superintendent or designee shall provide information to students and parents/guardians regarding the completion and submission of the Free Application for Federal Student Aid (FAFSA) and/or the Dream Act application at least once before grade 12.

Commencing in the 2022-23 school year, the County Superintendent or designee shall ensure that each student in grade 12 completes and submits a FAFSA to the U.S. Department of Education or, if a student is exempt from paying nonresident tuition a CADAA to the Student Aid Commission (CSAC), unless either:

1. The student's parent/guardian, emancipated minor, or student age 18 years or older submits an opt-out form to the BCOE school in which the student is enrolled.
2. If the BCOE determines that a student is unable to complete a requirement of Education Code 51225.7, the BCOE shall exempt the student or the student's parent/guardian from completing the FAFSA, CADAA, or opt-out form and shall complete and submit an opt-out form on the student's behalf

The County Superintendent or designee shall ensure that each high school student in grade 12, and if applicable, the student's parent/guardian, be directed to any support and assistance necessary to complete the FAFSA and/or CADAA that may be available through outreach programs, including, but not limited to, programs operated by CSAC, postsecondary immigration resource centers, college readiness organizations, community-based organizations, and/or legal resource organizations.

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SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

Information shared by students and parents/guardians in completing and submitting the FAFSA and/or CADAA shall be handled in compliance with the federal Family Rights and Privacy Act and applicable state law, regardless of any person's immigration status or other personal information.

Legal References:

FEDERAL

20 USC 6111-6251 School-to-Work Opportunities Act of 1994

STATE

5 CCR 10020-10043 Automobile driver education and training

5 CCR 10060 Criteria for high school physical education programs

5 CCR 4940 Nondiscrimination; course access

Ed. Code 33319.3 Driver education; CDE materials on road rage

Ed. Code 33540 Standards for government and civics instruction

Ed. Code 48980 Parental notifications

Ed. Code 51202 Instruction in personal and public health and safety

Ed. Code 51203 Instruction on alcohol, narcotics and dangerous drugs

Ed. Code 51204 Course of study designed for student's needs

Ed. Code 51204.5 History of California; contributions of men, women, and ethnic groups

Ed. Code 51210-51212 Course of study for grades 1-6

Ed. Code 51220-51229 Course of study for grades 7-12

Ed. Code 51241 Temporary, two-year or permanent exemption from physical education

Ed. Code 51911-51921 Comprehensive health education

Ed. Code 51930-51939 California Healthy Youth Act

Ed. Code 51940 Curriculum for brain and spinal cord injury prevention

Ed. Code 60040-60052 Requirements for instructional materials

Ed. Code 66204 Certification of high school courses as meeting university admission criteria

H&S Code 11032 Definition of dangerous drugs

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Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6144

CONTROVERSIAL ISSUES

The County Superintendent believes that students should have opportunities to discuss controversial issues which have political, social, or economic significance and which the students are mature enough to investigate and address. The study of a controversial issue should help students learn how to gather and organize pertinent facts, discriminate between fact and fiction, draw intelligent conclusions, and respect the opinions of others.

The County Superintendent expects teachers to exercise caution and discretion when deciding whether or not a particular issue is suitable for study or discussion in any particular class. Teachers shall ensure that all sides of a controversial issue are impartially presented with adequate and appropriate factual information. Without promoting any partisan point of view, the teacher should help students separate fact from opinion and warn them against drawing conclusions from insufficient data. The teachers shall not suppress any student's view on the issue as long as its expression is not malicious or abusive towards others.

Teachers sponsoring guest speakers shall seek prior approval from their supervisor. Approved speakers are expected to not use their position or influence on students to forward their own religious, political, economic, or social views. Teachers shall take active steps to address any bias presented.

Controversial issues may be discussed in the classroom, provided that the issue:

1. Relates to the course of study and provides opportunities for critical thinking, for developing tolerance, and for understanding conflicting points of view;
2. Has a meaningful relationship to matters of concern to the students;
3. Has significant, available information about the issue to allow alternative points of view to be discussed and evaluated on a factual basis;
4. Uses established facts as primary evidence to give all sides of the issue a proper hearing;
5. Has points of view which can be understood and defined by the students;
6. Is initiated by the students or by the established curriculum, but not by a source outside of the schools;
7. Does not reflect adversely upon persons because of their race, religion, sex, color, creed, national origin, ancestry, handicap, or social or economic status;
8. Does not violate state or federal law.

When required by law or otherwise deemed appropriate by the teacher or administrator, parents/guardians shall be notified prior to instruction related to any controversial issue and parents/guardians' consent shall be obtained for student participation. Students whose parents/guardians decline such instruction may be offered the option to participate in an alternative activity of similar value.

A student or parent/guardian with concerns regarding instruction about controversial issues shall be directed to appropriate complaint procedures.

The Associate County Superintendent shall have responsibility for implementing this policy and the authority to judge whether the above conditions are being met.

Legal Reference:

Education Code

- 220 Prohibition of discrimination
- 48950 Freedom of speech
- 51240 Excuse from health instruction due to religious beliefs
- 51500 Prohibited instruction or activity
- 51510 Prohibited study or supplemental materials

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SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

51511 Religious matters properly included in courses of study

51513 Materials containing questions about beliefs or practices

51530 Prohibition and definition regarding advocating or teaching communism with intent to indoctrinate 51930-51939

California Healthy Youth Act; comprehensive sexual health and HIV prevention education 60040 Portrayal of cultural and racial diversity

60044 Prohibited instructional materials 60045 Criteria for instructional materials

Approved: July, 2004

Revised: June, 2017; September, 2020

Reviewed: July, 2021

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6145

EXTRACURRICULAR AND CO-CURRICULAR ACTIVITIES

The County Superintendent recognizes that extracurricular and co-curricular activities enrich the educational and social development and experiences of students. The County Superintendent encourages and supports student participation in extra/co-curricular activities without compromising the integrity and purpose of the educational program.

No extracurricular or co-curricular program or activity shall be provided or conducted separately, and no student's participation in extracurricular and co-curricular activities shall be required or refused, based on the student's sex, gender, sexual orientation, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability. Requirements for participation in extracurricular and co-curricular activities shall be limited to those that are essential to the success of the activity. The County Superintendent directs that appropriate program administrators shall ensure that disabled students have equal access to extracurricular and co-curricular activities, student organizations, and school-related social events, regardless of the severity or nature of their disabilities. In addition, no student shall be prohibited from participating in extra/co-curricular activities related to the educational program because of inability to pay fees associated with the activity.

Butte County Office of Education employees shall supervise extra/co-curricular activities whenever they are conducted under the name of the Butte County Office of Education.

Any complaint alleging unlawful discrimination in the County Office's extracurricular or co-curricular programs or activities shall be filed in accordance with SP/AR 1312.3 - Uniform Complaint Procedures.

Eligibility Requirements

To be eligible to participate in extracurricular and co-curricular activities, students in grades 7-12 must demonstrate satisfactory educational progress in the previous grading period, including, but not limited to: (Education Code 35160.5)

1. Maintenance of a minimum of 2.0 grade point average on a 4.0 scale in all enrolled classes
2. Maintenance of minimum progress toward meeting high school graduation requirements

The County Superintendent or designee may grant ineligible students a probationary period not to exceed one semester. Students granted probationary eligibility must meet the required standards by the end of the probationary period in order to remain eligible for participation.

Any decision regarding the eligibility of any child in foster care or a child of a military family for extracurricular or co-curricular activities shall be made by the County Superintendent or designee.

The County Superintendent or designee may revoke a student's eligibility for participation in extracurricular and co-curricular activities when the student's poor citizenship is serious enough to warrant loss of this privilege.

Student Conduct at Extracurricular/Co-curricular Events

When attending or participating in extracurricular and/or co-curricular activities on or off campus, students are subject to Butte County Office of Education County Superintendent's Policy and Administrative Regulations relating to student conduct. Students who violate the policies and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, or denial of participation in extracurricular or co-curricular activities in accordance with Butte County Office of Education County Superintendent's Policy and Administrative Regulations. When appropriate, the County Superintendent or designee shall notify local law enforcement.

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

Annual Policy Review

The County Superintendent shall annually review this policy and implementing regulations.

Legal Reference: Education Code 35145 Public meetings

35160.5 District policy rules and regulations; requirements; matters subject to regulation 35179 Interscholastic athletics; associations or consortia

35181 Students' responsibilities

48850 Participation of homeless students and foster youth in extracurricular activities and interscholastic sports 48930-

48938 Student organizations

49010-49013 Student fees

49024 Activity Supervisor Clearance Certificate

49700-49703 Education of children of military families California Constitution Article 9, Section 5 Common school system Code of Regulations, Title 5

350 Fees not permitted

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance 5531

Supervision of extracurricular activities of pupils United States Code, Title 42

2000h-2-2000h-6 Title IX, 1972 Education Act Amendments

Approved: November, 2009

Revised: June, 2017

Reviewed: July, 2021

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6145.6

INTERNATIONAL EXCHANGE

The Superintendent recognizes the value of interactions between students of different countries and cultures in promoting global awareness and international understanding in an increasingly globalized and interconnected world. The Superintendent welcomes the enrollment of international exchange students in BCOE schools and encourages our students to take advantage of opportunities that they may have to participate in such programs and study in another country.

With Superintendent approval, a BCOE school may establish a sister-school relationship with a school in another country.

BCOE Students Studying in Another Country

School staff may provide information regarding international exchange programs and academic counseling to students who wish to study in a foreign country. Such information should include a review of the student's completed coursework, academic achievement, and personal goals, and advise the student regarding requirements that the student must meet during attendance in the foreign school in order to maintain progress toward meeting district graduation requirements.

Credit for courses successfully completed in the foreign country shall be granted in accordance with Superintendent policy and administrative regulation.

International Exchange Students in BCOE Schools

Before enrolling an international exchange student in an BCOE school, the Superintendent or designee shall request proof that the student is participating in an International Student Exchange Placement Organization (ISEPO) program registered with the California Attorney General's Office. The Superintendent reserves the right to require baseline academic criteria prior to the enrollment of international students.

The Superintendent or designee shall obtain from the ISEPO a description of the services to be performed by the ISEPO for the student, host family, and BCOE; telephone numbers that the student, host family, or school may contact for assistance; and a summary of the student's complete prior academic coursework.

BCOE may require additional documents which may include, but are not limited to, evidence that the student has health and accident insurance from the time of departure from home to the time the student returns to the home country.

When necessary because of overcrowding within the BCOE schools or limited resources, the Superintendent or designee may limit the number of international exchange students to be accepted at any school during any school year.

BCOE shall not incur any financial obligation when educating international exchange students. An international student, or the ISEPO on behalf of the student, shall reimburse the district for the full, unsubsidized per capita cost of providing education at a district school for the period of the visiting student's attendance.

In determining the tuition for international exchange students, BCOE should calculate the total cost of educating the student, including, but not limited to, the amount expended per student for the current provision of instruction and

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services, the use of buildings and equipment, state building loan funds, capital outlay, and transportation to and from school.

The Superintendent or designee shall establish BCOE criteria for issuing regular or honorary diplomas to international exchange students. The principal or designee shall refer to these criteria when assisting international exchange students in selecting classes and cocurricular activities based on the student's individual qualifications, needs, and interests. The U.S. Visa application process will dictate eligibility for graduation.

Approved: September, 2020

Reviewed: July, 2021

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AR 6145.6

INTERNATIONAL EXCHANGE

Admission

Prior to enrolling an international exchange student, the Superintendent or designee shall provide the International Student Exchange Placement Organization with written acceptance for the enrollment, including arrangements concerning the payment of tuition or the waiver of the tuition if applicable.

Other than in a unique or emergency situation as determined by the Superintendent or designee, in order to approve the admission of an international exchange student, the Superintendent or designee must receive a written request for enrollment before the end of the preceding school year.

Enrollment shall be for one semester or one school year.

All international exchange students shall meet state and district immunization requirements. Diplomas
International exchange students may be considered for a diploma if they have satisfactorily completed BCOE's graduation requirements.

International exchange students who are not eligible for a regular diploma may receive an honorary diploma, provided they have completed at least one semester of full-time enrollment and achieved at least a 2.0 grade point average.

International exchange students who do not meet requirements for a regular or an honorary diploma may, at the end of their visit, be given a certificate or letter certifying the time period for which they were enrolled as well as a transcript documenting their completed coursework.

Approved: September, 2020

Reviewed: July, 2021

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6146.1

HIGH SCHOOL GRADUATION REQUIREMENTS

The County Superintendent desires to prepare all students to successfully complete the high school course of study and obtain a diploma that represents their educational achievement and increases their opportunities for postsecondary education and employment.

Students shall complete graduation course requirements as specified in Education Code 51225.3 and those adopted by the Superintendent, except for students who are exempted as provided in "Exemptions from District-Adopted Graduation Requirements," below. Students who are exempted from district-adopted graduation requirements shall be eligible to participate in any graduation ceremony and school activity related to graduation in which other students are eligible to participate.

Course Requirements

To obtain a high school diploma, students shall complete at least the following courses in grades 9-12, with each course being one year unless otherwise specified:

1. Three courses in English
2. Two courses in mathematics
 - At least one mathematics course, or a combination of the two mathematics courses, shall meet or exceed state academic content standards for Algebra I or Mathematics I. Completion of such coursework prior to grade 9 shall satisfy the Algebra I or Mathematics I requirement, but shall not exempt a student from the requirement to complete two mathematics courses in grades 9-12.
3. Two courses in science, including biological and physical sciences
4. Three courses in social studies, including United States history and geography; world history, culture, and geography; and one-semester course in American government and civics; and a one-semester course in economics
5. One course in visual or performing arts, World language, including American Sign Language, or Career Technical Education
 - To be counted towards meeting graduation requirements, a course in Career Technical Education shall be aligned to the career technical model curriculum standards and framework adopted by the State Board of Education.
6. Two courses in physical education, unless the student has been otherwise exempted pursuant to other sections of Education Code
7. Beginning with the 2029-30 school year, a one-semester course in ethnic studies

Because the prescribed course of study may not accommodate the needs of some students, the County Superintendent or designee shall provide alternative means for the completion of prescribed courses in accordance with law.

Exemptions from Adopted Graduation Requirements

1. Education Code 51225.3

A foster youth, student experiencing homelessness, former juvenile court school student, child of a military family, or migrant student who transfers into the district or between district schools any time after completing the second year of high school, or a newly arrived immigrant student who is in the third or fourth year of high school and is participating in a newcomer program, shall be exempted from any graduation requirements adopted by the County Superintendent that are in addition to statewide course requirements. This exemption shall not apply if the Superintendent or designee makes a finding that the student is reasonably able to complete the requirements in time to graduate by the end of the

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fourth year of high school.

Within 30 days of the transfer into a school by a foster youth, student experiencing homelessness, former juvenile court school student, child of a military family, migrant student, or a newly arrived immigrant student, or of the commencement of participation in a newcomer program, as applicable, the Superintendent or designee shall notify any eligible student, and others as required by law, of the availability of the exemption from local graduation requirements and whether the student qualifies for it.

The County Superintendent or designee shall not require or request the foster youth, student experiencing homelessness, former juvenile court school student, child of a military family, migrant student, or newcomer student who is exempted from LEA-established graduation requirements and who completes the statewide coursework requirements before the end of the fourth year of high school, and would otherwise be entitled to remain in school, to graduate before the end of the student's fourth year of high school.

If the foster youth, student experiencing homelessness, former juvenile court school student, child of a military family, migrant student, or newcomer student was not properly notified of an exemption, declined the exemption, or was not previously exempted, the student or the student's educational rights holder may request the exemption and the County Superintendent or designee shall exempt the student within 30 days of the request. Any such student who at one time qualified for the exemption may request the exemption even if the student is no longer eligible.

Additionally, a student with disabilities shall be eligible for an exemption from all coursework and other requirements adopted by the County Superintendent in addition to the statewide course requirements for high school graduation, if the student's individualized education program (IEP) provides for both of the following requirements:

1. That the student is eligible to take the alternate assessment as described in Education Code 60640
2. That the student complete state standards aligned coursework to meet the statewide coursework specified in Education Code 51225.3

The LEA's responsibility to provide a free appropriate public education shall not terminate when a student with a disability who is exempted from LEA- adopted graduation requirements participates in graduation activities unless the IEP team, which includes the parent/guardian and student, has determined that the student has completed the high school experience.

Annually, the County Superintendent or designee shall report to the California Department of Education, in accordance with Education Code 51225.1, the number of students graduating from the fourth or fifth year of high school who, for the prior school year, graduated with an exemption from district-established graduation requirements that are in addition to statewide coursework requirements.

Retroactive Diplomas

Any student who completed grade 12 in the 2003-04 through 2014-15 school year and met all applicable graduation requirements other than the passage of the high school exit examination shall be granted a high school diploma.

In addition, the County Office may retroactively grant high school diplomas to former students who:

1. Departed California against their will while in grade 12 and did not receive a diploma because the departure interrupted their education, provided that they were in good academic standing at the time of the departure. Persons may be considered to have departed California against their will if they were in custody of a government agency and were transferred to another state, were subject to a lawful order from a court or government agency that authorized their removal from California, were subject to a lawful order and were

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permitted to depart California before being removed from California pursuant to the lawful order, were removed or were permitted to depart voluntarily pursuant to the federal Immigration and Nationality Act, or departed due to other circumstances determined by the County Office that are consistent with the purposes of Education Code 48204.4.

In determining whether to award a diploma under these circumstances, the County Superintendent or designee shall consider any coursework that may have been completed outside of the United States or through online or virtual courses.

2. Were interned by order of the federal government during World War II or are honorably discharged veterans of World War II, the Korean War, or the Vietnam War, provided that they were enrolled in a district high school immediately preceding the internment or military service and did not receive a diploma because their education was interrupted due to the internment or military service in those wars. Deceased former students who satisfy these conditions may be granted a retroactive diploma to be received by their next of kin.
3. Are veterans who entered the military service of the U.S. while in grade 12 and who had satisfactorily completed the first half of the work required for grade 12 in a district school.
4. Are former members of the military, a resident of California, and received an honorable discharge, or, are current members of the military, a resident of California, and a resident of California when entering the military. In determining whether to award a diploma under these circumstances, the Superintendent or designee shall evaluate classes completed in any high school, community college, or state college, grant credit toward graduation for military service and training received while in the military, and if satisfied that the person has completed the equivalent of the requirements for graduation from high school, grant the person a diploma of graduation.
5. Were in their senior year of high school during the 2019-20 school year, were in good academic standing and on track to graduate at the end of the 2019-20 school year as of March 1, 2020, and were unable to complete the statewide graduation requirements as a result of the COVID-19 crisis.

Honorary Diplomas

The Board may grant an honorary high school diploma to: (Education Code 51225.5)

1. An international exchange student who has not completed the course of study ordinarily required for graduation and who is returning to the student's home country following the completion of one academic school year in a Butte County Office of Education school.
2. A student who is terminally ill.

The honorary diploma shall be clearly distinguishable from the regular diploma of graduation awarded by the district.

Legal Reference:

STATE

5 CCR 1600-1651 Graduation of students from grade 12 and credit toward graduation

5 CCR 4600-4670 Uniform complaint procedures

Ed. Code 47612 Enrollment in charter school

Ed. Code 48200 Compulsory attendance

Ed. Code 48204.4 Parents/guardians departing California against their will

Ed. Code 48412 Certificate of proficiency

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- Ed. Code 48430 Continuation education schools and classes
- Ed. Code 48645.5 Former juvenile court school students, enrollment
- Ed. Code 48980 Required notification at beginning of term
- Ed. Code 49701 Provisions of the interstate compact on educational opportunities for military children
- Ed. Code 51224 Skills and knowledge required for adult life
- Ed. Code 51224.5 Algebra in course of study for grades 7-12
- Ed. Code 51225.1 Exemption from district graduation requirements
- Ed. Code 51225.2
Former juvenile court school student defined; acceptance of coursework, credits, retaking of course
- Ed. Code 51225.3 High school graduation
- Ed. Code 51225.35 Mathematics course requirements; computer science
- Ed. Code 51225.36
Instruction in sexual harassment and violence; districts that require health education for graduation
- Ed. Code 51225.5 Honorary diplomas; foreign exchange students
- Ed. Code 51225.6 Instruction in cardiopulmonary resuscitation
- Ed. Code 51228 Graduation requirements
- Ed. Code 51230 Credit for community emergency response training
- Ed. Code 51240-51246 Exemptions from requirements
- Ed. Code 51250-51251 Assistance to military dependents
- Ed. Code 51410-51413 Diplomas
- Ed. Code 51420-51427 High school equivalency certificates
- Ed. Code 51430 Retroactive high school diplomas
- Ed. Code 51440 Retroactive high school diplomas
- Ed. Code 51450-51455 Golden State Seal Merit Diploma
- Ed. Code 51745 Independent study
- Ed. Code 56390-56392 Recognition for educational achievement, special education
- Ed. Code 66204 Certification of high school courses as meeting university admission criteria
- Ed. Code 67386 Student safety; affirmative consent standard

Approved: November, 2011

Revised: August, 2020

Revised: February 26, 2021

Revised: October 22, 2021

Revised: November 2021

Revised: February, 2023

Revised: April, 2024

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

AR 6146.1

REGULATIONS REGARDING HIGH SCHOOL GRADUATION REQUIREMENTS

Notifications

Requirements for graduation and specified alternative means for completing the prescribed course of study shall be made available to students, parents/guardians, and the public.

Within 30 days of the transfer into a school by a foster youth, homeless student, former juvenile court school student, child of a military family, migrant student, or a newly arrived immigrant student, the Superintendent or designee shall notify any eligible student of the availability of the exemption from local graduation requirements under Education Code 51225.1 and whether the student qualifies for it.

In the annual notification sent to parents/guardians, the County Superintendent or designee shall include the following:

1. Information about BCOE schools' high school graduation requirements and how each requirement satisfies or does not satisfy the subject matter requirements for admission to the California State University and the University of California
2. A complete list of career technical education courses offered by the BCOE schools that satisfy the subject matter requirements for admission to the California State University and the University of California, and which of the specific college admission requirements these courses satisfy

Approved: November, 2011

Revised: June, 2018

Revised: October 22, 2021

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6146.11

ALTERNATIVE CREDITS TOWARD GRADUATION

Students shall receive high school diplomas only after completing the prescribed course of study and passing required examinations.

The County Superintendent recognizes that the prescribed course of study may not accommodate the needs of some students. The County Superintendent, with the active involvement of parents/guardians, administrators, teachers, and students, shall adopt alternative means for the completion of prescribed courses, which may include:

1. Practical demonstration of skills and competencies;
2. Work experience, extended campus experiences, or other outside school experience;
3. Vocational education classes;
4. Courses offered by Regional Occupational Centers or Programs;
5. Interdisciplinary study;
6. Independent study;
7. Credit earned at a post-secondary institution;
8. Challenge tests.

Requirements for graduation and specified alternative means for completing the prescribed course of study shall be made available to students, parents/guardians, and the public.

Legal Reference Education Code

[35160](#) Authority of governing boards

[35160.1](#) Broad authority of school districts

[48412](#) Certificate of proficiency

[48645.5](#) Course credit, juvenile court schools

[48800-48802](#) Attendance at community college; advanced education

[51220](#) Areas of study; grades 7-12

[51225.3](#) Requirements for graduation

[51240-51246](#) Exemptions from requirements

[51420-51427](#) General Educational Development test

[51440](#) Veterans' education, evaluation and credit toward high school graduation

[51740-51741](#) Authority to provide instruction by correspondence

[51745-51749.3](#) Independent study

[51760-51769.5](#) Work experience education

[52300-52499.66](#) Career technical education Vehicle Code

[12814.6](#) Teen driver's act Code Of Regulations, Title 5

[1600-1635](#) Alternative credit

[10070-10075](#) Work experience education

[11500-11508](#) Regional occupational centers and programs

[11520-11523](#) Proficiency examination and certificate

[11700-11703](#) Independent study

United States Code, Title 20

[2301-2414](#) Strengthening Career and Technical Education for the 21st Century Act

Approved: July, 2010

Revised: June, 2017; September, 2020

Revised: February, 2022

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AR 6146.11

REGULATIONS REGARDING ALTERNATIVE CREDITS TOWARD GRADUATION

Alternative means specified by Butte County Office of Education for completing the prescribed course of study shall be made available to students, parents/guardians and the public.

Definitions

A semester period is one period of 40 to 60 minutes of instructional time per week throughout one semester of at least 17 weeks, or a minimum of 12 clock hours of instructional time provided during the academic year or in summer school. While the content to be covered is planned within these time frames, a student may be granted one semester period of credit even though the student spends less than the aforementioned amount of time in completing the necessary work.

Supervised Work Experience Education

Students may be granted up to 40 semester periods of credit for work experience education of one or more of the following types:

1. For exploratory work experience education, students may earn 10 semester periods for each semester, with a maximum of 20 semester periods earned in two semesters.
2. For general work experience education, students may earn 10 semester periods for each semester, with a maximum of 40 semester periods.
3. For vocational work experience education, students may earn 10 semester periods for each semester, with a maximum of 40 semester periods.

College Courses

The Butte County Office of Education may grant credit toward high school graduation for coursework successfully completed at a community college or state college:

1. Special part-time students may enroll in up to 11 units per semester, or the equivalent, in a community college. Students in Butte County Office of Education schools may receive a maximum of 33 community college units towards high school graduation. Additional units will be for college credit only.
2. A written agreement regarding the student's enrollment in postsecondary courses and the credits to be awarded for successful completion shall be signed by the student, parent/guardian, principal, and college representative. The student shall be informed whether the credits to be earned are considered academic credits or elective credits and whether the course would need to be completed again during the college years to satisfy college requirements.
3. To receive credit for coursework completed at a community college or four-year college, the student or parent/guardian shall submit a transcript showing completion of the course with a passing grade.
4. Except under the conditions specified in Education Code § 46146, the minimum day of attendance shall be 180 minutes for any student who is also enrolled in a community college and any student in grades 11-12 who is enrolled part-time in the California State University or University of California, when the student is enrolled in classes for which academic credit will be provided upon satisfactory completion of enrolled courses.

Private Instruction

A student may receive credit toward high school graduation for private instruction under the following conditions:

1. The instruction entails fields and subjects included in the high school's courses of study and curricula.
2. The student demonstrates their capabilities at the beginning and at the end of the period of private instruction by examinations given under the school's supervision, thereby showing that the student has made progress in learning satisfactory to the school.

Correspondence Instruction

Butte County Office of Education may grant credit for correspondence instruction under the following conditions:

1. The correspondence instruction is provided by the University of California, or other university or college in

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California accredited for teacher training, in subjects included within or related to the course of study offered in the school;

2. The student is, for good reason, unable to take the course of study offered in the school;
3. The County Superintendent or designee determines the number of semester periods to be credited for successful completion of a particular correspondence course;
4. No more than 40 semester periods of correspondence instruction are credited to a student towards graduation; or
5. Butte County Office of Education's correspondence instruction has been authorized by the California County Superintendent of Public Instruction.

Foreign Language Instruction

Butte County Office of Education may grant credit for foreign language studies successfully completed in a private school and shall apply the credit toward meeting any foreign language requirement prescribed for grades 9-12, provided that all of the following conditions are met:

1. The courses are in languages designated in Education Code § 51244 or State Board of Education regulations;
2. The student is regularly enrolled or enrolling in grades 9-12;
3. The student or parent/guardian applies in writing for the credit, specifies the private school attended and the amount and level of credit requested, and submits a transcript or other documents from the private school showing that the student successfully completed the course;
4. The amount of credit sought equals at least one semester's work; and
5. The Principal or designee determines that the student's achievement is equivalent to that expected of a student of comparable ability taking the same or similar instruction in County Office schools.

Approved: July, 2008

Revised: June, 2017; September, 2020

Reviewed: July, 2021

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6146.2

CERTIFICATE OF PROFICIENCY / HIGH SCHOOL EQUIVALENCY

The County Superintendent desires that every student have the opportunity to earn a high school diploma through successful completion of course work, and examination.

However, when a student is unable to do so, the Superintendent encourages completion of an alternative program that allows the student to obtain an equivalent certificate.

Eligible persons who pass the California High School Proficiency Examination may obtain a certificate of proficiency from the State Board of Education (SBE). Eligible persons who pass a general educational development test designated by the SBE may obtain a high school equivalency certificate from the testing service.

The Superintendent or designee shall make information available to interested persons regarding the eligibility and examination requirements of each program. Interested persons shall register for the test directly with the testing service and pay the applicable fee. However, the fee shall be waived for a homeless or foster youth who is under age 25 years, meets all other registration requirements, and submits certification of homeless or foster youth status.

Legal Reference Education Code

48400-48403 Persons subject to compulsory continuation education

48410 Persons exempt from continuation classes

48412 Certificate of Proficiency; examination fees

48413 Enrollment in continuation classes

48414 Re-enrollment in district

[51420-51427](#) High school equivalency certificate

[52052](#) Accountability; numerically significant student subgroups

Code of Regulations, Title 5

[11520-11523](#) Proficiency examination and certificate

[11530-11532](#) High school equivalency certificate

Approved: July, 2004

Revised: June, 2017; September, 2020

Revised: February 26, 2021

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Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

AR 6146.2

REGULATIONS REGARDING CERTIFICATE OF PROFICIENCY / HIGH SCHOOL EQUIVALENCY

Certificate of Proficiency

The principal of each school maintaining grades 11 and 12 shall distribute to each student in those grades an announcement explaining the California High School Proficiency Examination (CHSPE). Announcements from the California Department of Education (CDE) or its contractor shall be distributed early enough to enable interested students to register for the test to be given in the fall of that year.

The principal also shall advise students that the certificate of proficiency awarded upon passing the CHSPE, while equivalent to a high school diploma, is not the equivalent of completing all coursework required for high school graduation and therefore students should contact the admissions office of the college or university they are interested in attending to determine if the certificate satisfies college admission requirements.

Any student may take the CHSPE if the student meets one of the following conditions:

1. Is age 16 or older
2. Has been enrolled in the 10th grade for one school year or longer
3. Will complete one school year of enrollment in 10th grade at the end of the semester during which the CHSPE will be administered

If a student receives the certificate of proficiency, the County Office shall indicate the student's accomplishment and the date of the award on the student's official transcript.

Any student who has received the certificate of proficiency may be exempted from compulsory school attendance upon their request, with verified parent/guardian consent as appropriate.

The consent form to be exempted from compulsory school attendance shall be provided by the County Superintendent or designee and shall contain at least the following information:

1. A general explanation of the student's rights of exemption from compulsory attendance and of re-enrollment in the public schools
2. The date of issuance of the certificate of proficiency
3. The signature of the parent/guardian and the date
4. The signature of the school administrator who has personally confirmed the authenticity of the parent/guardian's signature and the date

If a student age 16 or 17 terminates their enrollment after receiving the high school proficiency certificate, the student may re-enroll in a BCOE school. If the student subsequently terminates enrollment again, the student may be denied re-enrollment until the beginning of the following semester.

High School Equivalency Certificate

An eligible person may earn a high school equivalency certificate by passing a general educational development test designated by the State Board of Education pursuant to Education Code 51420, including the General Educational Development (GED) test, the High School Equivalency Test (HiSET), or the Test Assessing Secondary Completion (TASC).

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SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

Any person is eligible to take a test leading to a high school equivalency certificate if the person is a resident of California or a member of the armed forces assigned to duty in California and meets any one of the following criteria:

1. Is 18 years of age or older, or is within 60 days of their 18th birthday, regardless of enrollment status
2. Is not currently enrolled in school and is within 60 days of when the student would have graduated from high school had the student remained in school and followed the usual course of study
3. Is 17 years of age, has been out of school for at least 60 consecutive days, and provides a letter of request for the test from the military, a postsecondary educational institution, or a prospective employer
4. Is 17 years of age, has accumulated fewer than 100 units of high school credit, is confined to a state or county hospital or to an institution maintained by a state or county correctional facility, and meets other criteria listed in 5 CCR 11532
5. Is 17 years of age, has accumulated fewer than 100 units of high school credit prior to enrollment in an academic program offered by a dropout recovery high school as defined in Education Code 52052, and has successfully completed the dropout recovery high school's instructional program which is aligned to state standards, offers the opportunity for a high school diploma, and provides services for at least one year

Approved: June, 2017 Revised:

Revised: February 26, 2021

Revised: February, 2022

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

Exhibit 6146.2

Certificate of Proficiency/High School Equivalency

Instruction

NOTICE AND CONSENT TO DISCONTINUE SCHOOL ATTENDANCE FOR STUDENTS WITH A CERTIFICATE OF PROFICIENCY

Notice of Student Rights: Students who pass the California High School Proficiency Examination (CHSPE) and receive a Certificate of Proficiency issued by the State Board of Education may continue to attend school, but upon request will be exempted from compulsory school attendance pursuant to Education Code 48410. If the student is under 18 years of age, the student's parent/guardian must also provide approval in order for the student to discontinue school attendance.

If the student leaves school after receiving a Certificate of Proficiency and is under 18 years of age, the student may later decide to re-enroll in the district with no adverse consequences. In this case, the student may be required to meet new or additional requirements established since the student was previously enrolled. If the student re-enrolls and then leaves school again, the student may be denied re-admittance until the beginning of the following semester.

For further information about leaving school after obtaining the Certificate of Proficiency, contact the principal or school guidance counselor.

Student's name: _____

School: _____

Date on which the Certificate of Proficiency was issued: _____

To be completed by student: I understand the rights granted to students who are awarded the Certificate of Proficiency to disenroll from school, and to re-enroll if desired before the age of 18. I hereby notify the school district of my intent to disenroll from school.

Student's signature: _____ Date: _____

To be completed by parent/guardian: I hereby grant consent for my minor child to disenroll from school.

Parent/guardian's name (please print): _____

Signature: _____ Date: _____

To be completed by school administrator: I hereby verify the parent/guardian's signature and date recorded above.

Name of school administrator (please print): _____

Position: _____

Signature: _____ Date: _____

Approved: February 26, 2021

Reviewed: July, 2021

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6146.3

RECIPROCITY / GRADUATION REQUIREMENTS

To be eligible for graduation, transferring students must satisfy all Butte County Office of Education graduation requirements as described in Butte County Office of Education County Superintendent's Policy 6146.

Butte County Office of Education shall accept for credit full or partial coursework satisfactorily completed by students while attending a public school.

Where the State of California has established content standards by grade level, staff and/or administration may review credits of a transferring student. If it is determined that those credits/courses do not meet California Content Standards, they will be allowed as elective credit towards graduation.

Legal Reference:

Education Code

[35160](#) Authority of governing boards

[35160.1](#) Broad authority of school districts

[47612.5](#) Charter schools operations, general requirements

[48011](#) Admission from kindergarten or other school

[48645.5](#) Coursework completed in public school, juvenile court school or nonpublic nonsectarian school

[51225.3](#) Requirements for graduation

[51228](#) Minimum curriculum standards

[60605](#) Academic content and performance standards; assessments

[60640-60649](#) California Assessment of Student Performance and Progress

[64001](#) Single plan for student achievement

Approved: July, 2005

Revised: June, 2017

Reviewed: July, 2021

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6146.4

Differential Graduation And Competency Standards For Students With Disabilities

The County Superintendent recognizes that students with disabilities are entitled to a course of study that provides them with a free appropriate public education (FAPE) and that modifications to the LEA's regular course may be needed on an individualized basis to provide FAPE. In accordance with law, each student's individualized education program (IEP) team shall determine the appropriate goals, as well as any appropriate individual accommodations necessary for measuring the academic achievement and functional performance of the student on state and districtwide assessments.

Exemption from District-Established Graduation Requirements

Butte County Office of Education students shall complete all course requirements for high school graduation as specified in Superintendent Policy 6146.1 - High School Graduation Requirements. However, a student with a disability may be exempted from all coursework and other requirements adopted by the County Superintendent that are in addition to the statewide course requirements for high school graduation if the student's IEP provides for both of the following requirements:

1. That the student take the alternate assessment aligned to alternate achievement standards in grade 11
2. That the student complete state standards aligned coursework to meet the statewide coursework specified

Prior to the beginning of grade 10, the IEP team for each student with a disability shall determine whether the student is eligible for the exemption, and if so, notify the student's parent/guardian of the exemption.

Any such exempted student shall receive a diploma and be eligible to participate in any graduation ceremony and school activity related to graduation in which a student of similar age without a disability would be eligible to participate.

Certificate of Educational Achievement or Completion

Instead of a high school diploma, a student with a disability may be awarded a certificate or document of educational achievement or completion if the student has met one of the following requirements:

1. Satisfactorily completed a prescribed alternative course of study approved by the County Superintendent or designee in which the student attended school or the LEA with jurisdiction over the student as identified in the student's IEP
2. Satisfactorily met the student's IEP goals and objectives during high school as determined by the IEP team
3. Satisfactorily attended high school, participated in the instruction as prescribed in the student's IEP, and met the objectives of the statement of transition services

A student with a disability who meets any of the criteria specified above shall be eligible to participate in any graduation ceremony and any school activity related to graduation in which a graduating student of similar age without disabilities would be eligible to participate.

Legal Reference:

STATE

5 CCR 3070 Graduation

Ed. Code 51225.3 High school graduation requirements

Ed. Code 51225.31 Graduation exemption for students with disabilities

Ed. Code 56341 Individualized education program team

Ed. Code 56345 Individualized education program contents

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Ed. Code 56390-56392 Recognition for educational achievement; special education

Ed. Code 60640 California Assessment of Student Performance and Progress

Federal References

20 USC 1400-1482 Individuals with Disabilities Education Act

34 CFR 300.1-300.818 Individuals with Disabilities Education Act

34 CFR 300.320 Definition of IEP

Approved: April 2024

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6152.1

PLACEMENT IN MATHEMATICS COURSES

The County Superintendent believes that a sound educational program must include the study of subjects that prepare students for admission to higher education and/or a fulfilling career. To the extent possible, students shall be provided an opportunity to complete a sequence of mathematics courses recommended for admission into the University of California and California State University systems.

The County Superintendent or designee shall work with teachers, counselors, and administrators and the representatives of feeder schools to develop consistent protocols for placing students in mathematics courses offered at high schools in Butte County. Such placement protocols shall systematically take into consideration multiple objective academic measures that may include, but are not limited to, interim and summative assessments, placement tests that are aligned to state-adopted content standards in mathematics, classroom assignment and grades, and report cards.

The placement protocols shall provide for at least one reevaluation within the first month of the school year to ensure that students are appropriately placed in mathematics courses and shall specify the criteria the County Office will use to make this determination. Any student found to be misplaced shall be promptly placed in the appropriate mathematics course.

If a student or parent/guardian questions the student's placement, they may appeal the decision to the County Superintendent or designee. The decision of the County Superintendent or designee shall be final.

Butte County Office of Education staff shall implement the placement protocols uniformly and without regard to students' race, sex, gender, nationality, ethnicity, socioeconomic background, or other subjective or discriminatory consideration in making placement decisions.

The County Superintendent or designee shall ensure that all teachers, counselors, and other Butte County Office of Education staff responsible for determining students' placement in mathematics courses receive training on the placement protocols.

The County Superintendent or designee shall annually review student data related to placement in mathematics courses offered at high schools to ensure that students who are qualified to progress in mathematics courses based on their performance on objective academic measures are not being held back in a disproportionate manner on the basis of any subjective or discriminatory basis, and shall develop strategies for removing any identified barriers to students' access to mathematics courses. The County Superintendent or designee shall also report on the percentage of students who have successfully completed mathematics courses that satisfy the requirements for entrance to the University of California and the California State University.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

48070.5 Promotion and retention; required policy

51220 Areas of study, grades 7-12

51224.5 Completion of Algebra I or Mathematics I

51224.7 California Mathematics Placement Act of 2015

51225.3 High school graduation requirements

51284 Financial literacy

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[52060-52077](#) Local control and accountability plan

[60605](#) State-adopted content and performance standards in core curricular areas

[60605.8](#) Common Core standards

[60640-60649](#) California Assessment of Student Performance and Progress

Approved: April, 2018

Revised: September, 2020

Revised: February, 2022

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

AR 6152.1

Instruction

Placement Protocols

In determining student placement in mathematics courses for students entering grade 9, the County Superintendent or designee shall assess whether each student has the prerequisite skills for success in the course and consider student and parent/guardian requests. Such determinations shall be based on multiple measures, including, but not limited to, the following:

1. Interim and summative grade 8 mathematics assessments from the California Assessment of Student Performance and Progress
2. For students with disabilities, an alternate test or other measures when designated in a student's individualized education program (IEP)
3. Other assessments such as Measures of Academic Progress, the readiness tests of the University of California's Mathematics Diagnosis Testing Project, and/or County Office benchmark assessments
4. The student's grades in their previous mathematics course
5. The final mathematics grade on the end-of-year report card

Individual student performance data shall be analyzed each spring prior to scheduling and placing students into secondary mathematics courses. Students and parents/guardians shall be notified in writing by the end of the school year as to the mathematics course in which the student has been placed.

No student shall be required to repeat a mathematics course which they have successfully completed in accordance with County Office's placement protocols.

When a student does not qualify to be enrolled in a particular mathematics course based on a consideration of the objective measures specified in the placement protocol, the student may nevertheless be admitted to the course based on the recommendation of a teacher or counselor who has personal knowledge of the student's academic ability.

Students who exhibit deficits in knowledge and skills needed to advance to a higher-level mathematics course may receive supplemental instruction to improve achievement of mathematic content standards.

Reevaluation

Within the first month of the school year, mathematics course placements shall be individually reevaluated to ensure placement in the most rigorous mathematics course for which the student has the potential for success.

Criteria for reevaluating each student's placement shall include, but are not limited to, course pre-assessment results, attendance, and student performance in the first month of the school year as determined by teacher observation and grades on assignments and tests. Student and parent/guardian request for course placement may also be considered.

Notification of Placement Protocol

The policy and protocols related to student placement in mathematics courses shall be posted on each school's web

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site. The County Superintendent or designee shall also make the placement policy, protocols, and course sequence readily accessible to students, parents/guardians, and staff.

Appeals

Within 10 school days of an initial placement decision or a placement decision upon reevaluation, a student and their parent/guardian who disagree with the placement may appeal the decision to the County Superintendent or designee. The County Superintendent or designee shall decide whether or not to overrule the placement determination within 10 school days of receiving the appeal.

Approved: September, 2020

Revised: February, 2022

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6153

FIELD TRIPS - TRANSPORTATION

Field trips, or excursions for the purpose of furthering a class's study of a particular subject, are recognized as an integral part of the instructional program. In planning such trips, teachers shall take into consideration distance from school, transportation requirements, safety of pupils, adequate supervision, and expense. In cases where students are leaving campus, specific parental approval for individual children to participate must be obtained. All field trips must receive prior approval from the program supervisor.

Transportation may be provided by school bus drivers who have certification or private contractors who are properly certified. In accordance with appropriate safety standards, the County Superintendent may establish regulations and procedures to allow parents to provide transportation. Field trips or excursions that are not directly related to the instructional program but are seen as beneficial to the participants must be approved by the Associate County Superintendent on an individual basis. Field trips that are not directly related to the instructional program include, but are not limited to, extracurricular trips that broaden the students' education beyond the normal classroom curriculum. Such extracurricular trips may be related to club, team or special interest group activities.

All trips, whether or not related to the education program, that require an overnight stay must be submitted to the Associate County Superintendent for approval on an individual basis.

School Related Trips

School buses, vans, and automobiles shall be used to transport students to and from school and for other school/program activities that have the approval of the Associate County Superintendent and are permitted by law.

Private vehicles may only be used when it is impractical to use Butte County Office of Education vehicles (bus, van, etc.). Use of private vehicles shall be governed by California Vehicle Code and Butte County Office of Education County Superintendent's Policy.

No field trip shall be authorized if any student would be excluded from participation because of a lack of sufficient funds. The County Superintendent or designee shall coordinate with community groups to supply funds for students in need.

Transportation for Special Education Students

The County Superintendent recognizes the responsibility to provide transportation services which give disabled students access to appropriate education programs and services. The County Superintendent or designee shall make transportation available for these students in accordance with needs specified in their Individualized Education Program (IEP) and at no cost to parents/guardians.

IEP teams shall authorize the provision of transportation in accordance with criteria set forth in administrative regulations. In selecting the most appropriate mode of transportation, IEP teams shall consider the student's unique safety and health needs, the availability of equipment, existing transportation

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schedules, and the extent to which transportation arrangements may help the student develop independent mobility skills.

Transportation by Private Automobile

The County Superintendent or designee may authorize the transportation of students on an occasional basis by private automobile for approved field trips and activities when the vehicle is driven by an adult who has registered with the Butte County Office of Education for such purposes by filing a completed Affirmation of Automobile Insurance Form. Private automobiles shall not be used to transport students for regularly scheduled activities. All student passengers shall provide permission slips signed by their parents/guardians which indicate the acknowledgment that a private automobile is being used for transportation.

Drivers shall be required to possess a valid California driver's license and prior to using a personal automobile to transport students, must provide a copy of a clean Department of Motor Vehicles record and proof of Bodily Injury Liability insurance of not less than \$100,000 per person and \$300,000 per accident, Property Damage Liability insurance of a minimum of \$50,000 each accident, and Combined single limit for Property Damage and Bodily Injury Insurance of \$300,000 for each accident.

Owners, drivers, and passengers shall be informed that the registered owner and their insurance company bear primary responsibility for any accidents which may occur. Secondary insurance coverage shall be provided by Butte County Office of Education in the event of an accident, losses, or claims for damages during the transportation of students in private vehicles and in the execution of Butte County Office of Education employee's job responsibilities when the amount of the claim exceeds the limits stated in the paragraph above. The Butte County Office of Education does not cover, nor is it responsible for, comprehensive or collision insurance for privately owned vehicles.

A seat belt must be provided for and worn by each passenger. Owners shall comply with the California Vehicle Code, Sections 27360 and 27360.5 which govern the need for child safety seats or booster seats for children based on age, as well as children who are under certain minimum weight requirements.

The number of vehicle occupants, including the driver, shall not exceed the capacity for which the vehicle was designed and should not in any case exceed ten.

Legal Reference Education Code

[8760](#) Authorization of outdoor science and conservation programs

[32040-32044](#) First aid equipment: field trips

[35330](#) Excursions and field trips

[35331](#) Provision for medical or hospital service for pupils (on field trips)

[35332](#) Transportation by chartered airline

[35350](#) Transportation of students

[44808](#) Liability when pupils not on school property

[48908](#) Duties of pupils; authority of teachers Business and Professions Code

[17550-17550.9](#) Sellers of travel

[17552-17556.5](#) Educational travel organizations

Approved: October, 2009

Revised: June, 2017

Revised: September, 2020

Revised: July, 2021

Revised: February, 2022

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SP 6154

HOMEWORK/MAKEUP WORK

The County Superintendent recognizes that homework contributes toward building responsibility, self-discipline and life-long learning habits and time spent on homework directly influences students' ability to meet the county's academic standards. The primary purpose of any homework assignments is to extend the classroom learning and provide students with additional practice opportunities. To that extent, each administrator is to monitor the type, quality and quantity of homework assignments.

Students may use technology to assist with homework and/or makeup work in conducting research, correcting grammar and spelling, and learning from educational applications such as tutoring systems and language learning applications, as specified in Superintendent Policy 5131.9 - Academic Honesty and Superintendent Policy 6163.4 - Student Use of Technology.

The County Superintendent or designee shall collaborate with school administrators and teachers to develop and regularly review guidelines for the assignment of homework and the related responsibilities of students, staff, and parents/guardians.

The County Superintendent or designee shall ensure that administrators and teachers develop and implement an effective homework plan at each school site. As needed, teachers may receive training in designing relevant, challenging and meaningful homework assignments that reinforce classroom-learning objectives. Teacher's expectations related to homework may be addressed in their evaluations.

Students must be able to complete any assigned homework independently. The County Superintendent expects teachers to monitor appropriateness of assigned homework for individual students to avoid disengaging a student from academic content. All homework should connect to previous instruction. When students repeatedly fail to do their homework, parents/guardians shall be notified and asked to contact the teacher.

Makeup Work

Students who are absent from school shall be given the opportunity to complete all assignments and tests that can be reasonably provided. As determined by the teacher, the assignments and tests shall be equivalent to, but not necessarily identical to, the assignments and tests missed during the absence. Students shall receive full credit for work satisfactorily completed within a reasonable period of time.

The County Superintendent or designee shall notify parents/guardians that no student may have a grade reduced or lose academic credit for any excused absence when missed assignments and tests are satisfactorily completed within a reasonable period of time. Such notification shall include the full text of Education Code 48205.

Suspended Students

When a parent/guardian of a student who has been suspended for two or more school days requests homework that the student would otherwise have been assigned, the student's teacher shall provide such homework. If a homework assignment is requested and is turned in to the teacher by the student either upon the student's return from suspension or within the timeframe originally prescribed by the teacher, whichever is later, and is not graded before the end of the academic term, the homework assignment shall not be included in the calculation of the student's overall grade in the class.

The teacher of any class from which a student is suspended may require the student to complete any assignments and tests missed during the suspension.

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Legal Reference:

Education Code

[8420-8428](#) 21st Century High School After School Safety and Enrichment for Teens

[8482-8484.65](#) After School Education and Safety Program

[8484.7-8484.9](#) 21st Century Community Learning Centers

[48205](#) Absences for personal reasons

[48913](#) Completion of work missed by suspended student 48913.5 Homework assignments for suspended students

[48980](#) Parental notifications

United States Code, Title 20

[7171-7176](#) 21st Century Community Learning Centers

Approved: September, 2004

Revised: August, 2020

Reviewed: July, 2021

Revised: April, 2024

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

AR 6154

REGULATIONS REGARDING HOMEWORK

School-Site Homework Plan

The Principal and staff at each school shall develop and regularly review a school-site homework plan which includes guidelines for the assignment of homework and describes the responsibilities of students, staff and parents / guardians. The plan shall identify all of the following:

1. For each grade level, the amount of time that students shall be expected to spend on homework;
2. For each grade level, the extent to which homework assignments shall systematically involve participation by parents / guardians;
3. The means by which parents / guardians shall be informed about:
 - a. Homework expectations;
 - b. How homework relates to the student's grades
 - c. How best to help their children.
4. Techniques that will be taught to help students allocate their time wisely to meet their deadlines and develop good personal study habits;
5. The access that students shall have to obtain;
 - a. Resource materials from the library media center;
 - b. Assistance and / or tutoring through telephone help lines and / or after school centers
6. The means by which teachers shall coordinate assignments so that students do not receive an overload of homework one day and very little the next;
7. For each grade level, the extent to which homework assignments shall emphasize independent research, reports, special reading and problem-solving activities.

Approved: July, 2004

Revised: June, 2017

Reviewed: July, 2021

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SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6155

CHALLENGING COURSES BY EXAMINATION

The County Superintendent recognizes that there is a need to allow high school students to challenge a given course by examination for grade and credit in order to accelerate progress towards graduation and to achieve more flexibility in the selection of electives. This opportunity will permit a student to enroll in courses best suited to his / her educational objectives.

The examination shall be comprehensive and cover all course objectives. Successful completion of the examination shall be at a level which indicates mastery of the content and / or reasonable chance for success in the next higher course.

Legal Reference: Education Code

51225.3 Requirements of graduation

[64001](#) School plan for student achievement, consolidated application programs

Approved: July, 2004

Revised: June, 2017; September, 2020

Reviewed: July, 2021

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SP 6157

DISTANCE LEARNING

Instruction

The County Superintendent recognizes that distance learning can be a viable alternative instructional strategy that supports student achievement of academic goals. Distance learning opportunities may be offered to students participating in independent study, credit recovery courses, enrichment courses, or other courses identified by the County Superintendent or designee, or in the event that a school site is physically closed due to widespread illness, natural disaster, or other emergency.

The county office may offer distance learning through a variety of delivery methods as appropriate for the grade level and subject matter. Distance learning opportunities may include video, audio, and/or written instruction in which the primary mode of communication between the student and teacher is online interaction, instructional television, live or prerecorded video, tele courses, and other instruction that relies on computer or communications technology. They may also include the use of print materials with written or oral feedback.

The County Superintendent or designee shall review and select distance learning courses, which may include those taught by staff or others, that are of high academic quality and are aligned with standards and curricula. As appropriate, courses may be self-directed to allow students to complete assignments at their own pace and/or may involve real-time interaction among the teacher and students.

The County Superintendent or designee shall, in collaboration with teachers, plan for schoolwide or long-term distance learning in the event of a school closure. In developing the plan, the County Superintendent or designee shall analyze the course sequence, prioritize content and standards to be completed, and recommend the grading criteria. In such circumstances, students' social-emotional wellness shall be taken into account, and schedules and learning experiences shall be designed to build continuity, routine, and regular connections with students.

As needed, the County Superintendent or designee shall provide teachers with training and ongoing support, including technological support and guidance, to effectively implement distance learning. The County Office shall also provide opportunities for teachers to communicate and collaborate with each other to exchange information on effective practices.

Staff shall comply with all copyright regulations in developing materials to be used in distance education courses.

The county office shall take steps to ensure that distance learning opportunities are available to all students, including economically disadvantaged students, students with disabilities, and English learners. Teachers may use multiple methods of providing instruction to meet student needs. All online programming and Internet content shall meet accessibility standards for students with disabilities, including compatibility with commonly used assistive technologies.

The County Superintendent or designee shall assess students' access to technological devices and the Internet and, consistent with the school's budget and technology plan, may loan devices to students to use at home and/or assist families in identifying free service providers. Students are expected to use school technology responsibly in accordance with the school's Acceptable Use Agreement. To the extent possible, technical and academic support will be made available to all students.

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SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

Teachers shall provide regular communications to students and parents/guardians about expectations, assignments, and available resources to assist the student in successful completion of distance learning coursework.

Grading of distance learning assignments and assessments of end-of-course knowledge and understanding of the subject matter shall be consistent with County Office policy on grading for equivalent courses, unless during a school closure where it may be deemed necessary by the County Superintendent or designee to modify.

Legal Reference:

Education Code

35182.5 Contracts for electronic products or services; prohibitions

51210-51212 Course of study for grades 1-6

51220-51229 Course of study for grades 7-12

51740-51741 Authority to provide instruction by correspondence

51745-51749.3 Independent study

51865 California distance learning policy

Public Contract Code

20118.2 Contracting by school districts; technological equipment

United States Code, Title 20

7131 Internet safety United States Code, Title 47

254 Universal service discounts (E-rate); Internet safety

Approved: September, 2020

Revised:

Reviewed: July, 2021

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6158

INDEPENDENT STUDY

The County Superintendent authorizes independent study as an optional alternative instructional strategy for eligible students whose needs may be best met through study outside of the regular classroom setting. Independent study shall offer a means of individualizing the educational plan to serve students who desire a more challenging educational experience, whose health or other personal circumstances make classroom attendance difficult, who are unable to access course(s) due to scheduling problems, and/or who need to make up credits or fill gaps in their learning. As necessary to meet student needs, independent study may be offered for short- or long-term placements, on a full- time basis or on a part-time basis, and or in conjunction with part- or full-time classroom study.

The Board shall hold a public hearing when considering the scope of its existing or prospective use of independent study as an instructional strategy, its purposes in authorizing independent study, and factors bearing specifically on the maximum realistic lengths of assignments and acceptable number of missed assignments for specific populations of students or adult education students.

The County Superintendent or designee may provide a variety of independent study opportunities, including, but not limited to, a program or class within an alternative school or program of choice, a charter school, and an online course.

Student participation in independent study shall be voluntary and no student shall be required to participate.

Independent study for each student shall be under the general supervision of a Butte County Office of Education employee who possesses a valid certification document pursuant to Education Code 44865 or an emergency credential pursuant to Education Code 44300. Students' independent study shall be coordinated, evaluated, and documented, as prescribed by law and reflected in the accompanying administrative regulation.

The minimum period of time for any independent study option shall be three consecutive school days.

General Independent Study Requirements

The County Superintendent or designee may continue to offer and approve independent study for an individual student upon determining that the student is prepared to meet BCOE's requirements for independent study and is likely to succeed in independent study as well as or better than the student would in the regular classroom setting.

The minimum instructional minutes for students participating in independent study shall be the same as required for their peers at the school who are receiving in-person instruction, except as otherwise permitted by law.

Because excessive leniency in the duration of independent study assignments may result in a student falling behind peers and increase the risk of dropping out of school, independent study assignments shall be completed no more than fifteen (15) days after assigned for all grade levels and types of program. However, when necessary based on the specific circumstances of the student's approved program, the County Superintendent or Associate Superintendent may allow for a longer period of time between the date an assignment is made and when it is due. However, in no event shall the due date of an assignment be extended beyond the termination date of the agreement.

An evaluation shall be conducted to determine whether it is in a student's best interest to remain in independent study whenever the student fails to make satisfactory educational progress and/or misses three assignments.

Satisfactory educational progress shall be determined based on all of the following indicators:

1. The student's achievement and engagement in the independent study program, as indicated by the student's performance on applicable student-level measures of student achievement and engagement

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

specified in Education Code 52060

2. The completion of assignments, assessments, or other indicators that evidence that the student is working on assignments
3. Learning required concepts, as determined by the supervising teacher
4. Progress towards successful completion of the course of study or individual course, as determined by the supervising teacher

The County Superintendent or designee shall ensure that students participating in independent study are provided with content aligned to grade level standards substantially equivalent to in-person instruction. For high schools, this shall include access to all courses offered by the school for graduation and approved by the University of California or the California State University as creditable under the A-G admissions criteria.

The Superintendent or designee shall ensure that all students participating in independent study for 15 school days or more receive the following throughout the school year:

1. For students in grades transitional kindergarten, kindergarten, and grades 1 to 3, opportunities for daily synchronous instruction
2. For students in grades 4-8, opportunities for both daily live interaction and at least weekly synchronous instruction
3. For students in grades 9-12, opportunities for at least weekly synchronous instruction

The County Superintendent or designee shall ensure that procedures for tiered reengagement strategies are used for all students participating in an independent study program for 15 school days or more who:

1. Are not generating attendance for more than 10 percent of required minimum instructional time over four continuous weeks of the school's approved instructional calendar
2. Are found to be not participatory pursuant to Section 51747.5 for more than 50 percent of the scheduled days of synchronous instruction in a school month as applicable by grade span
3. Are in violation of their written agreement pursuant to Section 51747(g)

Tiered reengagement strategies procedures used in independent study programs shall include, but are not necessarily limited to, all of the following:

1. Verification of current contact information for each enrolled student
2. Notification to parents/guardians of lack of participation within one school day of the recording of a non-attendance day or lack of participation
3. A plan for outreach from the school to determine student needs, including connection with health and social services as necessary
4. A clear standard for requiring a student-parent-educator conference to review a student's written agreement and reconsider the independent study program's impact on the student's achievement and well-being

The County Superintendent or designee shall develop a plan to transition students whose families wish to return to in-person instruction from independent study expeditiously, and, in no case later, than five instructional days. This requirement only applies to students participating in an independent study program for 15 school days or more.

When any student enrolled in classroom-based instruction is participating in independent study due to necessary medical treatment or inpatient treatment for mental health or substance abuse under the care of appropriately licensed professionals, the student shall be exempt from the live interaction and/or synchronous instruction, tiered reengagement strategies, and transition back to in-person instruction requirements specified above. In such cases, evidence from appropriately licensed professionals, of the student's need to participate in independent study, shall be

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submitted to the Superintendent or designee.

The County Superintendent or designee shall ensure that a written master agreement exists for each participating student, as prescribed by law.

Upon the request of the parent/guardian of a student, before making a decision about enrolling or disenrolling in independent study and entering into a written agreement to do so, BCOE school principals shall conduct a telephone, videoconference, or in-person student-parent-educator conference or other meeting during which the student, parent/guardian, or their advocate may ask questions about the educational options, including which curriculum offerings and nonacademic supports will be available to the student in independent study.

A written agreement shall be developed and implemented for each student participating in independent study for three (3) or more consecutive school days.

Each pupil's written agreement must be completed and signed by parent, student, and teacher prior to program commencement for programs scheduled for 15 days or more. Written agreements for independent study lasting fewer than 15 school days must be signed by parent/guardian within 10 days of enrollment in independent study.

The agreement shall include general student data, including the student's name, address, grade level, birth date, and school/program.

The independent study agreement for each participating student also shall include, but not be limited to, all of the following:

1. The manner, time, frequency, and place for submitting the student's assignments and for reporting their progress, and for communicating with a student's parent or guardian regarding a student's academic progress
2. The objectives and methods of study for the student's work and the methods used to evaluate that work
3. The specific resources, including materials and personnel that will be made available to the student. These resources shall include confirming or providing access to all students to the connectivity and devices adequate to participate in the educational program and complete assigned work
4. A statement of the Butte County Office of Education County Superintendent's Policy detailing the maximum length of time allowed between an assignment and its completion, the level of satisfactory educational progress and the number of missed assignments which will trigger an evaluation of whether the student should be allowed to continue in independent study
5. The duration of the independent study agreement, including the beginning and ending dates for the student's participation in independent study under the agreement, with a maximum of one school year
6. A statement of the number of course credits or, for an elementary grade, other measures of academic accomplishment appropriate to the agreement, to be earned by the student upon completion
7. A statement detailing the academic and other supports that will be provided to address the needs of students not performing at grade level, or in need of support in other areas (English learners, students with IEPs/504s, in foster care or experiencing homelessness, and students requiring mental health supports)
8. A statement that independent study is an optional educational alternative in which no student may be required to participate
9. In the case of a student who is suspended or expelled who is referred or assigned to any school, class, or program pursuant to Education Code 48915 or 48917, a statement that instruction may be provided through independent study only if the student is offered the alternative of classroom instruction
10. Before the commencement of independent study projected to last for 15 school days or more, or within ten school days of the first day of enrollment for independent study for less than 15 school days, the agreement shall be signed and dated by the student, the student's parent/guardian or caregiver if the student is under 18 years of age, the certificated employee responsible for the general supervision of independent study, and for

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students with disabilities, the certificated employee designated as having responsibility for the special education programming of the student

Written agreements may be signed using an electronic signature that complies with state and federal standards, as determined by the California Department of Education (CDE).

The parent/guardian's signature on the agreement shall constitute permission for the student to receive instruction through independent study.

Student-Parent-Educator Conferences

A student-parent-educator conference shall be held as appropriate including, but not limited to, as a reengagement strategy and/or if requested by a parent/guardian prior to enrollment or disenrollment from independent study.

Records for Audit Purposes

The County Superintendent or designee shall ensure that records are maintained for audit purposes. These records shall include, but not be limited to:

1. A copy of the Superintendent policy, administrative regulation, and other procedures related to independent study
2. A listing of the students, by grade level, program, and school, who have participated in independent study, along with the units of the curriculum attempted and completed by students in grades K-8 and the course credits attempted by and awarded to students in grades 9-12 and adult education
3. A file of all agreements, with representative samples of each student's work products bearing the supervising teacher's signed or initialed and dated notations indicating that the teacher has personally evaluated the work or personally reviewed the evaluations made by another certificated teacher As appropriate to the program in which the students are participating, a daily or hourly attendance register that is separate from classroom attendance records, maintained on a current basis as time values of student work products judged by a certificated teacher, and reviewed by the supervising teacher if they are two different persons
4. Appropriate documentation of compliance with the teacher-student ratios required by Education Code 51745.6 and 51749.5
5. Appropriate documentation of compliance with the requirements pursuant to Education Code 51747.5 to ensure the coordination, evaluation, and supervision of the independent study of each student by a BCOE employee who possesses a valid certification document pursuant to Education Code 44865 or an emergency credential pursuant to Education Code 44300

A written record of the findings of any evaluation conducted after the student has missed the number of assignments specified in Butte County Office of Education County Superintendent's Policy shall be treated as a mandatory interim student record which shall be maintained for three years from the date of the evaluation.

BCOE shall document each student's participation in live interaction and synchronous instruction pursuant to Education Code 51747 on each school day, as applicable, in whole or in part, for which live interaction or synchronous instruction is provided as part of the independent study program. A student who does not participate in scheduled live interaction or synchronous instruction shall be documented as non-participatory for that school day.

The County Superintendent or designee also shall maintain a written or computer-based record such as a grade book or summary document of student engagement, for each class, of all grades, assignments, and assessments for each student for independent study assignments.

The signed, dated agreement, any supplemental agreement, assignment records, work samples, and attendance records may be maintained on file electronically.

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SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

Legal Reference

FEDERAL

20 USC 6301 Highly qualified teachers

STATE

5 CCR 11700-11703 Independent study

Ed. Code 17289 Exemption for facilities

Ed. Code 41976.2 Independent study programs; adult education funding

Ed. Code 42238 Revenue limits

Ed. Code 42238.05 Local control funding formula; average daily attendance

Ed. Code 44865 Qualifications for home teachers

Ed. Code 46200-46208 Incentives for longer instructional day and year

Ed. Code 46300-46307.1 Methods of computing average daily attendance

Ed. Code 46390-46393 Emergency average daily attendance

Ed. Code 47612-47612.1 Charter School Operation

Ed. Code 47612.5 Charter schools operations, general requirements

Ed. Code 48204 Residency requirements for school attendance

Ed. Code 48206.3 Home or hospital instruction; students with temporary disabilities

Ed. Code 48220 Classes of children exempted

Ed. Code 48340 Improvement of pupil attendance

Ed. Code 48915 Expulsion; particular circumstances

Ed. Code 48916.1 Educational program requirements for expelled students

Ed. Code 48917 Suspension of expulsion order

Ed. Code 49011 Student fees

Ed. Code 51225.3 High school graduation

Ed. Code 51745-51749.6 Independent study

Ed. Code 52522 Adult education alternative instructional delivery

Ed. Code 52523 Adult education as supplement to high school curriculum; criteria

Ed. Code 56026 Individual with exceptional needs

Ed. Code 58500-58512 Alternative schools and programs of choice

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Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

AR 6158

REGULATIONS REGARDING INDEPENDENT STUDY

Definitions

Live interaction means interaction between the student and classified or certificated staff, and may include peers, provided for the purpose of maintaining school connectedness, including, but not limited to, wellness checks, progress monitoring, provision of services, and instruction. This interaction may take place in person, or in the form of Internet or telephonic communication.

Student-parent-educator conference means a meeting involving, at a minimum, all parties who signed the student's written independent study agreement pursuant to Education Code 51747 or the written learning agreement pursuant to Education Code 51749.6.

Synchronous instruction means classroom-style instruction or designated small group or one-on-one instruction delivered in person, or in the form of Internet or telephonic communications, and involving live two-way communication between the teacher and student. Synchronous instruction shall be provided by the teacher of record for that student pursuant to Education Code 51747.5.

Educational Opportunities

Educational opportunities offered through independent study may include, but are not limited to:

1. Special assignments extending the content of regular courses of instruction
2. Individualized study in a particular area of interest or in a subject not currently available in the regular school curriculum
3. Continuing and special study during travel
4. Volunteer community service activities and leadership opportunities that support and strengthen student achievement
5. Individualized study for a student whose health, as determined by the student's parent/guardian, would be put at risk by in-person instruction or for a student who is unable to attend in-person instruction due to a quarantine due to exposure to, or infection with, COVID-19, pursuant to local or state public health guidance

In addition, when requested by a parent/guardian due to an emergency or illness, independent study may be used on a short-term basis to ensure that the student is able to maintain academic progress in the student's regular classes.

Equivalency

Butte County Office of Education's independent study option shall be substantially equivalent in quality and quantity to classroom instruction to enable participating students to complete the district's adopted course of study within the customary timeframe. Students in independent study shall have access to the same services and resources that are available to other students in the school and shall have equal rights and privileges.

Students participating in independent study shall have access to Internet connectivity and devices adequate to participate in the educational program and complete assigned work.

Butte County Office of Education shall not provide independent study students and their parents/guardians with funds or items of value that are not provided for other students and their parents/guardians. Providing access to Internet connectivity and local educational agency-owned devices adequate to participate in an independent study program and complete assigned work consistent with Education Code 51747, or to participate in an independent study course, as authorized by Education Code 51749.5, shall not be considered funds or other things of value.

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Eligibility for Independent Study

Students are eligible for independent study when enrolled in a BCOE school, as authorized in law, and as specified in Butte County Office of Education Superintendent Policy and Administrative Regulations.

A student participating in independent study must be a resident of the county or an adjacent county. Full-time independent study shall not be available to students whose district residency status is based on their parent/guardian's employment within district boundaries.

A student with disabilities, as defined in Education Code 56026, may participate in independent study if the student's individualized education program (IEP) specifically provides for such participation. If a parent/guardian of a student with disabilities requests independent study because the student's health would be put at risk by in-person instruction, the student's IEP team shall make an individualized determination as to whether the student can receive a free appropriate public education (FAPE) in an independent study placement. A student's inability to work independently, need for adult support, or need for special education or related services shall not preclude the IEP team from determining that the student can receive FAPE in an independent study placement.

A student temporarily disabled shall not receive individual instruction by means of independent study.

Students age 21 or older, and students age 19 or older who have not been continuously enrolled in school since their 18th birthday, may participate in independent study only through the adult education program for the purpose of enrolling in courses required for a high school diploma.

Except for students participating in independent study due to an emergency as described in Education Code 41422 and 46392 and pregnant and parenting students who are the primary caregiver for their child(ren), no more than 10 percent of the students enrolled in a continuation high school or opportunity school or program shall be enrolled in independent study.

Monitoring Student Progress

The independent study administrator and/or supervising teacher shall promptly and directly address any failure by the student to meet the terms of the student's written agreement. The following supportive strategies may be used:

1. A letter to the student and/or parent/guardian
2. A meeting between the student and the teacher and/or counselor
3. A meeting between the student and the independent study administrator, including the parent/guardian if appropriate
4. An increase in the amount of time the student works under direct supervision

When the student has failed to make satisfactory educational progress or missed the number of assignments specified in the written agreement as requiring an evaluation, the Superintendent or designee shall conduct an evaluation to determine whether independent study is in the student's best interest. This evaluation may result in termination of the independent study agreement and the student's return to the regular classroom program or other alternative program.

A written record of the findings of any such evaluation shall be treated as a mandatory interim student record which shall be maintained for three years from the date of the evaluation, and if the student transfers to another public school in California, the record shall be forwarded to that school.

Responsibilities of Independent Study Administrator

The responsibilities of the independent study administrator include, but are not limited to:

1. Recommending certificated staff to be assigned as independent study teachers at the required teacher-student

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ratios pursuant to Education Code 51745.6 and supervising staff assigned to independent study functions who are not regularly supervised by another administrator

2. Approving or denying the participation of students requesting independent study
3. Facilitating the completion of written independent study agreements
4. Ensuring a smooth transition for students into and out of the independent study mode of instruction
5. Approving all credits earned through independent study
6. Completing or coordinating the preparation of all records and reports required by law, Superintendent Policy, or administrative regulation

Assignment and Responsibilities of Independent Study Teachers

Each student's independent study shall be coordinated, evaluated, and carried out under the general supervision of a BCOE employee who possesses a valid certification document pursuant to Education Code 44865 or emergency credential pursuant to Education Code 44300, registered as required by law, and who consents to the assignment.

The ratio of student average daily attendance for independent study students age 18 years or younger to full-time equivalent certificated employees responsible for independent study shall not exceed the equivalent ratio for all other education programs, unless a new higher or ratio for all other educational programs offered is negotiated in a collective bargaining agreement or Butte County Office of Education enters into a memorandum of understanding that indicates an existing collective bargaining agreement contains an alternative ratio.

The responsibilities of the supervising teacher shall include, but are not limited to:

1. Completing designated portions of the written independent study agreement and signing the agreement
2. Supervising and approving coursework and assignments
3. Maintaining records of student assignments showing the date the assignment is given and the date the assignment is due
4. Maintaining a daily or hourly attendance register in accordance with Item #4 in the section on "Records" in the accompanying Superintendent policy
5. Providing direct instruction and counsel as necessary for individual student success
6. Regularly meeting with the student to discuss the student's progress
7. Determining the time value of assigned work or work products completed and submitted by the student
8. Assessing student work and assigning grades or other approved measures of achievement
9. Documenting each student's participation in live interaction and/or synchronous instruction pursuant to Education Code 51747 on each school day, as applicable, in whole or in part, for which live interaction or synchronous instruction is provided as part of the independent study program

The County Superintendent or designee shall ensure that independent study teachers have access to professional development and support comparable to classroom-based teachers.

Legal References:

FEDERAL

20 USC 6301 Highly qualified teachers

STATE

5 CCR 11700-11703 Independent study

Ed. Code 17289 Exemption for facilities

Ed. Code 41976.2 Independent study programs; adult education funding

Ed. Code 42238 Revenue limits

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- Ed. Code 42238.05 Local control funding formula; average daily attendance
- Ed. Code 44865 Qualifications for home teachers
- Ed. Code 46200-46208 Incentives for longer instructional day and year
- Ed. Code 46300-46307.1 Methods of computing average daily attendance
- Ed. Code 46390-46393 Emergency average daily attendance
- Ed. Code 47612-47612.1 Charter School Operation
- Ed. Code 47612.5 Charter schools operations, general requirements
- Ed. Code 48204 Residency requirements for school attendance
- Ed. Code 48206.3 Home or hospital instruction; students with temporary disabilities
- Ed. Code 48220 Classes of children exempted
- Ed. Code 48340 Improvement of pupil attendance
- Ed. Code 48915 Expulsion; particular circumstances
- Ed. Code 48916.1 Educational program requirements for expelled students
- Ed. Code 48917 Suspension of expulsion order
- Ed. Code 49011 Student fees
- Ed. Code 51225.3 High school graduation
- Ed. Code 51745-51749.6 Independent study
- Ed. Code 52522 Adult education alternative instructional delivery
- Ed. Code 52523 Adult education as supplement to high school curriculum; criteria
- Ed. Code 56026 Individual with exceptional needs
- Ed. Code 58500-58512 Alternative schools and programs of choice

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SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6159

INDIVIDUALIZED EDUCATION PROGRAM

The County Superintendent desires to provide full educational opportunities to all students with disabilities. Students with disabilities shall receive a free, appropriate public education (FAPE) and, to the maximum extent possible, shall be educated in the least restrictive environment with nondisabled students.

For each student with disabilities, an individualized education program (IEP) shall be developed which identifies the special education instruction and related services to be provided to the student. The Superintendent or designee shall develop administrative regulations regarding the membership of the IEP team, the team's responsibility to develop and regularly review the IEP, the contents of the IEP, and the development, review, and revision processes.

The district shall make FAPE available to individuals with disabilities ages 3-21 who reside in the district, including:

1. Students who have been suspended or expelled from school
2. Students who are placed by the district in a nonpublic, nonsectarian school
3. Individuals age 18-21 years who are incarcerated in an adult correctional facility and were identified as being an individual with disabilities or had an IEP in their prior educational placement

To the extent permitted by federal law, and where the juvenile court has limited the ability of the parent/guardian to make educational decisions for the child and the child is in a planned permanent living arrangement, a foster parent shall have the same rights relative to their foster child's IEP as a parent/guardian.

Legal Reference:

EDUCATION CODE

46392 Emergencies

51225.3 Requirements for high school graduation and diploma

56040.3 Assistive technology

56055 Rights of foster parents pertaining to foster child's education

56136 Guidelines for low incidence disabilities areas

56195.8 Adoption of policies

56321 Development or revision of IEP

56321.5 Notice to include right to electronically record

56340.1-56347 Instructional planning and individualized education program

56350-56354 IEP for visually impaired students

56380 IEP reviews; notice of right to request

56390-56392 Certificate of completion, special education

56500-56509 Procedural safeguards

60640-60649 California Assessment of Student Performance and Progress

FAMILY CODE

6500-6502 Age of majority

GOVERNMENT CODE

7572.5 Seriously emotionally disturbed child, expanded IEP team

WELFARE AND INSTITUTIONS CODE

300 Children subject to jurisdiction

601 Minors habitually disobedient

602 Minors violating law defined as crime

CODE OF REGULATIONS, TITLE 5

853-853.5 State assessments, accommodations

3021-3029 Identification, referral and assessment

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3040-3043 Instructional planning and the individualized education program

3051-3053 Implementation of the individualized education program

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act of 1974

1400-1482 Individuals with Disabilities Education Act

CODE OF FEDERAL REGULATIONS, TITLE 34

300.1-300.818 Individuals with Disabilities Education Act

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AR 6159

REGULATIONS REGARDING INDIVIDUALIZED EDUCATION PROGRAM

At the beginning of each school year, the district shall have an individualized education program (IEP) in effect for each student with a disability within district jurisdiction. The IEP shall be a written statement that is developed, reviewed, and revised by the IEP team to meet the unique educational needs of a student with a disability.

Members of the Individualized Education Program Team

Unless excused by written agreement in accordance with Education Code 56341, The Butte County Office of Education shall ensure that the individualized education program (IEP) team for any student with a disability includes the following members:

1. One or both of the student's parents/guardians, and/or a representative selected by them. To the extent permitted by federal law, a foster parent shall have the same rights relative to a foster child's IEP as a parent/guardian.
2. If the student is or may be participating in the regular education program, at least one of the student's general education teachers designated by the Superintendent or designee to represent the student's general education teachers. The general education teacher shall, to the extent appropriate, participate in the development, review, and revision of the student's IEP, including assisting in the determination of appropriate positive behavioral interventions, supports, and other strategies for the student, and supplementary aids and services, program modifications, and supports for school personnel that will be provided for the student, consistent with 34 CFR 300.320.

If more than one regular education teacher is providing instructional services to the student, the County Office may designate one such teacher to represent the others.

3. At least one special education teacher or, where appropriate, special education providers
4. A representative of the Butte County Office of Education who is:
 - a. Qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of students with disabilities
 - b. Knowledgeable about the general education curriculum
 - c. Knowledgeable about the availability of Butte County Office of Education and/or special education local plan area (SELPA) resources
5. An individual who can interpret the instructional implications of assessment results. This individual may already be a member of the team as described in items #2-4 above or in item #6 below.
6. At the discretion of the parent/guardian or Butte County Office of Education, other individuals who have knowledge or special expertise regarding the student, including related services personnel, as appropriate. The determination of whether the individual has knowledge or special expertise regarding the student shall be made by the party who invites the individual to be a member of the IEP team.
7. Whenever appropriate, the student with a disability. In the development, review, or revision of the IEP, the student shall be allowed to provide confidential input to any representative of the IEP team.
8. When the student is suspected of having a specific learning disability, at least one individual who is qualified to conduct individual diagnostic examinations of the student, such as a school psychologist, speech language pathologist, or remedial reading teacher. In accordance with 34 CFR 300.310, at least one team member other than the student's regular education teacher shall observe the student's academic performance and behavior in the areas of difficulty in their learning environment, including in the regular classroom setting. If the child is younger than five years or not enrolled in school, a team member shall observe the child in an environment appropriate for a child of that age.

In the following circumstances, the Superintendent or designee shall invite other specified individuals to an IEP team meeting:

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SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

1. When the student has been placed in a group home by the juvenile court, a representative of the group home shall be invited to attend IEP team meetings.
2. Whenever the IEP team is meeting to consider the student's postsecondary goals and the transition services needed to assist the student in reaching the goals, the following individuals shall be invited to attend:
 - a. The student, regardless of the student's age. If the student does not attend the IEP team meeting, the Superintendent or designee shall take other steps to ensure that the student's preferences and interests are considered.
 - b. To the extent appropriate, and with the consent of the parent/guardian or adult student, a representative of any other agency that is likely to be responsible for providing or paying for the transition services.
3. If the student was previously served under the Early Education for Individuals with Exceptional Needs or the California Early Intervention Services Act, and upon request of the student's parent/guardian, the Superintendent or designee shall invite the Infant and Toddlers with Disabilities Coordinator or other representative of the early education or early intervention system to the initial IEP team meeting to assist with the smooth transition of services.

9. For students who have been placed in a group home by the juvenile court, a representative of the group home

If a student with a disability is identified as potentially requiring mental health services, Butte County Office of Education shall request the participation of the county mental health program in the IEP team meeting prior to referring the student to a county mental health agency for services.

Upon request of the parent/guardian of a child who was previously served under Early Education for Individuals with Exceptional Needs or the California Early Intervention Services Act, Butte County Office of Education shall invite the Infant and Toddlers with Disabilities Coordinator or other representative of the early education or early intervention system to the initial IEP team meeting to assist with the smooth transition of services.

A member of the IEP team shall not be required to attend an IEP team meeting, in whole or in part, if the parent/guardian and Butte County Office of Education agree, in writing, that the attendance of the member is not necessary because the member's area of the curriculum or related services is not being modified or discussed at the meeting. Even if the meeting involves a discussion of the IEP team member's area of the curriculum or related service, the member may be excused from the meeting if the parent/guardian, in writing, and the Butte County Office of Education consent to the excusal after conferring with the member and the member submits to the parent/guardian and team written input into the development of the IEP prior to the meeting.

Parent/Guardian Participation and Other Rights

The County Superintendent or designee shall take steps to ensure that one or both of the parents/guardians of the student with a disability are present at each IEP team meeting or are afforded the opportunity to participate. These steps shall include notifying the parents/guardians of the meeting early enough to ensure that they will have the opportunity to attend and scheduling the meeting at a mutually agreed upon time and place.

The County Superintendent or designee shall send parents/guardians notices of IEP team meetings that:

1. Indicate the purpose, time, and location of the meeting
2. Indicate who will be in attendance at the meeting
3. Inform them of:
 - a. Their right to bring to the meeting other individuals who have knowledge or special expertise about the student
 - b. The provisions relating to the participation of the Infant and Toddlers with Disabilities Coordinator at the initial IEP team meeting, if the student was previously served under Early Education for Individuals with Exceptional Needs or the California Early Intervention Services Act

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In addition, when the IEP team meeting is to consider the development, review, or revision of the IEP of a student with a disability who is 16 years of age, or younger than 16 if deemed appropriate by the IEP team, the County Superintendent or designee's notice to the student's parents/guardians shall include the following:

1. An indication that a purpose of the meeting will be the consideration of postsecondary goals and transition services for the student
2. An indication that the student is invited to the IEP team meeting
3. Identification of any other agency that will be invited to send a representative

At each IEP team meeting convened by Butte County Office of Education, the Butte County Office of Education administrator or specialist on the team shall inform the parent/guardian and student of the federal and state procedural safeguards included in the notice of parental rights provided.

The parent/guardian shall have the right and opportunity to examine all of their child's school records upon request and before any IEP meeting, and in connection with any hearing or resolution session on matters affecting the student, including, but not limited to, initial formal assessment, procedural safeguards, and due process. Upon receipt of an oral or written request, the Butte County Office of Education shall provide complete copies of the records within five (5) business days.

The parent/guardian shall have the right to present information to the IEP team in person or through a representative and the right to participate in meetings that relate to eligibility for special education and related services, recommendations, and program planning.

If neither parent/guardian can attend the meeting, the County Superintendent or designee shall use other methods to ensure parent/guardian participation, including video conferences or individual or conference telephone calls.

An IEP team meeting may be conducted without a parent/guardian in attendance if Butte County Office of Education is unable to convince the parent/guardian to attend. In such a case, Butte County Office of Education shall maintain a record of its attempts to arrange a mutually agreed upon time and place for the meeting, including:

1. Detailed records of telephone calls made or attempted and the results of those calls
2. Copies of correspondence sent to the parent/guardian and any responses received
3. Detailed records of visits made to the parent/guardian's home or place of employment and the results of those visits

Parents/guardians and the Butte County Office of Education shall have the right to audio record the proceedings of IEP team meetings, provided members of the IEP team are notified of this intent at least 24 hours before the meeting. If Butte County Office of Education gives notice of intent to audio record a meeting and the parent/guardian objects or refuses to attend because the meeting would be audio recorded, the meeting shall not be audio recorded.

Parents/guardians also have the right to:

1. Inspect and review the audio recordings
2. Request that an audio recording be amended if they believe it contains information that is inaccurate, misleading, or in violation of the student's privacy rights or other rights
3. Challenge, in a hearing, information that the parents/guardians believe is inaccurate, misleading, or in violation of the student's privacy rights or other rights

Butte County Office of Education shall take any action necessary to ensure that the parents/guardians understand the proceedings of the meeting, including arranging for an interpreter for parents/guardians with deafness or whose native

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language is not English.

Butte County Office of Education shall give the parents/guardians of a student with disabilities a copy of their child's IEP at no cost.

Parent/Guardian Consent

Before providing special education and related services, Butte County Office of Education shall seek to obtain informed consent. Butte County Office of Education shall not provide services by utilizing the due process hearing procedures if the parent/guardian refuses to consent to the initiation of services.

If the parent/guardian fails to respond or refuses to consent to the initiation of services, the district shall not use the due process hearing procedures to obtain agreement or a ruling that the services may be provided to the student. In such circumstances, the district shall not be required to convene an IEP team or develop an IEP for the student. (Education Code 56346)

If the parent/guardian consents in writing to the receipt of special education and related services for the student but does not consent to all of the components of the IEP, then those components to which the parent/guardian has consented shall be implemented so as not to delay providing instruction and services to the student.

If Butte County Office of Education determines that a part of a proposed IEP to which the parent/guardian does not consent is necessary in order to provide the student with a free appropriate public education (FAPE), a due process hearing shall be initiated. While the due process hearing is pending, the student shall remain in the current placement unless the parent/guardian and Butte County Office of Education agree otherwise.

If at any time subsequent to the initial provision of services, the student's parent/guardian revokes consent, in writing, for the continued provision of special education services, the County Superintendent or designee shall provide prior written notice within a reasonable time before ceasing to provide services to the student. The Butte County Office of Education shall not request a due process hearing or pursue mediation in order to require an agreement or ruling that services be provided to the student.

Prior to the discontinuation of services, the County Superintendent or designee may offer to meet with the parents/guardians to discuss concerns for the student's education. However, this meeting shall be voluntary on the part of the parent/guardian and shall not delay the implementation of the parent/guardian's request for discontinuation of services.

When Butte County Office of Education ceases to provide special education services in response to the parent/guardian's revocation of consent, the student shall be classified as a general education student.

Contents of the IEP

The IEP shall be a written statement developed, reviewed, and revised in a meeting of the IEP team. It shall include, but is not limited to, all of the following:

1. A statement of the present levels of the student's academic achievement and functional performance, including:
 - a. The manner in which the student's disability affects their involvement and progress in the general education curriculum (i.e., the same curriculum as for non-disabled students)
 - b. For a preschool child, as appropriate, the manner in which the disability affects their participation in appropriate activities
 - c. For students with disabilities who take alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives
2. A statement of measurable annual goals, including academic and functional goals, designed to:
 - a. Meet the student's needs that result from their disability in order to enable the student to be involved in

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SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

and progress in the general education curriculum

b. Meet each of the student's other educational needs that result from their disability

3. A description of the manner in which the student's progress toward meeting the annual goals described in item #2 above will be measured and when Butte County Office of Education will provide periodic reports on the progress the student is making toward meeting the annual goals, such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards
 4. A statement of the special education instruction and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided to enable the student to:
 - a. Advance appropriately toward attaining the annual goals
 - b. Be involved and make progress in the general education curriculum in accordance with item #1 above and to participate in extracurricular and other nonacademic activities
 - c. Be educated and participate with other students with disabilities and nondisabled students in the activities described in the IEP
 5. An explanation of the extent, if any, to which the student will not participate with non-disabled students in the regular class and in extracurricular and other non-academic activities described in the IEP
 6. A statement of any appropriate individual accommodations necessary to measure the academic achievement and functional performance of the student on state and Butte County Office of Education assessments. If the IEP team determines that the student shall take an alternate assessment instead of a particular regular state or Butte County Office of Education assessment, the student's IEP also shall include a statement of the reason that the student cannot participate in the regular assessment and the reason that the particular alternate assessment selected is appropriate for him/her.
 7. The projected date for the beginning of the services and modifications described in item #4 above and the anticipated frequency, location, and duration of those services and modifications
 8. Beginning not later than the first IEP to be in effect when the student is 16 years of age, or younger if determined appropriate by the IEP team, and updated annually thereafter, the following:
 - a. Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills
 - b. The transition services, including courses of study, needed to assist the student in reaching those goals
 9. A description of the means by which the IEP will be provided under emergency conditions, as described in Education Code 46392, in which instruction and/or services cannot be provided to the student either at the school or in person form more than 10 school days. The description shall take into account public health orders and shall include special education and relate services, supplementary aids and services, transition services, and extended school year services.
 10. Beginning at least one year before the student reaches age 18, a statement that the student has been informed of their rights, if any, that will transfer to him/her upon reaching age 18.
 11. For students in grades 7-12, any alternative means and modes necessary for the student to complete Butte County Office of Education's prescribed course of study and to meet or exceed proficiency standards required for graduation
 12. For a student whose native language is not English, linguistically appropriate goals, objectives, programs, and services
 13. Extended school year services when the IEP team determines, on an individual basis, that the services are necessary for the provision of FAPE
 14. Provision for transition into the regular education program if the student is to be transferred from a special class or center or non-public, non-sectarian school into a regular education program in a public school for any part of the school day
- The IEP shall include descriptions of activities intended to:
- a. Integrate the student into the regular education program, including indications of the nature of each activity and the time spent on the activity each day or week

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- b. Support the transition of the student from the special education program into the regular education program
15. For a student with low incidence disabilities, specialized services, materials, and equipment consistent with the guidelines pursuant to Education Code 56136

To assist a student who is blind, has low vision, or is visually impaired to achieve the student's maximum potential, the IEP team may consider instruction in the expanded core curriculum, including compensatory skills such as Braille, concept development, or other skills needed to access the core curriculum; orientation and mobility; social interaction skills; career technical education; assistive technology, including optical devices; independent living skills; recreation and leisure; self-determination; and sensory efficiency. When appropriate, such services may be offered before or after school.

Development of the IEP

Within 30 days of a determination that a student needs special education and related services, Butte County Office of Education shall ensure that a meeting to develop and initial IEP is conducted. (Education Code 56043; 34 CFR 300.323)

Any IEP required as a result of an assessment of a student shall be developed within 60 days from the date of receipt of the parent/guardian's written consent for assessment, unless the parent/guardian agrees, in writing, to an extension. Days between the student's regular school sessions, terms, or vacation of more than five school days shall not be counted. In the case of school vacations, the 60-day time limit shall recommence on the date that the student's school days reconvene.

However, when the IEP is required as a result of an assessment of a student for whom a referral has been made 30 days or less prior to the end of the preceding regular school year, the IEP shall be developed within 30 days after the commencement of the subsequent regular school year.

In developing the IEP, the IEP team shall consider all of the following:

1. The strengths of the student
2. The concerns of the parents/guardians for enhancing the education of their child
3. The results of the initial assessment or most recent assessment of the student
4. The academic, developmental, and functional needs of the student
5. In the case of a student whose behavior impedes their learning or that of others, the use of positive behavioral interventions and supports and other strategies to address that behavior
6. In the case of a student with limited English proficiency, the language needs of the student as such needs relate to the student's IEP
7. In the case of a student who is blind or visually impaired, the need to provide for instruction in Braille and instruction in the use of Braille.
However, such instruction need not be included in the IEP if the IEP team determines that instruction in Braille or the use of Braille is not appropriate for the student. This determination shall be based upon an assessment of the student's reading and writing skills, their future needs for instruction in Braille or the use of Braille, and other appropriate reading and writing media.
8. The communication needs of the student, and in the case of a student who is deaf or hard of hearing, the student's language and communication needs, opportunities for direct communications with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and communication mode. The team shall also consider the related services and program options that provide the student with an equal opportunity for communication access.
9. Whether the student requires assistive technology devices and services

If, in considering the special factors in items #1-9 above, the IEP team determines that a student needs a particular

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device or service, including an intervention, accommodation, or other program modification, in order to receive FAPE, the IEP team shall include a statement to that effect in the student's IEP.

Provision of Special Education and Related Services

The Butte County Office of Education shall ensure that, as soon as possible following development of the IEP, special education services and related service are made available to the student in accordance with the IEP.

The Superintendent or designee shall ensure that the student's IEP is accessible to each general education teacher, special education teacher, related service provider, and any other service provider who is responsible for its implementation. The Superintendent or designee also shall ensure that such teachers and providers are informed of their specific responsibilities related to implementing the IEP and the specific accommodations, modifications, and supports that must be provided to the student in accordance with the IEP.

If an orientation and mobility evaluation is determined to be needed for a student who is blind, has low vision, or is visually impaired, the evaluation shall be conducted by a person who is appropriately certified as an orientation and mobility specialist and shall occur in familiar and unfamiliar environments, in vary in lighting conditions, and in the home, school, and community, as appropriate. The Superintendent or designee may require annual written parent/guardian consent to provide orientation and mobility services when such services are provided before or after school and when they are provided away from the school site.

If a student's IEP requires the provision of assistive technology devices or services, the district shall provide such devices or services and shall, on a case-by-case basis, provide for the use of school-purchased devices in the student's home or other settings if the IEP team determines that the student needs access to those devices in order to receive FAPE. If a student who requires the use of an assistive technology device transfers to another local educational agency, the district shall provide the student with continued access to that device or a comparable device for two months from the date the student ceased to be enrolled in the district or until alternative arrangements can be made to provide access to the device, whichever occurs first.

Review and Revision of the IEP:

The County Superintendent or designee shall ensure that the IEP team reviews the IEP periodically, but at least annually, in order to:

1. Determine whether the annual goals for the student are being achieved and the appropriateness of placement
2. Revises the IEP, as appropriate, to address:
 - a. Any lack of expected progress toward the annual goals and in the general education curriculum, where appropriate.
 - b. The results of any re-assessment conducted
 - c. Information about the student provided to or by the parents/guardians regarding review of evaluation data
 - d. The student's anticipated needs
 - e. Other relevant matters
3. Consider the special factors listed in items #5-9 above when reviewing the IEP of a student with a disability to whom one of those factors may apply

The IEP team shall also meet:

1. Whenever the student has received an initial formal assessment and, when desired, when the student receives any subsequent formal assessment
2. Upon request by the student's parent/guardian or teacher to develop, review, or revise the IEP

The parent/guardian shall have the right to present information to the IEP team in person or through a representative and the right to participate in meetings that relate to eligibility for special education and related services,

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recommendations, and program planning.

When a parent/guardian requests an IEP team meeting to review the IEP, the team shall meet within 30 days of receiving the parent/guardian's written request, not counting days between the student's regular school sessions or terms or days of school vacation in excess of five school days. If a parent/guardian makes an oral request, the district shall notify the parent/guardian of the need for a written request and the procedure for filing such a request.

A regular education or special education teacher may request a review of the classroom assignment of a student with a disability by submitting a written request to the Superintendent or designee. The Superintendent or designee shall consider the request within 20 days of receiving it, not counting days when school is not in session or, for year-round schools, days when the school is off track. If the review indicates a need for change in the student's placement, instruction, and/or related services, the Superintendent or designee shall convene an IEP team meeting, which shall be held within 30 days of the Superintendent or designee's review, not counting days when school is not in session or days when school is off track, unless the student's parent/guardian consents in writing to an extension of time.

If a participating agency other than Butte County Office of Education fails to provide the transition services described in the student's IEP, the team shall reconvene to identify alternative strategies to meet the transition service objectives set out for the student in the IEP.

As a member of the IEP team, the regular education teacher shall, to the extent appropriate, participate in the development, review, and revision of the student's IEP, including assisting in the determination of:

1. Appropriate positive behavioral interventions and supports and other strategies for the student
2. Supplementary aids and services, program modifications, and supports for school personnel that will be provided for the student

To the extent possible, Butte County Office of Education shall encourage the consolidation of re-assessment meetings and other IEP team meetings for a student.

The student shall be allowed to provide confidential input to any representative of their IEP team.

When a change is necessary to a student's IEP after the annual IEP team meeting for the school year has been held, the parent/guardian and Butte County Office of Education may agree not to convene an IEP team meeting for the purpose of making the change and instead may develop a written document to amend or modify the student's current IEP.

The IEP team shall be informed of any such changes. Upon request, Butte County Office of Education shall provide the parent/guardian with a revised copy of the IEP with the incorporated amendments.

If a student with disabilities residing in a licensed children's institution or foster family home has been placed by Butte County Office of Education in a non-public, non-sectarian school, Butte County Office of Education shall conduct an annual evaluation as part of the IEP process of whether the placement is the least restrictive environment that is appropriate to meet the student's needs.

Audio Recording of IEP Team Meetings

Parents/guardians and the Superintendent or designee shall have the right to audio record the proceedings of IEP team meetings, provided members of the IEP team are notified of this intent at least 24 hours before the meeting. If the Superintendent or designee gives notice of intent to audio record a meeting and the parent/guardian objects or refuses to attend because the meeting would be audio recorded, the meeting shall not be audio recorded. Parents/guardians also have the right to:

1. Inspect and review the audio recordings
2. Request that an audio recording be amended if they believe it contains information that is inaccurate,

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misleading, or in violation of the student's privacy rights or other rights

3. Challenge, in a hearing, information that the parents/guardians believe is inaccurate, misleading, or in violation of the student's privacy rights or other rights

When an IEP calls for a residential placement as a result of a review by an expanded IEP team, the IEP shall include a provision for a review, at least every six months, by the full IEP team of all of the following:

1. The case progress
2. The continuing need for out-of-home placement
3. The extent of compliance with the IEP
4. Progress toward alleviating the need for out-of-home care

Timelines for the IEP and for the Provision of Services

At the beginning of each school year, Butte County Office of Education shall have an IEP in effect for each student with a disability within Butte County Office of Education's school's jurisdiction.

Butte County Office of Education shall ensure that a meeting to develop an initial IEP is conducted within 30 days of a determination that a student needs special education and related services. Butte County Office of Education shall also ensure that, as soon as possible following development of the IEP, special education services and related services are made available to the student in accordance with their IEP.

An IEP required as a result of an assessment of the student shall be developed within 60 days (not counting days between the student's regular school sessions or terms or days of school vacation in excess of five school days) from the date of receipt of the parent/guardian's written consent for assessment, unless the parent/guardian agrees, in writing, to an extension.

However, an IEP required as a result of an assessment of a student shall be developed within 30 days after the commencement of the subsequent regular school year for a student for whom a referral has been made 30 days or less prior to the end of the regular school year. In the case of school vacations, the 60-day time limit shall recommence on the date that the student's school days reconvene.

When a parent/guardian requests an IEP team meeting to review the IEP, the team shall meet within 30 days of receiving the parent/guardian's written request, not counting days between the student's regular school sessions or terms or days of school vacation in excess of five school days. If a parent/guardian makes an oral request, Butte County Office of Education shall notify the parent/guardian of the need for a written request and the procedure for filing such a request.

A regular education or special education teacher may request a review of the classroom assignment of a student with a disability by submitting a written request to the County Superintendent or designee. The County Superintendent or designee shall consider the request within 20 days of receiving it, not counting days when school is not in session or, for year-round schools, days when the school is off track. If the review indicates a need for change in the student's placement, instruction, and/or related services, the County Superintendent or designee shall convene an IEP team meeting, which shall be held within 30 days of the County Superintendent or designee's review, not counting days when school is not in session or days when school is off track, unless the student's parent/guardian consents in writing to an extension of time.

Butte County Office of Education shall ensure that the student's IEP is accessible to each regular education teacher, special education teacher, related service provider, and any other service provider who is responsible for its implementation. Butte County Office of Education shall also ensure that such teachers and providers are informed of their specific responsibilities related to implementing the IEP and the specific accommodations, modifications, and supports that must be provided to the student in accordance with the IEP.

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The Superintendent or designee shall take steps to ensure that one or both of the parents/guardians of the student with a disability are present at each IEP team meeting or are afforded the opportunity to participate. These steps shall include notifying the parents/guardians of the meeting early enough to ensure that they will have the opportunity to attend and scheduling the meeting at a mutually agreed upon time and place. (Education Code 56341.5; 34

The Superintendent or designee shall send parents/guardians notices of IEP team meetings that:

1. Indicate the purpose, time, and location of the meeting
2. Indicate who will be in attendance at the meeting
3. Inform them of:
 - a. Their right to bring to the meeting other individuals who have knowledge or special expertise about the student, pursuant to Education Code 56341
4. The provision of Education Code 56341 relating to the participation of the Infant and Toddlers with Disabilities Coordinator at the initial IEP team meeting, if the student was previously served under Early Education for Individuals with Exceptional Needs or the California Early Intervention Services Act

In addition, when the IEP team meeting is to consider the development, review, or revision of the IEP of a student with a disability who is 16 years of age or older, or younger than 16 if deemed appropriate by the IEP team, the Superintendent or designee's notice to the student's parents/guardians shall include the following:

1. An indication that a purpose of the meeting will be the consideration of postsecondary goals and transition services for the student pursuant to Education Code 56345.1, 20 USC 1414, and 34 CFR 300.320
2. An indication that the student is invited to the IEP team meeting

At each IEP team meeting convened by the district, the district administrator or specialist on the team shall inform the parent/guardian and student of the federal and state procedural safeguards included in the notice of parental rights provided pursuant to Education Code 56321.

Transfer Students

To facilitate the transition of a student with a disability who is transferring into a Butte County Office of Education school, Butte County Office of Education shall take reasonable steps to promptly obtain the student's records, including their IEP and the supporting documents related to the provision of special education services.

If the student transfers into a Butte County Office of Education school from another school within the same SELPA during the school year, Butte County Office of Education shall continue to provide services comparable to those described in the student's existing IEP, unless their parent/guardian and the Butte County Office of Education agree to develop, adopt, and implement a new IEP that is consistent with state and federal law.

If the student transfers into a Butte County Office of Education school from a school outside of the Butte County SELPA during the school year, Butte County Office of Education shall provide the student with FAPE, including services comparable to those described in the previous district's IEP. Within 30 days, Butte County Office of Education shall, in consultation with the student's parents/guardians, adopt the previous district's IEP or shall develop, adopt, and implement a new IEP that is consistent with state and federal law.

If the student transfers into a Butte County Office of Education school from an out-of-state district during the school year, Butte County Office of Education shall provide the student with FAPE, including services comparable to the out-of-state district's IEP, in consultation with the parent/guardian, until such time as the Butte County Office of Education conducts an assessment, if it determines that such an assessment is necessary, and develops, adopts, and implements a new IEP, if appropriate.

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Butte County Office of Education

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SP 6159.1

PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION

The County Superintendent recognizes its obligation to provide free appropriate public education (FAPE) to students with disabilities and to uphold the rights of parents/guardians to be involved in educational decisions regarding their child. Parents/guardians of students with disabilities shall receive written notice of their rights under the federal Individuals with Disabilities Education Act.

The County Superintendent desires to protect the rights of students with disabilities in accordance with the procedural safeguards set forth in state and federal law. Parents/guardians shall receive written notice of their rights in accordance with law, Butte County Office of Education County Superintendent's Policy and Administrative Regulations.

Whenever there is a dispute between the Butte County Office of Education and the parent/guardian of a student with disabilities regarding the identification, assessment, or educational placement of the student or the provision of FAPE to the student, the County Superintendent or designee shall encourage the early, informal resolution of the dispute at the school level to the extent possible. The district or parent/guardian may also request mediation and/or a due process hearing in accordance with law, Superintendent's policy and administrative regulation.

The County Superintendent or designee shall represent Butte County Office of Education in any due process hearing conducted with regard to Butte County Office of Education students.

The County Superintendent or designee shall address a complaint concerning compliance with state or federal law regarding special education in accordance with Butte County Office of Education's uniform complaint procedures.

Legal References: Education Code

56000 Education for individuals with disabilities

56001 Provision of the special education programs

56020-56035 Definitions

56195.7 Written agreements

56195.8 Adoption of policies for programs and services

56300-56385 Identification and referral, assessment

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

56500-56509 Procedural safeguards, including due process rights

56600-56606 Evaluation, audits and information

Code of Regulations, Title 5

3000-3100 Regulations governing special education, especially:

[3080-3089](#) Procedural safeguards

3200-3205 Special education compliance complaints

United States Code, Title 20

[1232g](#) Family Educational Rights and Privacy Act

[1400-1482](#) Individuals with Disabilities Education Act United States Code, Title 29

[794](#) Section 504 of the Rehabilitation Act United States Code, Title 42

[11434](#) Homeless assistance

Code of Federal Regulations, Title 34

[99.10-99.22](#) Inspection, review and procedures for amending education records

Procedural safeguards

[300.1-300.818](#) Assistance to states for the education of students with disabilities, especially:

[300.150-300.153](#) State compliance complaints

[300.500-300.520](#) Procedural safeguards and due process for parents and students

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AR 6159.1

REGULATIONS REGARDING PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION

The parent/guardian shall have the right and opportunity to examine all of the student's school records upon request, before any IEP meeting, and in connection with any hearing or resolution session on matters affecting the student, including, but not limited to, initial formal assessment, procedural safeguards, and due process. Upon receipt of an oral or written request, the Superintendent or designee shall provide complete copies of the records within five business days.

The parent/guardian shall have the right to present information to the IEP team in person or through a representative and the right to participate in meetings that relate to eligibility for special education and related services, recommendations, and program planning.

If neither parent/guardian can attend the meeting, the Superintendent or designee shall use other methods to ensure parent/guardian participation, including video conferences or individual or conference telephone calls.

An IEP team meeting may be conducted without a parent/guardian in attendance if the Superintendent or designee is unable to convince the parent/guardian to attend. In such a case, the Superintendent or designee shall maintain a record of the attempts to arrange a mutually agreed upon time and place for the meeting, including:

1. Detailed records of telephone calls made or attempted and the results of those calls
2. Copies of correspondence sent to the parent/guardian and any responses received
3. Detailed records of visits made to the parent/guardian's home or place of employment and the results of those visits

The Superintendent or designee shall take any action necessary to ensure that the parents/guardians understand the proceedings of the meeting, including arranging for an interpreter for parents/guardians with deafness or whose native language is not English.

The Superintendent or designee shall give the parents/guardians of a student with a disability a copy of the IEP at no cost.

Parent/Guardian Consent for Provision of Special Education and Services

Before providing special education and related services to any student pursuant to 20 USC 1414, the Superintendent or designee shall seek to obtain informed consent of the student's parent/guardian.

If the parent/guardian fails to respond or refuses to consent to the initiation of services, the district shall not use the due process hearing procedures pursuant to 20 USC 1415 to obtain agreement or a ruling that the services may be provided to the student. In such circumstances, the district shall not be required to convene an IEP team or develop an IEP for the student.

If the parent/guardian consents in writing to the receipt of special education and related services for the student but does not consent to all of the components of the IEP, then those components to which the parent/guardian has consented shall be implemented so as not to delay providing instruction and services to the student. If the Superintendent or designee determines that a part of a proposed IEP to which the parent/guardian does not consent is necessary in order to provide the student with FAPE, a due process hearing shall be initiated in accordance with 20 USC 1415. While the due process hearing is pending, the student shall remain in the current placement unless the parent/guardian and the Superintendent or designee agree otherwise.

If at any time subsequent to the initial provision of services, the student's parent/guardian, in writing, revokes consent

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for the continued provision of special education services, the Superintendent or designee shall provide prior written notice within a reasonable time before ceasing to provide services to the student. The Superintendent or designee shall not request a due process hearing or pursue mediation in order to require an agreement or ruling that services be provided to the student.

Prior to the discontinuation of services, the Superintendent or designee may offer to meet with the parents/guardians to discuss concerns for the student's education. However, this meeting shall be voluntary on the part of the parent/guardian and shall not delay the implementation of the parent/guardian's request for discontinuation of services.

When the district ceases to provide special education services in response to the parent/guardian's revocation of consent, the student shall be classified as a general education student.

Prior Written Notice

The County Superintendent or designee shall send to the parents/guardians of any student with disabilities a prior written notice within a reasonable time:

1. Before Butte County Office of Education initially refers the student for assessment
2. Within a reasonable time Butte County Office of Education proposes to initiate or change the student's identification, assessment, educational placement, or the provision of a free appropriate public education to the student
3. Within a reasonable time, Butte County Office of Education refuses to initiate or change the student's identification, assessment, or educational placement or the provision of free appropriate public education to the student,
4. Within a reasonable time before the student graduates from high school with a regular diploma thus resulting in a change in placement
5. Upon receipt of the parent/guardian's written revocation of consent for the continued provision of special education and related services to the student

This prior written notice shall include:

1. A description of the action proposed or refused by Butte County Office of Education
2. An explanation as to why Butte County Office of Education proposes or refuses to take the action
3. A description of each assessment procedure, test, record, or report Butte County Office of Education used as a basis for the proposed or refused action
4. A statement that the parents/guardians of the student have protection under procedural safeguards and, if this notice is not an initial referral for assessment, the means by which a copy of the description of procedural safeguards can be obtained
5. Sources for parents/guardians to obtain assistance in understanding these provisions
6. A description of any other options that the individualized education program team considered and why those options were rejected
7. A description of any other factors relevant to Butte County Office of Education's proposal or refusal

Procedural Safeguards Notice

A procedural safeguards notice shall be made available to parents/guardians of students with disabilities once each school year and:

1. Upon initial referral or parent/guardian request for assessment
2. Upon receipt of the first state compliance complaint in a school year
3. Upon receipt of the first due process hearing request in a school year
4. In accordance with discipline procedures, when a decision is made to remove a student because of a violation of a code of conduct constituting a change of placement
5. Upon request by a parent/guardian

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The procedural safeguards notice shall include a full explanation of all of the procedural safeguards relating to:

1. Independent educational evaluation
2. Prior written notice
3. Parental consent, including a parent/guardian's right to revoke consent, in writing, to their child's continued receipt of special education and related services
4. Access to educational records
5. Opportunity to present complaints and resolve complaints through the due process complaint and state compliance complaint procedures, including the time period in which to file a complaint, the opportunity for Butte County Office of Education to resolve the complaint, and the difference between a due process complaint and the state compliance complaint procedures, including the jurisdiction of each procedure, what issues may be raised, filing and decisional timelines, and relevant procedures
6. The availability of mediation
7. The student's placement during the pendency of any due process complaint
8. Procedures for students who are subject to placement in an interim alternative educational setting
9. Requirements for unilateral placement by parents/guardians of students in private schools at public expense
10. Hearings on due process complaints, including requirements for disclosure of assessment results and recommendations
11. State-level appeals
12. Civil actions, including the time period in which to file those actions
13. Attorney's fees
14. Information on free and low-cost attorney and advocacy services available in the area

This notice shall also include the rights and procedures contained in Education Code 56500-56509, including information on the procedures for requesting an informal meeting, prehearing mediation conference, mediation conference, or due process hearing; the timelines for completing each process; whether the process is optional; the type of representative who may be invited to participate; the right of the parent/guardian and/or Butte County Office of Education to electronically record the proceedings of IEP meetings; and information regarding the state special schools for students who are deaf, hard of hearing, blind, visually impaired, or deaf-blind.

A copy of this notice shall be attached to the student's assessment plan and referred to at each IEP meeting. At each IEP meeting, the County Superintendent or designee shall inform the parent/guardian of the federal and state procedural safeguards that were provided in the notice.

Format of Parent/Guardian Notices

The parents/guardians of a student with a disability shall be provided written notice of their rights in a language easily understood by the general public and in their native language or other mode of communication used by them, unless to do so is clearly not feasible.

If the native language or other mode of communication of the parent/guardian is not a written language, the County Office shall take steps to ensure that:

1. The notice is translated orally or by other means to the parent/guardian in their native language or other mode of communication.
2. The parent/guardian understands the contents of the notice.
3. There is written evidence that items #1 and #2 have been satisfied.

Butte County Office of Education may place a copy of the procedural safeguards notice on the County Office's web site.

A parent/guardian of a student with disabilities may elect to receive the prior written notice or procedural safeguards notice by an electronic mail communication.

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Filing Due Process Complaints

A parent/guardian and/or Butte County Office of Education may initiate due process hearing procedures whenever:

1. There is a proposal to initiate or change the student's identification, assessment, or educational placement or the provision of free appropriate public education to the student.
2. There is a refusal to initiate or change the student's identification, assessment, or educational placement or the provision of free appropriate public education to the student.
3. The parent/guardian refuses to consent to an assessment of their child.
4. There is a disagreement between a parent/guardian and Butte County Office of Education regarding the availability of a program appropriate for the student, including the question of financial responsibility.

Prior to having a due process hearing, the party requesting the hearing, or the party's attorney, shall provide the opposing party a due process complaint, which shall remain confidential, specifying:

1. The student's name
2. The student's address or, in the case of a student identified as homeless, available contact information for that student
3. The name of the school the student attends
4. A description of the nature of the student's problem relating to the proposed or refused initiation or change, including facts relating to the problem
5. A proposed resolution to the problem to the extent known and available to the complaining party at the time

Parties filing a due process complaint shall file their request with the State Office of Administrative Hearings, Special Education Division.

The request shall be filed within two years from the date the party initiating the request knew or had reason to know of the facts underlying the basis for the request. This timeline shall not apply if the Butte County Office of Education misrepresented that it had solved the problem or withheld required information from the parent/guardian.

Response to Due Process Complaints

If Butte County Office of Education has sent prior written notice to the parent/guardian regarding the subject matter of the parent/guardian's due process complaint, Butte County Office of Education shall, within 10 days of receipt of the complaint, send a response specifically addressing the issues in the complaint.

If Butte County Office of Education has not sent a prior written notice to the parent/guardian regarding the subject matter contained in the parent/guardian's due process complaint, Butte County Office of Education shall send a response to the parent/guardian within 10 days of receipt of the complaint containing:

1. An explanation of why Butte County Office of Education proposed or refused to take the action raised in the complaint
2. A description of other options that the IEP team considered and the reasons that those options were rejected
3. A description of each evaluation procedure, assessment, record, or report Butte County Office of Education used as the basis for the proposed or refused action
4. A description of factors that are relevant to Butte County Office of Education's proposal or refusal

Upon the filing of a due process complaint by either party or upon request of the parent/guardian, Butte County Office of Education shall inform the parent/guardian of any free or low-cost legal and other relevant services available in the area.

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Informal Process/Pre-Hearing Mediation Conference

Prior to or upon initiating a due process hearing, the County Superintendent or designee and a parent/guardian may, if the party initiating the hearing so chooses, agree to meet informally to resolve any issue(s) relating to the identification, assessment, education and placement, or provision of free appropriate public education for a student with disabilities. The County Superintendent or designee shall have the authority to resolve the issue(s). In addition, either party may file a request with the state Office of Administrative Hearings for a mediation conference.

If resolution is reached that resolves the due process issue(s), the parties shall enter into a legally binding agreement that satisfies the requirements of the Education Code.

Attorneys may attend or otherwise participate only in those mediation conferences that are scheduled after the filing of a request for due process hearing.

State Compliance Complaints

Any individual, including a person's duly authorized representative or an interested third party, public agency, or organization may file with the California Department of Education (CDE) a written and signed statement alleging that, within the previous year, any of the following occurred:

1. The district violated Part B of the Individuals with Disabilities Education Act (20 USC 1411-1419) and its implementing regulations.
2. The district violated Part 30 of the Education Code (Education Code 56000-56865) and 5 CCR 3200-3205.
3. The district violated the terms of a settlement agreement related to the provision of FAPE, excluding any allegation related to an attorney fees provision in a settlement agreement.
4. The district failed or refused to implement a due process hearing order to which the district is subject.
5. Physical safety concerns interfered with the provision of FAPE.

The complaint shall include:

1. A statement that the district has violated or failed to comply with any provision set forth in 5 CCR 3201
2. The facts on which the statement is based
3. The signature and contact information for the complainant
4. If alleging violations with respect to a specific student, the student's name and address (or other available contact information for a homeless student), the name of the school that the student is attending, a description of the nature of the student's problem and facts related to the problem, and a proposed resolution of the problem to the extent known and available to the party at the time the complaint is filed

The complainant shall forward a copy of the complaint to the Superintendent or designee at the same time the complaint is filed with CDE.

Within 30 days of the date of CDE's investigation report, the district or complainant may request reconsideration of the decision in accordance with 5 CCR 3204. Pending CDE's response, any corrective actions set forth in the report shall remain in effect and enforceable, unless stayed by a court.

Approved: March, 2009

Revised: June, 2017

Revised: July, 2021

Revised: December, 2021

Revised: February, 2022

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6159.3

APPOINTMENT OF SURROGATE PARENT FOR SPECIAL EDUCATION

In order to protect the rights of students with disabilities, the County Superintendent, or designee shall appoint a surrogate parent to represent a student with disabilities as necessary in accordance with law. The County Superintendent or designee shall develop procedures for recruiting, training, and assigning adults to serve as surrogate parents.

Legal Reference

Education Code

56028 Parent

56050 Surrogate parents

56055 Rights of foster parents Government Code

7570-7587 Interagency responsibilities for providing services to disabled children, especially

7579.5 Surrogate parent; appointment; qualifications; liability

Welfare and Institutions Code

300 Children subject to jurisdiction

361 Limitations on parental control

601 Minors habitually disobedient or truant

602 Minors violating laws

726 Limitations on parental control

Approved: July, 2005

Revised: June, 2017

Reviewed: July, 2021

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6161.1

SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS

The County Superintendent desires that instructional materials, as a whole, present a broad spectrum of knowledge and viewpoints, reflect society's diversity, and enhance the use of multiple teaching strategies and technologies. The Butte County Board of Education shall adopt instructional materials based on a determination that such materials are aligned with state content standards and that the materials meet criteria specified in law to ensure that they effectively support Butte County Office of Education's adopted courses of study.

The Board of Education shall be notified when schools select instructional materials for use in grades K-8 that have been approved by the State Board of Education or have otherwise been determined to be aligned with the state academic content standards adopted pursuant to Education Code [60605](#) or the Common Core Standards adopted pursuant to Education Code [60605.8](#). All other core curricular materials require approval of the Board of Education.

The Board of Education shall adopt instructional materials for grades 9-12 upon determining that the materials meet the criteria specified in law and County Superintendent's Administrative Regulations.

Review Process

The review process shall involve teachers in a substantial manner and shall encourage the participation of parents/guardians and community members. The County Superintendent or designee shall seek input from educational partners with diverse backgrounds and perspectives.

In addition, the instructional materials review committee may include administrators, other staff who have subject-matter expertise, and students as appropriate.

If Butte County Office of Education chooses to use instructional materials for grades K-8 that have not been adopted by the State Board of Education, the County Superintendent or designee shall ensure that a majority of the participants in the review process are classroom teachers who are assigned to the subject area or grade level of the materials.

Individuals who participate in the selection or review of instructional materials shall not have a conflict of interest, as defined in County Superintendent's Administrative Regulations, in the materials being reviewed.

The committee shall review instructional materials using criteria provided in law and County Superintendent's Administrative Regulations, and shall provide the Butte County Board of Education with documentation supporting its recommendations.

All recommended instructional materials shall be available for public inspection at the Butte County Office of Education.

Butte County Office of Education may pilot instructional materials, using a representative sample of classrooms for a specified period of time during a school year, in order to determine how well the materials support curricular goals and academic standards, and accurately reflect and value society's diversity. Feedback from teachers piloting the materials shall be made available to the Butte County Board of Education before the materials are adopted.

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

Public Hearing on Sufficiency of Instructional Materials

The Butte County Board of Education shall annually conduct one or more public hearings on the sufficiency of Butte County Office of Education's instructional materials, including textbooks, technology-based materials, other educational materials, and tests. Technology-based materials include, but are not limited to, software programs, video disks, compact disks, optical disks, video and audio tapes, lesson plans, databases, and the electronic equipment required to make use of those materials by students and teachers as a learning resource.

The hearing shall be held on or before the end of the eighth week from the first day students attend school for that year.

The Butte County Board of Education encourages participation by parents/guardians, teachers, interested community members, and bargaining unit leaders at the hearing. Ten days prior to the hearing, the County Superintendent or designee shall post a notice in three public places within the county containing the time, place, and purpose of the hearing. The hearing shall not take place during or immediately following school hours.

At the hearing, the Butte County Board of Education shall determine, through a resolution, whether each student in each school, including each English learner, has sufficient textbooks or instructional materials which are aligned to the state content standards adopted pursuant to Education Code [60605](#) or the Common Core Standards adopted pursuant to Education Code [60605.8](#) and which are consistent with the content and cycles of the state's curriculum frameworks. Sufficiency of instructional materials shall be determined in each of the following subjects:

1. Mathematics
2. Science
3. History-social science
4. English language arts, including the English language development component of an adopted program
5. Foreign language
6. Health

The Board shall also determine the availability of science laboratory equipment, as applicable to science laboratory courses offered in grades 9-12.

In making these determinations, the Butte County Board of Education shall consider whether each student has sufficient textbooks and/or instructional materials to use in class and to take home. However, this does not require that each student have two sets of materials. The materials may be in a digital format as long as each student, at a minimum, has and can access the same materials in the class and to take home as all other students in the same class or course has the ability to use and access them at home. However, the materials shall not be considered sufficient if they are photocopied sheets from only a portion of a textbook or instructional materials copied to address a shortage.

If the Butte County Board of Education determines that there are insufficient textbooks or instructional materials, it shall provide information to classroom teachers and to the public setting forth, for each school in which an insufficiency exists, the percentage of students who lack sufficient standards-aligned textbooks or instructional materials in each subject area and the reasons that each student does not have sufficient textbooks or instructional materials. The Butte County Board of Education shall take any action, except an action that would require reimbursement by the Commission of State Mandates, to ensure that each student has sufficient materials within two months of the beginning of the school year in which the determination is made.

The degree to which every student has sufficient access to standards-aligned instructional materials shall be included in the local control and accountability plan.

Complaints

Complaints concerning instructional materials shall be handled in accordance with law, County Superintendent's Policy and Administrative Regulations.

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

Legal Reference: Education Code

[220](#) Prohibition against discrimination

[1240](#) County superintendent, general duties

[33050-33053](#) General waiver authority

[33126](#) School accountability report card

[35272](#) Education and athletic materials

[44805](#) Enforcement of course of studies; use of textbooks, rules and regulations

[49415](#) Maximum textbook weight

[51501](#) Nondiscriminatory subject matter

[52060-52077](#) Local control and accountability plan

[60000-60005](#) Instructional materials, legislative intent

[60010](#) Definitions

[60040-60052](#) Instructional requirements and materials

[60060-60063.5](#) Requirements for publishers and manufacturers

[60070-60076](#) Prohibited acts (re instructional materials)

[60110-60115](#) Instructional materials on alcohol and drug education

[60119](#) Public hearing on sufficiency of materials

[60200-60210](#) Elementary school materials

[60226](#) Requirements for publishers and manufacturers

[60350-60352](#) Core reading program instructional materials

[60400-60411](#) High school textbooks

[60510-60511](#) Donation for sale of obsolete instructional materials

[60605](#) State content standards

[60605.8](#) Common Core State Standards

[60605.86-60605.88](#) Supplemental instructional materials aligned with Common Core State Standards Code of Regulations, Title 5

[9505-9530](#) Instructional materials

Approved: June, 2017

Revised: September, 2020

Revised: February 26, 2021

Revised: April 2024

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

AR 6161.1

REGULATIONS REGARDING SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS

The review process for evaluating instructional materials shall involve teachers in a substantial manner and shall encourage the participation of parents/guardians and community members in accordance with Education Code 60002. The review process may also involve administrators, other staff who have subject-matter expertise, and students, as appropriate. The Superintendent or designee shall seek input from stakeholders with diverse backgrounds and perspectives.

Review Process

If Butte County Office of Education chooses to use instructional materials for grades K-8 that have not been adopted by the State Board of Education, the County Superintendent or designee shall ensure that a majority of the participants in the review process are classroom teachers who are assigned to the subject area or grade level of the materials.

Individuals who participate in the selection or review of instructional materials shall not have a conflict of interest, as defined in County Superintendent's Administrative Regulations, in the materials being reviewed.

The committee shall review instructional materials using criteria provided in law and County Superintendent's Administrative Regulations, and shall provide the Butte County Board of Education with documentation supporting its recommendations.

All recommended instructional materials shall be available for public inspection at the Butte County Office of Education.

Butte County Office of Education may pilot instructional materials, using a representative sample of classrooms for a specified period of time during a school year, in order to determine how well the materials support curricular goals and academic standards. Feedback from teachers piloting the materials shall be made available to the Butte County Board of Education before the materials are adopted.

Criteria for Selection and Adoption of Instructional Materials

In recommending textbooks or other instructional materials for adoption by the Butte County Board of Education, the County Superintendent or designee shall ensure that such materials:

1. Are aligned to any applicable academic content standards adopted by the State Board of Education pursuant to Education Code [60605](#) and/or Common Core Standards adopted pursuant to Education Code [60605.8](#)
For grades K-8, the County Superintendent or designee shall select instructional materials from among the list of materials adopted by the State Board of Education and/or other materials that have not been adopted by the State Board of Education but are aligned with the state academic content standards and/or the Common Core Standards.
For grades 9-12, the County Superintendent or designee shall review instructional materials in history- social science, mathematics, English/language arts, and science using a standards map in order to determine the extent to which the materials are aligned to state academic content standards.
2. Do not reflect adversely upon persons because any characteristic specified in law and BP 0410 - Nondiscrimination in District Programs and Activities, nor contain any sectarian or denominational doctrine or propaganda contrary to law
3. To the satisfaction of the Butte County Board of Education, are accurate, objective, current, and suited to the needs and comprehension of Butte County Office of Education students at their respective grade levels
4. With the exception of literature and trade books, use proper grammar and spelling
5. Do not expose students to a commercial brand name, product, or corporate or company logo unless the Board makes a specific finding that the use is appropriate based on one of the following:
 - a. The commercial brand name, product, or corporate or company logo is used in text for an educational purpose as defined in guidelines or frameworks adopted by the SBE.

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

- b. The appearance of a commercial brand name, product, or corporate or company logo in an illustration is incidental to the general nature of the illustration.
6. Meet the requirements of Education Code [60040-60043](#) for specific subject content, including, but not limited, accurately portraying society's cultural and racial diversity
7. Support the adopted courses of study and curricular goals
8. Contribute to a comprehensive, balanced curriculum
9. Demonstrate reliable quality of scholarship as evidenced by:
 - a. Accurate, up-to-date, and well-documented information
 - b. Objective presentation of diverse viewpoints
 - c. Clear, concise writing and appropriate vocabulary
 - d. Thorough treatment of subject matter
10. Provide for a wide range of materials at all levels of difficulty, with appeal to students of varied interests, abilities, and developmental levels
11. Include materials that stimulate discussion of contemporary issues and improve students' thinking and decision-making skills
12. As appropriate, have corresponding versions available in languages other than English
13. Include high-quality teacher's guides
14. When available, include options for lighter weight materials in order to help minimize any injury to students by the combined weight of instructional materials

In addition to meeting the above criteria as applicable, technology-based materials shall:

1. Be both available and comparable to other, equivalent instructional materials
2. Be accessible to all students, including economically disadvantaged students, students with disabilities, and English learners
3. Protect the privacy of student data

Approved: June, 2017

Revised: February 26, 2021

Revised: February, 2022

AR 6161.1
EXHIBIT A
RESOLUTION ON SUFFICIENCY OF INSTRUCTIONAL MATERIALS

Whereas, the Butte County Board of Education, in order to comply with the requirements of Education Code [60119](#), held a public hearing on (date), at (time) o'clock, which is on or before the eighth week of school (between the first day that students attend school and the end of the eighth week from that day) and which did not take place during or immediately following school hours, and;

Whereas, the Butte County Board of Education provided at least 10 days' notice of the public hearing by posting it in at least three public places within the county stating the time, place, and purpose of the hearing, and;

Whereas, the Butte County Board of Education encouraged participation by parents/guardians, teachers, members of the community, and bargaining unit leaders in the public hearing, and;

Whereas, information provided at the public hearing detailed the extent to which sufficient textbooks or instructional materials were provided to all students, including English learners, in the (name of school /county office of education), and;

Whereas, the definition of "sufficient textbooks or instructional materials" means that each student, including each English learner, has a standards-aligned textbook or instructional materials to use in class and to take home, which may include materials in a digital format but shall not include photocopied sheets from only a portion of a textbook or instructional materials copied to address a shortage, and;

Whereas, the definition of "sufficient textbooks or instructional materials" also means that all students who are enrolled in the same course in Butte County Office of Education schools, have standards-aligned textbooks or instructional materials from the same adoption cycle, and;

Whereas, textbooks or instructional materials in core curriculum subjects should be aligned with state academic content standards adopted by the State Board of Education pursuant to Education Code [60605](#) and/or the Common Core Standards adopted pursuant to Education Code [60605.8](#);

Finding of Sufficient Textbooks or Instructional Materials

Whereas, sufficient standards-aligned textbooks or instructional materials that are consistent with the cycles and content of the curriculum frameworks were provided to each student, including each English learner, in the following subjects:

- Mathematics: (List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)
- Science: (List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)
- History-social science: (List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)
- English language arts, including the English language development component of an adopted program: (List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)
- Foreign language: (List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)
- Health: (List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)

Whereas, laboratory science equipment was available for science laboratory classes offered in grades 9-12, inclusive;

Therefore, it is resolved that for the (year) school year, the Butte County Office of Education has provided each student with sufficient standards-aligned textbooks or instructional materials that are consistent with the cycles and content of the curriculum frameworks.

Finding of Insufficient Textbooks or Instructional Materials

Whereas, information provided at the public hearing and to the Butte County Board of Education at the public meeting detailed that insufficient standards-aligned textbooks or instructional materials were provided to students in the following subjects and grade levels at BCOE schools: (For each school, list the percentage of students who lack sufficient standards-aligned textbooks or instructional materials in mathematics, science, history-social science, English language arts, foreign language, and health.)

Whereas, sufficient textbooks or instructional materials were not provided at each school listed above due to the following reasons: (For each school at which there is an insufficiency, list the reasons that each student does not have sufficient instructional materials in each subject and grade level listed above.)

Therefore, it is resolved, that for the (year) school year, the Butte County Office of Education has not provided each student with sufficient textbooks or instructional materials that are consistent with the cycles and content of the curriculum framework, and;

Be it further resolved, that the following actions will be taken to ensure that all students have sufficient standards-aligned textbooks or instructional materials in all subjects that are consistent with the cycles and content of the curriculum frameworks within two months of the beginning of the school year in which this determination is made. (List actions to be taken to resolve insufficiency. See Education Code 60119(a)(2)(B) for other funds that may be used to ensure sufficient instructional materials.)

PASSED AND ADOPTED THIS day of _____ at a meeting, by the following vote:

- AYES:
- NOES:
- ABSENT:

Attest:

President

Secretary

Approved: June, 2017
Revised: December, 2021
Revised: February, 2022

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6161.11

SUPPLEMENTARY INSTRUCTIONAL MATERIALS

The County Superintendent encourages the use of supplementary instructional materials to enrich the curriculum and enhance student learning. Such materials shall be aligned with goals, curriculum objectives, and academic standards and shall supplement and not supplant the use of Butte County Board of Education adopted basic instructional materials that serve as the primary learning resources.

Supplementary instructional materials include, but are not limited to, instructional materials that are designed to serve one or more of the following purposes:

1. To provide more complete coverage of one or more subjects included in a given course
2. To meet the various learning ability levels of students in a given age group or grade level
3. To meet the diverse educational needs of students with a language disability in a given age group or grade level
4. To meet the diverse educational needs of students reflective of a condition of cultural pluralism
5. To use current, relevant technology that further engages interactive learning in the classroom and beyond

Supplementary instructional materials may be selected by the County Superintendent or designee, school administrators, or teachers, as applicable, and obtained through donations to Butte County Office of Education and/or available funding sources designated for these purposes.

The use of any supplemental instructional material shall not be rejected or prohibited by the County Superintendent on the basis that it includes a study of the role and contributions of any individual or group consistent with the requirements of Education Code 51204.5 and 60040, unless such study would violate Education Code 51501 or 60044.

As appropriate, supplementary instructional materials shall meet the criteria developed for the selection and evaluation of basic instructional materials as described in AR 6161.1 – Selection and Evaluation of Instructional Materials. Supplementary instructional materials shall be directly related to the course of study in which they are being used and shall be appropriate for the age and maturity level of the students.

The use or reproduction of supplementary instructional materials shall be in accordance with federal copyright law.

Appropriateness of Materials

Whenever a Butte County Office of Education employee proposes to use a supplementary resource which is not included in the approved learning resources of the County Office, they shall preview the material to determine whether, in their professional judgment, it is appropriate for the grade level taught and is consistent with criteria for the selection of supplementary instructional materials.

The employee shall confer with the County Superintendent or designee as necessary to determine the compliance of the material with Butte County Office of Education criteria. The primary considerations should be the educational value, appropriateness, and relevance of the materials as well as the ages and maturity of the students.

Complaints

Complaints concerning supplemental instructional materials shall be handled in accordance with Superintendent Policy 1312.2 - Complaints Concerning Instructional Materials and Superintendent Policy 1312.3 - Uniform Complaint Procedures, as applicable.

Legal Reference:

Education Code

[233.5](#) Duty regarding instruction in morals, manners, and citizenship

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

[18111](#) Exclusion of books by governing board

51510 Prohibited study or supplemental materials

[51511](#) Religious matters properly included

[51933](#) Sex education materials

[60010](#) Definitions

[60050](#) Social content review of instructional materials

[60060-60062](#) Requirements of publishers

[60200.7](#) Suspension of state instructional materials adoptions

[60226](#) Learner verification of instructional materials

[60400](#) Adoption of high school instructional materials

[60605.8](#) Common Core Standards

[60605.86-60605.88](#) Supplemental instructional materials aligned with Common Core Standards

[60811.3](#) English language development standards

Approved: June, 2017

Revised: February, 2022

Revised: April, 2024

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6162.5 STUDENT ASSESSMENT

The County Superintendent recognizes that student assessments are an important instructional and accountability tool. To obtain the most accurate evaluation of student performance, Butte County Office of Education shall use a variety of measures, including district, state, and/or national assessments.

Any student use of technology to complete assessments shall be as specified in Board Policy 5131.9 - Academic Honesty and Board Policy 6163.4 - Student Use of Technology.

Assessment data shall be used to help determine individual students' progress, mastery of academic standards, appropriate placement in district programs, and/or eligibility for graduation. In addition, summary data on student assessment results shall be used by the district to identify and review student achievement goals in the district's local control and accountability plan, evaluate district educational programs in order to identify needed improvements, and, as appropriate, evaluate staff performance.

In selecting or developing any district assessment, the County Superintendent or designee shall examine evidence of its reliability, its validity for the intended purpose and for various student populations, and the extent to which it aligns with the material that is being taught.

The County Superintendent or designee shall ensure that assessments are administered in accordance with law and test publisher's directions, and that test administration procedures are fair and equitable for all students.

As appropriate, assessment results shall be disaggregated by student subgroup, classroom, grade level, and/or school site to allow for critical analysis of student needs.

The County Superintendent or designee shall provide professional development as needed to assist administrators and teachers in interpreting and using assessment data to improve student performance and the instructional program.

When districtwide and school-level results of student assessments are published by the state, the County Superintendent or designee may provide supplementary information to assist parents/guardians and the community in understanding test results.

Interim and Formative Assessments

State interim and formative assessments may be used in combination with other sources of information to gain timely feedback about student progress in an effort to continually adjust instruction to improve learning, and for communicating with students' parents/guardians and identifying professional development goals. Results from interim and formative assessments shall not be used for any high-stakes purpose, including, but not limited to, teacher or other school staff evaluation, accountability, student grade promotion or retention, graduation, course or class placement, identification for gifted or talented education, reclassification of English learners, or identification as an individual with exceptional needs.

The County Superintendent or designee shall ensure that teachers who administer interim and formative assessments have access to all functions and information designed for teacher use related to such assessments and student performance on the assessments.

Individual Record of Accomplishment

The County Superintendent or designee shall ensure that each student, by the end of grade 12, has an individual record of accomplishment that includes the following:

1. The results of the state achievement tests required and administered as part of the California Assessment of Student Performance and Progress, or any predecessor assessments

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

2. The results of any vocational education certification examinations taken

No individual record of accomplishment shall be released to any person, other than the student's parent/guardian or a teacher, counselor, or administrator directly involved with the student, without the written consent of the student's parent/guardian, or the student if the student is an adult or emancipated minor. The student or the student's parent/guardian may authorize the release of the record of accomplishment to a postsecondary educational institution for the purposes of credit, placement, or admission. Furthermore, the results of an individual student on the CAASPP may be released to a postsecondary educational institution for the purpose of credit, placement, or admission.

The County Superintendent strongly encourages all students at the applicable grade levels to participate in the state assessments in order to maximize the usefulness of the data and enable Butte County Office of Education schools to meet participation levels required for state and federal accountability systems. The County Superintendent or designee shall notify students and parents/guardians about the importance of these assessments and shall develop strategies to encourage student participation. Students shall be exempted from participation only in accordance with law and County Superintendent's Administrative Regulations.

The County Superintendent shall annually examine state assessment results by school, grade level, and student subgroup as one measure of Butte County Office of Education's progress in attaining its student achievement goals and shall make recommendations for revisions to the local control and accountability plan and other school plans as necessary to improve student achievement for underperforming student groups.

Legal Reference

Education Code

[49076](#) Student records; access

[51041](#) Evaluation of educational program

[52052](#) Academic Performance Index; numerically significant student subgroups

[52060-52077](#) Local control and accountability plan

[56345](#) Individualized education program, contents

[60600-60630](#) Assessment of academic achievement

[60640-60649](#) California Assessment of Student Performance and Progress

[60660-60663](#) Electronic learning assessment resources

[60810](#) Assessment of language development

[99300-99301](#) Early Assessment Program Code of Regulations, Title 5

[850-864](#) State assessments United States Code, Title 20

[1412](#) Participation of students with disabilities in state assessments

[6311](#) Adequate yearly progress Code of Federal Regulations, Title 34

Standards and assessment

Approved: June, 2017

Reviewed: July, 2021

Revised: April, 2024

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

AR 6162.5

STUDENT ASSESSMENT

Regulations Regarding State Academic Achievement Tests

The County Superintendent recognizes that student assessments are an important instructional and accountability tool. To obtain the most accurate evaluation of student performance, the Butte County Office of Education shall use a variety of measures, including district, state, and/or national assessments.

Any student use of technology to complete assessments shall be as specified in Superintendent Policy 5131.9 - Academic Honesty and Superintendent Policy 6163.4 - Student Use of Technology.

Assessment data shall be used to help determine individual students' progress, mastery of academic standards, appropriate placement in Butte County Office of Education programs, and/or eligibility for graduation. In addition, summary data on student assessment results shall be used to identify and review student achievement goals in the Butte County Office of Education's local control and accountability plan, and evaluate local educational programs in order to identify needed improvements.

In selecting or developing any local assessment, the County Superintendent or designee shall examine evidence of its reliability, its validity for the intended purpose and for various student populations, and the extent to which it aligns with the material that is being taught.

The County Superintendent or designee shall ensure that assessments are administered in accordance with law and test publisher's directions, and that test administration procedures are fair and equitable for all students.

As appropriate, assessment results shall be disaggregated by student subgroup, classroom, grade level, and/or school site to allow for critical analysis of student needs.

The County Superintendent or designee shall provide professional development as needed to assist administrators and teachers in interpreting and using assessment data to improve student performance and the instructional program.

When LEA-wide and school-level results of student assessments are published by the state, the County Superintendent or designee may provide supplementary information to assist parents/guardians and the community in understanding test results.

The County Superintendent or designee shall administer the California Assessment of Student Performance and Progress (CAASPP) to all students at applicable grade levels, except those students exempted by law.

The students of any charter school that receives its state funding allocation through Butte County Office of Education shall be tested in coordination with the testing of Butte County Office of Education students. In addition, the County Superintendent or designee shall arrange for the testing of students in any alternative education program or program conducted off campus, including, but not limited to, non-classroom-based programs, continuation schools, independent study, community day schools, county community schools, juvenile court schools, or nonpublic, nonsectarian schools. No test shall be administered in a home or hospital except by a test administrator or test examiner.

On or before July 1 of each year, the County Superintendent or designee shall identify any school(s) with students who are unable to access the computer-based assessment of a CAASPP test and shall report the number of such students to the test contractor. If available, a paper and pencil version of the assessment may be administered to such students.

On or before July 1 of each year, the County Superintendent or designee shall designate a coordinator who shall oversee all matters related to the testing program and serve as the representative and liaison with the test contractor and the California Department of Education (CDE). The County Superintendent or designee shall also designate a coordinator for each test site. The duties of the test coordinators shall include those specified in 5 [CCR 857-858](#).

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SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

The County Superintendent or designee also shall appoint trained test administrator(s) to administer the CAASPP achievement tests and test examiner(s) to administer the California Alternate Assessments. A test examiner shall be a certificated or licensed employee of the Butte County Office of Education.

As appropriate, the County Superintendent or designee shall assign a specially trained employee to serve as a test proctor to assist the test examiner; a specially trained employee, or other person supervised by a Butte County Office of Education employee, to serve as a translator to translate the test directions into a student's primary language; and an employee to serve as a scribe to transcribe a student's responses to the format required by the test. A student's parent/guardian or sibling shall not be eligible to be that student's translator or scribe.

All test administrators, test examiners, proctors, translators, scribes, test coordinators, and other persons having access to any of the CAASPP achievement tests and corresponding test materials, assessment technology platform, or tests administered pursuant to Education Code [60640](#) shall acknowledge the limited purpose of their access to the achievement tests by signing a test security affidavit. In addition, all test coordinators shall sign a test security agreement before receiving any CAASPP achievement tests and corresponding test materials. The test security affidavit and test security agreement shall be those set forth in 5 CCR [859](#).

Tests Included in the State Assessment System

Butte County Office of Education shall administer the following CAASPP assessments:

1. The CAASPP summative achievement tests for English language arts and mathematics in grades 3-8 and 11, except that:
 - a. Recently arrived English learners, defined pursuant to Education Code [60603](#) as English learners who are in their first 12 months of attending a school in the United States, shall be exempted from taking the English language arts assessment to the extent allowed by federal law. A recently arrived English learner may be administered the test upon request by their parent/guardian.
 - b. Students with disabilities who are unable to participate in the English language arts and mathematics assessments, even with the resources described in the section "Testing Variations" below, shall be provided an alternate test when designated in their individualized education program (IEP), as provided in item #3 below.
2. The CA Science Test (CAST) at grades 5, 8 and once in grades 10-12
However, students with disabilities who are unable to participate in the CAST, even with the resources described in the "Testing Variations" section below, shall be provided an alternate test when designated in their IEP, as provided in item #3 below.
3. The CA Alternate Assessments (CAA) in English language arts, mathematics, and science for students with significant cognitive disabilities who are unable to take the tests specified in items #1-2 above, even with appropriate accommodations or other testing resources, and who have an IEP that designates the use of alternate tests at the applicable grade levels

Exemptions

Each year the County Superintendent or designee shall notify parents/guardians of their child's participation in the CAASPP and of the provisions of Education Code [60615](#) related to exemptions from testing.

A parent/guardian may annually submit to the school a written request to excuse their child from any or all parts of the CAASPP assessments for the school year, and such a request shall be granted by the County Superintendent or designee. However, employees shall not solicit or encourage any exemption request on behalf of any student or group of students.

If a parent/guardian submits an exemption request after testing has begun, any test(s) completed before the request is submitted will be scored and the results reported to the parent/guardian and included in the student's records.

Testing Period

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

The County Superintendent or designee shall establish testing days for students within the following available testing windows:

1. Unless otherwise specified in state regulations, assessments shall be administered between the date on which at least 66 percent of the school's 'annual instructional days have been completed, but no earlier than the second Tuesday in January, and the last day of instruction for the regular annual calendar of the school, but no later than July 15 or, if July 15 is not a weekday, then the next weekday following July 15.
2. The CAA for science shall be administered "beginning on a date in September as determined by CDE through the last day of instruction for the regular annual calendar of the school or track, but no later than July 15 or, if July 15 is not a weekday, then the next weekday following July 15.

Within the above testing windows, the County Superintendent or designee may designate one testing period for each school. Butte County Office of Education shall not exceed six selected testing periods within the available testing window. The testing period shall be no fewer than 25 consecutive instructional days and may be extended up to an additional 10 consecutive instructional days if still within the available testing window set forth in items #1-2 above.

Students who are absent during testing shall be provided an opportunity to take the tests within the testing window.

Testing Variations

All CAASPP tests shall be administered in accordance with the manuals or other instructions provided by the test contractor or California Department of Education except that, as appropriate, the following testing variations may be used:

1. Universal tools specified in 5 CCR [853.5](#) may be used with any student.
2. Designated supports specified in 5 CCR [853.5](#) and, if an English learner, in 5 CCR [853.7](#), may be used with a student for whom the need has been indicated by an educator or team of educators, with parent/guardian and student input as appropriate, or for whom the need is specified in the student's IEP or Section 504 plan.
3. Accommodations specified in 5 CCR [853.5](#) may be used with a student with disabilities when included in the student's IEP or Section 504 plan as resources that are regularly used in the classroom for the student's instruction and/or assessment(s). Such accommodations shall be either utilized in the assessment environment or consist of changes in procedures or materials that increase equitable access during the assessment.
4. An unlisted resource that has not been specifically identified as an approved universal tool, designated support, or accommodation may be used with a student who has an IEP or Section 504 plan provided that the resource is one that is regularly used in the classroom for instruction and/or assessment and the CDE has approved its use. At least 10 business days prior to the student's first day of CAASPP testing, the County Office will electronically submit a request to the CDE for approval to use that unlisted resource during that year. If the CDE determines that the unlisted resource changes the construct being measured, the unlisted resource may nevertheless be used with the student in order to generate an individual score report even though the student shall not be counted in the participation rate for accountability measures.

In the administration of the CAA to a student with significant cognitive disabilities, the student may have all instructional supports that may be used in daily instruction or assessment, including language and physical supports, with the exception of any inappropriate test practices listed in test administration manuals.

Report of Test Results

For any state assessments that produce valid individual student results, the County Superintendent or designee shall forward or transmit the student's test results to their parents/guardians within 20 working days from receipt of the results from the test contractor or, if Butte County Office of Education receives the results from the contractor after the last day of instruction for the school year, then within the first 20 working days of the next school year. The report shall include a clear explanation of the purpose of the test, the student's score, and its intended use by Butte County Office of Education. An individual student's scores shall also be reported to their school and teacher(s) and shall be included in their student record.

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SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

With parent/guardian consent, the County Superintendent or designee may release a student's test results to a postsecondary educational institution for the purposes of credit, placement, determination of readiness for college-level coursework, or admission.

The County Superintendent or designee shall present LEA wide, school-level, and grade-level results to the Butte County Board of Education at a regularly scheduled meeting. The Butte County Board of Education shall not receive individual students' scores or the relative position of any individual student.

Approved: June, 2017

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Revised: February, 2022

Revised: April , 2024

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6162.6

USE OF COPYRIGHTED MATERIALS

The County Superintendent recognizes that staff and students may use a variety of copyrighted materials in the educational program and other operations. When such materials have not been purchased by Butte County Office of Education for the intended use, the County Superintendent expects staff and students to respect the protections afforded by federal law to the copyright owners of those materials and respect any limitations by the copyright holder to the license of such materials.

Any literary, musical, dramatic, choreographic, pictorial, graphic, sculptural, audiovisual or motion picture, sound, architectural, or other original work shall be assumed to be a copyrighted work, regardless of whether the work appears in print, audio, video, electronic, or other fixed and tangible form.

Before reproducing a copyrighted material for instructional or other Butte County Office of Education purposes, a staff member shall determine if the material is in the public domain or if the intended use of the material meets the criteria for fair use or another exception pursuant to 17 USC [107-122](#). If the material is not in the public domain or no recognized exception applies, the staff member shall seek permission of the copyright holder before using the material.

The County Superintendent or designee shall inform staff that inclusion of an attribution citing the author and source of a copyrighted material does not absolve the staff member from the responsibility to either obtain permission or satisfy criteria for fair use or another exception.

If a staff member is uncertain as to whether the intended use of the material meets the criteria for fair use or another exception, they shall take the safest course and seek permission from the copyright holder to use the material or, if it is impracticable to obtain permission, shall contact the County Superintendent or designee for clarification and assistance.

Students shall not copy or distribute copyrighted works to others. Staff members shall take reasonable precautions to prevent copying or the use of unauthorized copies on school equipment.

The County Superintendent or designee shall ensure that staff and students receive information and training about copyright laws and the penalties for violating such laws.

Legal Reference:

Education Code

[35182](#) Computer software

United States Code, TITLE 17

[101-122](#) Subject matter and scope of copyright, especially:

[102](#) Definitions Copyright protection

Fair use of copyrighted works

[110](#) Limitations on exclusive rights: Exemption of certain performances and displays

[504](#) Penalties for copyright infringement

Approved: June, 2017

Revised: February, 2022

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6162.51

STATE ACADEMIC ACHIEVEMENT TESTS

The County Superintendent recognizes that state achievement test results provide an indication of student progress in achieving state academic standards and may be used to promote high-quality teaching and learning. The County Superintendent or designee shall administer mandatory student assessments within the California Assessment of Student Performance and Progress (CAASPP) as required by law and in accordance with County Superintendent's Policy and Administrative Regulations.

The County Superintendent strongly encourages all students at the applicable grade levels to participate in the state assessments in order to maximize the usefulness of the data and enable Butte County Office of Education schools to meet participation levels required for state and federal accountability systems. The County Superintendent or designee shall notify students and parents/guardians about the importance of these assessments and shall develop strategies to encourage student participation. Students shall be exempted from participation only in accordance with law and County Superintendent's Administrative Regulations.

The County Superintendent shall annually examine state assessment results by school, grade level, and student subgroup as one measure of Butte County Office of Education's progress in attaining its student achievement goals and shall make recommendations for revisions to the local control and accountability plan and other school plans as necessary to improve student achievement for underperforming student groups.

Legal Reference

Education Code

[49076](#) Student records; access

[51041](#) Evaluation of educational program

[52052](#) Academic Performance Index; numerically significant student subgroups

[52060-52077](#) Local control and accountability plan

[56345](#) Individualized education program, contents

[60600-60630](#) Assessment of academic achievement

[60640-60649](#) California Assessment of Student Performance and Progress

[60660-60663](#) Electronic learning assessment resources

[60810](#) Assessment of language development

[99300-99301](#) Early Assessment Program Code of Regulations, Title 5

[850-864](#) State assessments United States Code, Title 20

[1412](#) Participation of students with disabilities in state assessments

[6311](#) Adequate yearly progress Code of Federal Regulations, Title 34
Standards and assessment

Approved: June, 2017

Revised:

Reviewed: July, 2021

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

AR 6162.51

REGULATIONS REGARDING STATE ACADEMIC ACHIEVEMENT TESTS

The County Superintendent or designee shall administer the California Assessment of Student Performance and Progress (CAASPP) to all students at applicable grade levels, except those students exempted by law.

The students of any charter school that receives its state funding allocation through Butte County Office of Education shall be tested in coordination with the testing of Butte County Office of Education students. In addition, the County Superintendent or designee shall arrange for the testing of students in any alternative education program or program conducted off campus, including, but not limited to, non-classroom-based programs, continuation schools, independent study, community day schools, county community schools, juvenile court schools, or nonpublic, nonsectarian schools. No test shall be administered in a home or hospital except by a test administrator or test examiner.

On or before July 1 of each year, the County Superintendent or designee shall identify any school(s) with students who are unable to access the computer-based assessment of a CAASPP test and shall report the number of such students to the test contractor. If available, a paper and pencil version of the assessment may be administered to such students.

On or before July 1 of each year, the County Superintendent or designee shall designate a coordinator who shall oversee all matters related to the testing program and serve as the representative and liaison with the test contractor and the California Department of Education (CDE). The County Superintendent or designee shall also designate a coordinator for each test site. The duties of the test coordinators shall include those specified in 5 CCR [857-858](#).

The County Superintendent or designee also shall appoint trained test administrator(s) to administer the CAASPP achievement tests and test examiner(s) to administer the California Alternate Assessments. A test examiner shall be a certificated or licensed employee of the Butte County Office of Education.

As appropriate, the County Superintendent or designee shall assign a specially trained employee to serve as a test proctor to assist the test examiner; a specially trained employee, or other person supervised by a Butte County Office of Education employee, to serve as a translator to translate the test directions into a student's primary language; and an employee to serve as a scribe to transcribe a student's responses to the format required by the test. A student's parent/guardian or sibling shall not be eligible to be that student's translator or scribe.

All test administrators, test examiners, proctors, translators, scribes, test coordinators, and other persons having access to any of the CAASPP achievement tests and corresponding test materials, assessment technology platform, or tests administered pursuant to Education Code [60640](#) shall acknowledge the limited purpose of their access to the achievement tests by signing a test security affidavit. In addition, all test coordinators shall sign a test security agreement before receiving any CAASPP achievement tests and corresponding test materials. The test security affidavit and test security agreement shall be those set forth in 5 CCR [859](#).

Tests Included in the State Assessment System

Butte County Office of Education shall administer the following CAASPP assessments:

4. The CAASPP summative achievement tests for English language arts and mathematics in grades 3-8 and 11, except that:
 - a. Recently arrived English learners, defined pursuant to Education Code [60603](#) as English learners who are in their first 12 months of attending a school in the United States, shall be exempted from taking the English language arts assessment to the extent allowed by federal law. A recently arrived English learner may be administered the test upon request by their parent/guardian.
 - b. Students with disabilities who are unable to participate in the English language arts and mathematics assessments, even with the resources described in the section "Testing Variations" below, shall be provided an alternate test when designated in their individualized education program (IEP), as provided

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SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

in item #3 below.

5. The CA Science Test (CAST) at grades 5, 8 and once in grades 10-12
However, students with disabilities who are unable to participate in the CAST, even with the resources described in the "Testing Variations" section below, shall be provided an alternate test when designated in their IEP, as provided in item #3 below.
6. The CA Alternate Assessments (CAA) in English language arts, mathematics, and science for students with significant cognitive disabilities who are unable to take the tests specified in items #1-2 above, even with appropriate accommodations or other testing resources, and who have an IEP that designates the use of alternate tests at the applicable grade levels

Exemptions

Each year the County Superintendent or designee shall notify parents/guardians of their child's participation in the CAASPP and of the provisions of Education Code [60615](#) related to exemptions from testing.

A parent/guardian may annually submit to the school a written request to excuse their child from any or all parts of the CAASPP assessments for the school year, and such a request shall be granted by the County Superintendent or designee. However, employees shall not solicit or encourage any exemption request on behalf of any student or group of students.

If a parent/guardian submits an exemption request after testing has begun, any test(s) completed before the request is submitted will be scored and the results reported to the parent/guardian and included in the student's records.

Testing Period

The County Superintendent or designee shall establish testing days for students within the following available testing windows:

3. Unless otherwise specified in state regulations, assessments shall be administered between the date on which at least 66 percent of the school's 'annual instructional days have been completed, but no earlier than the second Tuesday in January, and the last day of instruction for the regular annual calendar of the school, but no later than July 15 or, if July 15 is not a weekday, then the next weekday following July 15.
4. The CAA for science shall be administered "beginning on a date in September as determined by CDE through the last day of instruction for the regular annual calendar of the school or track, but no later than July 15 or, if July 15 is not a weekday, then the next weekday following July 15.

Within the above testing windows, the County Superintendent or designee may designate one testing period for each school. Butte County Office of Education shall not exceed six selected testing periods within the available testing window. The testing period shall be no fewer than 25 consecutive instructional days and may be extended up to an additional 10 consecutive instructional days if still within the available testing window set forth in items #1-2 above.

Students who are absent during testing shall be provided an opportunity to take the tests within the testing window.

Testing Variations

All CAASPP tests shall be administered in accordance with the manuals or other instructions provided by the test contractor or California Department of Education except that, as appropriate, the following testing variations may be used:

5. Universal tools specified in 5 CCR [853.5](#) may be used with any student.
6. Designated supports specified in 5 CCR [853.5](#) and, if an English learner, in 5 CCR [853.7](#), may be used with a student for whom the need has been indicated by an educator or team of educators, with parent/guardian and student input as appropriate, or for whom the need is specified in the student's IEP or Section 504 plan.
7. Accommodations specified in 5 CCR [853.5](#) may be used with a student with disabilities when included in the student's IEP or Section 504 plan as resources that are regularly used in the classroom for the student's instruction and/or assessment(s). Such accommodations shall be either utilized in the assessment environment or consist of changes in procedures or materials that increase equitable access during the assessment.

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SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

8. An unlisted resource that has not been specifically identified as an approved universal tool, designated support, or accommodation may be used with a student who has an IEP or Section 504 plan provided that the resource is one that is regularly used in the classroom for instruction and/or assessment and the CDE has approved its use. At least 10 business days prior to the student's first day of CAASPP testing, the County Office will electronically submit a request to the CDE for approval to use that unlisted resource during that year. If the CDE determines that the unlisted resource changes the construct being measured, the unlisted resource may nevertheless be used with the student in order to generate an individual score report even though the student shall not be counted in the participation rate for accountability measures.

In the administration of the CAA to a student with significant cognitive disabilities, the student may have all instructional supports that may be used in daily instruction or assessment, including language and physical supports, with the exception of any inappropriate test practices listed in test administration manuals.

Report of Test Results

For any state assessments that produce valid individual student results, the County Superintendent or designee shall forward or transmit the student's test results to their parents/guardians within 20 working days from receipt of the results from the test contractor or, if Butte County Office of Education receives the results from the contractor after the last day of instruction for the school year, then within the first 20 working days of the next school year. The report shall include a clear explanation of the purpose of the test, the student's score, and its intended use by Butte County Office of Education. An individual student's scores shall also be reported to their school and teacher(s) and shall be included in their student record.

With parent/guardian consent, the County Superintendent or designee may release a student's test results to a postsecondary educational institution for the purposes of credit, placement, determination of readiness for college-level coursework, or admission.

The County Superintendent or designee shall present LEA wide, school-level, and grade-level results to the Butte County Board of Education at a regularly scheduled meeting. The Butte County Board of Education shall not receive individual students' scores or the relative position of any individual student.

Approved: June, 2017

Revised: December, 2021

Revised: February, 2022

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6163.2

ANIMALS AT SCHOOL

The County Superintendent recognizes that animals can contribute to Butte County Office of Education's instructional program by assisting individuals with disabilities to access Butte County Office of Education programs and activities.

The County Superintendent or designee shall develop rules and procedures to ensure that when animals are brought to school, the health, safety, and welfare of students, staff, and the animals are protected. However, the Butte County Office of Education assumes no liability for the safety of animals allowed on Butte County Office of Education property.

Any service animal brought to school by an individual with a disability shall be taken home the same day.

Butte County Office of Education assumes no liability and shall not be responsible for the provision of a service animal. The user of the service animal (dog or miniature horse) is responsible for its care and conduct at all times.

Legal Reference

Education Code

[233.5](#) Instruction in kindness to pets and humane treatment of living creatures

[39839](#) Transportation of guide dogs, signal dogs, service dogs

[51202](#) Instruction in personal and public health and safety

[51540](#) Safe and humane treatment of animals at school

Civil Code

Access to public places

Guide, signal, or service dogs, right to accompany

Government Code

[810-996.6](#) California Tort Claims Act, especially

[815](#) Liability for injuries generally; immunity of public entity

[835](#) Conditions of liability Vehicle Code

[21113](#) Public grounds

Code of Regulations, Title 13

[1216](#) Transportation of property

United States Code, Title 20

[1400-1482](#) Individuals with Disabilities Education Act United States Code, Title 29

[794](#) Rehabilitation Act of 1973, Section 504 Code of Federal Regulations, Title 28

[35.104](#) Definitions

Service animals

Approved: March, 2011

Revised: June, 2017

Reviewed: July, 2021

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

AR 6163.2

REGULATIONS REGARDING ANIMALS AT SCHOOL

Before any student or employee brings an animal to school for an instructional purpose, they shall receive written permission from the Principal or designee. The Principal or designee shall give such permission only after they have provided written notification to all parents/guardians of students in the affected class, asking them to verify whether their child has any known allergies, asthma, or other health condition that may be aggravated by the animal's presence. When a parent/guardian has provided notification that their child has an allergy, asthma, or other health condition that may be aggravated by the animal, the Principal shall take appropriate measures to protect the student from exposure to the animal.

A user has the right to be accompanied on school property or at school-sponsored programs or activities by a service animal, specially trained for an individual with a disability.

Before granting permission to a student with a disability who is enrolled in a school of Butte County Office of Education and has a Section 504 plan or an individualized education program (IEP) to bring a guide dog, signal dog, service dog, or service animal on school property or to school-sponsored programs or activities, the Principal or designee shall determine whether the student's Section 504 or IEP team has addressed the student's educational needs in another manner that would eliminate his or her need for the service animal in order to receive a free appropriate public education (FAPE).

Prior to receiving permission from the principal or designee to bring a service animal on school property or to a school-sponsored program or activity, the user of the service animal shall do the following:

1. The user shall provide information to the Principal or designee establishing the individualized training and certification of the service animal, including a description of the task(s) the service animal has been trained to perform for the individual. The Principal shall determine if the animal is required because of a disability and what work or task the animal has been trained to perform.
2. The user shall provide information to the Principal or designee establishing that he or she has received proper individualized training and/or certification to handle, control, and supervise the service animal.
3. The user shall ensure the service animal is properly harnessed or on a leash at all times and wears an identification tag that identifies it as a service animal. Regulations require the service animal to be under control of the handler on a leash or tether, unless that interferes with tasks, in which case, the service animal must be controlled using some other effective means.
4. The user shall complete and sign a release of liability form, which shall release Butte County Office of Education from any and all liability for damage to persons, premises, or facilities caused by the service animal. If the user is a minor under the age of 18 years old, the parent/guardian shall complete and sign the Waiver and Release of Liability form. By signing the release, the individual, or the parent/guardian if the individual is a minor, agrees to assume all liability for any and all damage to persons, premises, or facilities caused by the service animal. Butte County Office of Education assumes no responsibility for any service animal brought on school property or to school-sponsored programs or activities.
5. The user shall be responsible for the care and conduct of the service animal at all times. The service animal shall be under the user's control at all times. The user is responsible for the cleanliness of the service animal to protect the health and safety of others. Individuals with a disability may be charged for damage caused by his or her service animal.
6. The user shall insure that service animals brought to school will be in good physical condition and are appropriately immunized.

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

If the user fails to satisfy any of the above conditions, the Principal or designee shall not permit the user to bring the service animal on school property or to school-sponsored programs or activities. If the Principal or designee grants permission to the user to bring a service animal on school property or to school-sponsored programs or activities, the user shall continue to be subject to the conditions stated above. Should the user fail to abide by these conditions, the user shall be required to remove the service animal immediately and not bring the service animal back on school property until he or she can demonstrate that all conditions are met.

Nothing shall preclude the Principal or designee, upon receiving a request from or on behalf of a student with a disability to bring a service animal on school property or to school-sponsored programs and/or activities, from convening a Section 504 or IEP team meeting to clarify further the student's need for additional support in the classroom.

The service animal shall not exhibit aggressive behavior toward staff, students, or any other individuals, may not otherwise pose a direct threat to the health and/or safety of others, and may not be disruptive to the educational environment. The Principal or designee shall make a reasonable judgment that is based on available objective information regarding whether the service animal presents an unacceptable risk or threat to others. In making this determination, the Principal or designee may consider factors such as, but not limited to, the service animal's breeding, training, and propensity for harmful or frightening interaction with children or others reasonably attributed to that particular type of service animal as determined by those knowledgeable about such animals.

Except for service animals, as defined below, all animals are prohibited on school transportation services.

For an individual with a disability, service animal means any dog that is individually trained to do work or perform tasks related to the individual's disability and for their benefit. For example, for an individual who is blind or has low vision, a service animal would mean a dog that helps him/her with vision, navigation, and other tasks; for an individual who is deaf or hard of hearing, a service animal would mean a dog that alerts him/her to the presence of people or sounds; and for an individual with psychiatric or neurological disabilities, a service animal would mean a dog that assists him/her by preventing or interrupting impulsive or destructive behaviors.

Individuals with disabilities may be accompanied on school premises and on school transportation by service animals, including specially trained guide dogs, signal dogs, or service dogs.

The County Superintendent or designee may permit the use of a miniature horse as a service animal when the horse has been individually trained to do work or perform tasks for the benefit of an individual with a disability, provided that:

1. The facility can accommodate the type, size, and weight of the horse.
2. The individual has sufficient control of the horse.
3. The horse is housebroken.
4. The horse's presence in the specific facility does not compromise legitimate safety requirements of the facility.

The County Superintendent or designee may ask any individual with a disability to remove their service animal from school premises or transportation if the animal is out of control and the individual does not take effective action to control it or the animal is not housebroken. When an individual's service animal is excluded, they shall be given an opportunity to participate in the service, program, or activity without having the service animal present.

The use of guide dogs, signal dogs, service dogs, and miniature horses must comply with all relevant federal, state, and county laws.

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Reviewed: July, 2021

Revised: February, 2022

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6163.4

STUDENT USE OF TECHNOLOGY

The County Superintendent intends that technological resources be used in a safe, responsible, and proper manner in support of the instructional program and for the advancement of student learning. All students using these resources shall receive instruction in their proper and appropriate use.

Teachers, administrators, and/or library media specialists are expected to review the technological resources and online sites that will be used in the classroom or assigned to students in order to ensure that they are appropriate for the intended purpose and the age of the students.

The County Superintendent or designee shall notify students and parents/guardians about authorized uses of computers, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities in accordance with the Acceptable Use Agreement.

Technology includes, but is not limited to, computers, the district's computer network including servers and wireless computer networking technology (wi-fi), the Internet, email, USB drives, wireless access points (routers), tablet computers, smartphones and smart devices, telephones, cellular telephones, personal digital assistants, pagers, MP3 players, wearable technology, any wireless communication device including emergency radios, and/or future technological innovations, whether accessed on or off site or through school-owned or personally owned equipment or devices.

Before a student is authorized to use technological resources, the student and their parent/guardian shall sign and return the Acceptable Use Agreement specifying user obligations and responsibilities. In that agreement, the student and their parent/guardian shall agree not to hold Butte County Office of Education or any staff responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes or negligence. They shall also agree to indemnify and hold harmless Butte County Office of Education and personnel for any damages or costs incurred.

Use of School Computers for Online Services/Internet Safety

The County Superintendent or designee shall ensure that all computers with Internet access have a technology protection measure that blocks or filters Internet access to visual depictions that are obscene, child pornography, or harmful to minors and that the operation of such measures is enforced.

The County Superintendent or designee shall also establish regulations to address the safety and security of students and student information when using email, chat rooms, and other forms of direct electronic communication.

To reinforce these measures, the County Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet and to make efforts so that students do not engage in unauthorized or unlawful online activities. Staff shall supervise students while they are using online services and may have teacher aides, student aides, and volunteers assist in this supervision.

Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest and is matter which depicts or describes, in a patently offensive way, sexual conduct and which lacks serious literary, artistic, political, or scientific value for minors. (Penal Code [313](#))

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

The BCOE Acceptable Use Agreement shall establish expectations for appropriate student conduct when using the Internet or other forms of electronic communication, including, but not limited to, prohibitions against:

1. Accessing, posting, submitting, publishing, or displaying harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs
2. Intentionally uploading, downloading, or creating computer viruses and/or maliciously attempting to harm or destroy school equipment or materials or manipulate the data of any other user, including so-called "hacking"
3. Distributing personal identification information, including the name, address, telephone number, Social Security number, or other personally identifiable information, of another student, staff member, or other person with the intent to threaten, intimidate, harass, or ridicule that person

The County Superintendent or designee shall provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, but not be limited to, the dangers of posting one's own personal identification information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying.

The Butte County Office of Education reserves the right to monitor student use of technology within its jurisdiction without advance notice or consent. Students shall be informed that their use of school technology, including, but not limited to, computer files, email, text messages, instant messaging, and other electronic communications, is not private and may be accessed by the Butte County Office of Education for the purpose of ensuring proper use.

Students have no reasonable expectation of privacy in use of the school technology. Students' personally owned devices shall not be searched except in cases where there is a reasonable suspicion, based on specific and objective facts, that the search will uncover evidence of a violation of law, Superintendent policy, or school rules.

The County Superintendent or designee may gather and maintain information pertaining directly to school safety or student safety from the social media activity of any district student in accordance with Education Code 49073.6 and SP/AR 5125 - Student Records.

Whenever a student is found to have violated Superintendent policy or the Acceptable Use Agreement, the principal or designee may cancel or limit a student's user privileges or increase supervision of the student's use of the school's equipment and other technological resources, as appropriate. Inappropriate use also may result in disciplinary action and/or legal action in accordance with law and Superintendent policy.

The County Superintendent or designee shall provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, but not be limited to, the dangers of posting personal information online, misrepresentation of online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying.

Legal Reference:

Education Code

[49073.6](#) Student records; social media

[51006](#) Computer education and resources

[51007](#) Programs to strengthen technological skills

[60044](#) Prohibited instructional materials

Penal Code

[313](#) Harmful matter

[502](#) Computer crimes, remedies

[632](#) Eavesdropping on or recording confidential communications

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SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

[653.2](#) Electronic communication devices, threats to safety

United States Code, Title 15

6501-6506 Children's Online Privacy Protection Act United States Code, Title 20

[7101](#)-7122 Student Support and Academic Enrichment Grants [7131](#) Internet safety

United States Code, Title 47

254 Universal service discounts (E-rate)

Code of Federal Regulations, Title 16

[312.1-312.12](#) Children's Online Privacy Protection Act Code of Federal Regulations, Title 47

[54.520](#) Internet safety policy and technology protection measures, E-rate discounts

Approved: September, 2013

Revised: June, 2017

Revised: September, 2020

Revised: February, 2022

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

AR 6163.4

REGULATIONS REGARDING STUDENT USE OF TECHNOLOGY

The Administrator or designee shall oversee the maintenance of each school's technological resources and may establish guidelines and limits on their use. All instructional staff shall receive a copy of Butte County Office of Education County Superintendent's Policy and Administrative Regulations, and the Acceptable Use Agreement describing expectations for appropriate use of the system and shall also be provided with information about the role of staff in supervising student use of technological resources. All students using these resources shall receive instruction in their proper and appropriate use.

The Administrator or designee shall prescreen technological resources and online sites that will be used for instructional purposes to ensure that they are appropriate for the intended purpose and the age of the students.

Online/Internet Services: User Obligations and Responsibilities

Students are authorized to use Butte County Office of Education equipment to access the internet or other online services in accordance with Butte County Office of Education County Superintendent's Policy and Administrative Regulations, the user obligations and responsibilities specified below, and the Acceptable Use Agreement.

1. The student in whose name an online services account is issued is responsible for its proper use at all times. Students shall keep personal account numbers and passwords private and shall only use the account to which they have been assigned.
2. Students shall use the system safely, responsibly, and primarily for educational purposes.
3. Students shall not access, post, submit, publish, or display harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be alleged as unlawful discrimination, intimidation, bullying or cyberbullying, or construed as harassment or disparagement of others based on actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, genetic information, political beliefs, or any other characteristic identified in Education Code, Penal Code, or Government Code, or based on association with a person or group with one or more of these actual or perceived characteristics.
4. Unless otherwise instructed by school personnel, students shall not disclose, use, or disseminate personal identification information about themselves or others when using email, chat rooms, or other forms of direct electronic communication. Students also shall be cautioned not to disclose such information by other means to individuals contacted through the internet without the permission of their parents/ guardians. Personal information includes the student's name, address, telephone number, social security number, or other personally identifiable information.
5. Students shall not use the system to encourage the use of drugs, alcohol, or tobacco, nor shall they promote unethical practices or any activity prohibited by law, or Butte County Office of Education County Superintendent's Policy and Administrative Regulations.
6. Students shall not use the system to engage in commercial or other for-profit activities.
7. Students shall not use the system to threaten, intimidate, harass, or ridicule other students or staff.
8. Copyrighted material shall be posted online only in accordance with applicable copyright laws. Any materials utilized for research projects should be given proper credit as with any other printed source of information.
9. Students shall not intentionally upload, download, or create computer viruses and/or maliciously attempt to harm or destroy equipment or materials or manipulate the data of any other user, including so-called "hacking."
10. Students shall not attempt to interfere with other users' ability to send or receive email, nor shall they attempt to read, delete, copy, modify, or use another individual's identity.
11. Students shall report any security problem or misuse of the services to the Administrator or designee. Butte County Office of Education reserves the right to monitor use of Butte County Office of Education technology systems for improper use without advance notice or consent. Students shall be informed that computer files and electronic communications, including email, are not private and may be accessed by Butte County Office of

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SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

Education for the purpose of ensuring proper use.

Whenever a student is found to have violated Butte County Office of Education County Superintendent's Policy and Administrative Regulations, or the Acceptable Use Agreement, the Administrator or designee may cancel or limit a student's user privileges or increase supervision of the student's use of technological resources, as appropriate. Inappropriate use also may result in disciplinary action and/or legal action in accordance with law and Butte County Office of Education County Superintendent's Policy and Administrative Regulations.

Approved: September, 2013

Revised: June, 2017

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Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

AR 6163.4

EXHIBIT A

ACCEPTABLE USE AGREEMENT AND RELEASE OF BUTTE COUNTY OFFICE OF EDUCATION FROM LIABILITY (STUDENTS)

Butte County Office of Education authorizes students to use technology owned or otherwise provided by Butte County Office of Education as necessary for instructional purposes. The use of this technology is a privilege permitted at Butte County Office of Education's discretion and is subject to the conditions and restrictions set forth in applicable County Superintendent's Policy and Administrative Regulations, and this Acceptable Use Agreement.

Butte County Office of Education reserves the right to suspend access at any time, without notice, for any reason.

Butte County Office of Education expects all students to use technology responsibly in order to avoid potential problems and liability. Butte County Office of Education may place reasonable restrictions on the sites, material, and/or information that students may access through the system.

Each student who is authorized to use technology and their parent/guardian shall sign this Acceptable Use Agreement as an indication that they have read and understand the agreement.

Definitions

Butte County Office of Education technology includes, but is not limited to, computers, Butte County Office of Education's computer network including servers and wireless computer networking technology (wi-fi), the Internet, email, USB drives, wireless access points (routers), tablet computers, smartphones and smart devices, telephones, cellular telephones, personal digital assistants, pagers, MP3 players, wearable technology, any wireless communication device including emergency radios, and/or future technological innovations, whether accessed on or off site or through County Office-owned or personally owned equipment or devices.

Student Obligations and Responsibilities

Students are expected to use technology safely, responsibly, and for educational purposes only. The student in whose name Butte County Office of Education's technology is issued is responsible for its proper use at all times. Students shall not share their assigned online services account information, passwords, or other information used for identification and authorization purposes, and shall use the system only under the account to which they have been assigned.

Students are prohibited from using technology for improper purposes, including, but not limited to, use of Butte County Office of Education technology to:

1. Access, post, display, or otherwise use material that is discriminatory, libelous, defamatory, obscene, sexually explicit, or disruptive
2. Bully, harass, intimidate, or threaten other students, staff, or other individuals ("cyberbullying")
3. Disclose, use, or disseminate personal identification information (such as name, address, telephone number, Social Security number, or other personal information) of another student, staff member, or other person with the intent to threaten, intimidate, harass, or ridicule that person
4. Infringe on copyright, license, trademark, patent, or other intellectual property rights
5. Intentionally disrupt or harm technology or other operations (such as destroying equipment, placing a virus on computers, adding or removing a computer program without permission from teacher or other County Office personnel, changing settings on shared computers)
6. Install unauthorized software
7. "Hack" into the system to manipulate data of the County Office or other users
8. Engage in or promote any practice that is unethical or violates any law or Butte County Office of Education Superintendent Policy and Administrative Regulations.

Privacy

Since the use of technology is intended for educational purposes, students shall not have any expectation of privacy in any use of Butte County Office of Education technology.

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SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

Butte County Office of Education reserves the right to monitor and record all use of technology, including, but not limited to, access to the Internet or social media, communications sent or received from Butte County Office of Education technology, or other uses. Such monitoring/recording may occur at any time without prior notice for any legal purposes including, but not limited to, record retention and distribution and/or investigation of improper, illegal, or prohibited activity. Students should be aware that, in most instances, their use of Butte County Office of Education technology (such as web searches and emails) cannot be erased or deleted.

All passwords created for or used on any Butte County Office of Education technology are the sole property of Butte County Office of Education. The creation or use of a password by a student on Butte County Office of Education technology does not create a reasonable expectation of privacy.

Personally Owned Devices

If a student uses a personally owned device to access Butte County Office of Education technology, they shall abide by all applicable County Superintendent's Policy and Administrative Regulations, and this Acceptable Use Agreement. Any such use of a personally owned device may subject the contents of the device and any communications sent or received on the device to disclosure pursuant to a lawful subpoena or public records request.

Reporting

If a student becomes aware of any security problem (such as any compromise of the confidentiality of any login or account information) or misuse of technology, they shall immediately report such information to the teacher or other Butte County Office of Education personnel.

Consequences for Violation

Violations of the law, County Superintendent's Policy and Administrative Regulations, or this agreement, may result in revocation of a student's access to Butte County Office of Education's technology and/or discipline, up to and including suspension or expulsion. In addition, violations of the law, County Superintendent's Policy and Administrative Regulations, or this agreement, may be reported to law enforcement agencies as appropriate.

Student Acknowledgment

I have received, read, understand, and agree to abide by this Acceptable Use Agreement and other applicable laws and County Superintendent's Policy and Administrative Regulations governing the use of Butte County Office of Education technology. I understand that there is no expectation of privacy when using Butte County Office of Education technology. I further understand that any violation may result in loss of user privileges, disciplinary action, and/or appropriate legal action.

Name: _____ Grade: _____
(Please print)

School: _____

Signature: _____ Date: _____

Parent or Legal Guardian Acknowledgment

If the student is under 18 years of age, a parent/guardian must also read and sign the agreement.

As the parent/guardian of the above-named student, I have read, understand, and agree that my child shall comply with the terms of the Acceptable Use Agreement. By signing this Agreement, I give permission for my child to use Butte County Office of Education technology and/or to access the school's computer network and the Internet. I understand that, despite Butte County Office of Education's best efforts, it is impossible for the school to restrict access to all offensive and controversial materials. I agree to release from liability, indemnify, and hold harmless Butte County Office of Education, the school, and Butte County Office of Education personnel against all claims, damages, and costs that may

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result from my child's use of Butte County Office of Education technology or the failure of any technology protection measures used by Butte County Office of Education. Further, I accept full responsibility for supervision of my child's use of their access account if and when such access is not in the school setting.

Name: _____ Grade: _____
(Please print)

Signature: _____ Date: _____

Approved: June, 2017

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Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6164.2

GUIDANCE / COUNSELING SERVICES

The County Superintendent recognizes that a structured, coherent and comprehensive counseling program promotes academic achievement and serves the diverse needs of all students. BCOE shall provide an educational counseling program that offers students services and supports within a Multi-Tiered Systems of Support (MTSS) framework, in accordance with law. Counseling staff shall be available to provide students with individualized reviews of their educational progress toward academic and/or career and vocational goals and, as appropriate, may discuss social, personal, or other issues that may impact student learning and well-being.

The County Superintendent or designee shall ensure that all persons employed to provide direct school counseling, school psychology, and/or school social work services to students, and/or implement equitable school programs and services that support students' academic and social-emotional development and college and career readiness shall possess the appropriate credential from the Commission on Teacher Credentialing authorizing their employment in such positions. Responsibilities of each position shall be clearly defined in a job description.

Responsibilities of school counselors include, but are not limited to:

1. Engaging with, advocating for, and providing all students with direct services, such as individual counseling, group counseling, risk assessment, crisis response, and instructional services, including mental health and behavioral, academic, and postsecondary educational services and indirect services, including but not limited to, positive school climate strategies, teacher and parent consultations, and referrals to public and private community services
2. Planning, implementing, and evaluating school counseling programs
3. Working within a MTSS that uses multiple data sources to monitor and improve student behavior, attendance, engagement, and achievement
4. Developing, coordinating, and supervising comprehensive student support systems in collaboration with teachers, administrators, other pupil personnel services professionals, families, community partners, and community agencies, including county mental health agencies
5. Promoting and maintaining a safe learning environment for all students by providing restorative practices, positive behavior interventions, and support services, and by developing a variety of intervention strategies, and using those strategies, to meet individual, group, and school community needs before, during, and after a crisis
6. Intervening to ameliorate school-related problems, including problems related to chronic absences and retention
7. Using research-based strategies to promote mental wellness, reduce mental health stigma, and to identify characteristics, risk factors, and warning signs of students who develop, or are at risk of developing, mental health and behavioral disorders and who experience, or are at risk of experiencing, mistreatment, including mistreatment related to any form of conflict or bullying
8. Improving school climate and student well-being by addressing the mental and behavioral health needs of students during a period of transition, separation, heightened stress, and critical changes, accessing community programs and services to meet those needs, and providing other appropriate services
9. Enhancing students' social and emotional competence, character, health, civic engagement, cultural literacy, and commitment to lifelong learning and the pursuit of high-quality educational programs
10. Providing counseling services for unduplicated students who are classified as English learners, or foster youth, homeless children, and students eligible for free and reduced-priced meals, including interventions and support services that enhance equity and access to appropriate education systems and public and private services
11. Engaging in continued development as a professional school counselor

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SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

Educational and Career Counseling

Beginning in grade 7, parents/guardians shall receive a general notice at least once before career counseling and course selection so that they may participate in the counseling sessions and decisions.

The educational counseling program shall include academic counseling and postsecondary services, in the following areas:

1. Development and implementation, with parent/guardian involvement, of the student's immediate and long-range educational plans
2. Optimizing progress towards achievement of proficiency standards
3. Completion of the required curriculum in accordance with the student's needs, abilities, interests, and aptitudes
4. Academic planning for access and success in higher education programs, including advisement on courses needed for admission to public colleges and universities, standardized admissions tests, and financial aid
5. High-quality career counseling at all grade levels in which students are assisted in doing all of the following:
 - a. Planning for the future, including, but not limited to, identifying personal interests, skills, and abilities, career planning, course selection, and career transition
 - b. Becoming aware of personal preferences and interests that influence educational and occupational exploration, career choice, and career success
 - c. Developing work self-efficacy for the ever-changing work environment, the changing needs of the workforce, and the effects of work on quality of life
 - d. Understanding the relationship between academic achievement and career success, and the importance of maximizing career options
 - e. Understanding the value of participating in career technical education pathways, programs, and certifications, including, but not limited to, those related to regional occupational programs and centers, the federal program administered by the United States Department of Labor offering free education and vocational training to students, known as "Job Corps," the California Conservation Corps, work-based learning, industry certifications, college preparation and credit, and employment opportunities
 - f. Understanding the need to develop essential employable skills and work habits
 - g. Understanding entrance requirements to the Armed Forces of the United States, including the benefits of the Armed Services Vocational Aptitude Battery (ASVAB) test

Butte County Office of Education's educational counseling program also may include, but not be limited to, identification of students who are at risk of not graduating with the rest of their class, development of a list of coursework and experience necessary to assist students to satisfy the curricular requirements for college admission and successfully transition to postsecondary education or employment, and counseling regarding available options for a student to continue their education if they fail to meet graduation requirements.

The County Superintendent or designee shall establish and maintain a program of guidance, placement, and follow-up for all high school students subject to compulsory continuation education.

As part of Butte County Office of Education's educational counseling program, students may be offered mental and behavioral health services under which a student may receive prevention, intervention, short-term counseling services, and mental health related classroom instruction to reduce stigma and increase awareness of counseling support services.

No counselor shall unlawfully discriminate against any student. Guidance counseling regarding school programs and career, vocational, or higher education opportunities shall not be differentiated on the basis of any protected category specified in BP 0410 – Non-discrimination.

In addition, counselors shall affirmatively explore with students the possibility of careers, or courses leading to careers, that are non-traditional for that student's sex.

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SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

For assessing or counseling students, Butte County Office of Education shall not use testing or other materials that permit or require impermissible or unlawful differential treatment of students.

Colleges and prospective employers, including military recruiters, shall have the same access to students for recruiting purposes.

The Superintendent or designee shall collaborate with businesses, government agencies, postsecondary institutions including universities and career technical schools, community organizations, and/or other employers to provide students with actual or simulated work-based learning opportunities through college and/or career fairs.

When planning to hold a college or career fair, the Superintendent or designee shall notify each apprenticeship program in the county. The notification shall include the planned date, time and location of the college or career fair. (Labor Code 3074.2)

Personal or Mental Health Counseling

A school counselor, school psychologist, or school social worker may provide individualized personal, mental health, or family counseling to students in accordance with the specialization(s) authorized by their credential. Such services may include, but are not limited to, support related to the student's social and emotional development, behavior, substance abuse, mental health assessment, depression, or mental illness.

As appropriate, students and their parents/guardians shall be informed about community agencies, organizations, or health care providers that offer qualified professional assistance.

Written parent/guardian consent shall be obtained before mental health counseling or treatment services are provided to a student, except when the student is authorized to consent to the service pursuant to Family Code [6920-6929](#), Health and Safety Code 124260, or other applicable law.

Any information of a personal nature disclosed to a school counselor by a student age 12 years or older or by their parent/guardian is confidential and shall not become part of the student record without the written consent of the person who disclosed the confidential information. The information shall not be revealed, released, discussed, or referred to except under the limited circumstances specified in Education Code [49602](#).

A counselor shall consult with the County Superintendent or designee and, as appropriate, with Butte County Office of Education's legal counsel whenever unsure of how to respond to a student's personal problem or when questions arise regarding the possible release of confidential information regarding a student.

Crisis Counseling

The County Superintendent recognizes the need for a prompt and effective response when students are confronted with a traumatic incident. School counselors shall assist in the development of the comprehensive school safety plan, emergency and disaster preparedness plan, and other prevention and intervention practices designed to assist students and parents/guardians before, during, and after a crisis.

Early identification and intervention plans shall be developed to help identify those students who may be at risk for violence so that support may be provided before they engage in violent or disruptive behavior.

In addition, the County Superintendent or designee shall identify crisis counseling resources to train staff in effective threat assessment, appropriate response techniques, and/or methods to directly help students cope with a crisis if it occurs.

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

Teacher-Based Advisory Program

The County Superintendent recognizes that a supportive, ongoing relationship with a caring adult can provide a student with valuable advice, enhance student-teacher relationships, and build the student's feelings of connectedness with the school. The County Superintendent authorizes the development of a teacher-based advisory program in which teachers advise students in such areas as academic planning, character development, conflict resolution, and self-esteem. Any teacher participating in this program shall be under the supervision of a credentialed school counselor as appropriate, receive related information and training, and be subject to this County Superintendent's Policy and law, including requirements pertaining to student confidentiality and nondiscrimination.

Legal Reference

Education Code

Prohibited sex discrimination

[44266](#) Pupil personnel services credential

[48431](#) Establishing and maintaining high school guidance and placement program

[49600-49604](#) Educational counseling

[51250-51251](#) School age military dependents

[51513](#) Personal beliefs Family Code

[6920-6929](#) Consent by minor for treatment or counseling

Health And Safety Code 124260 Mental health services; consent by minors age 12 and older

Penal Code

[11166-11170](#) Reporting known or suspected cases of child abuse

Welfare And Institutions Code [5850-5883](#)

Mental Health Services Act Code of Regulations, Title 5

[4930-4931](#) Counseling

[80049-80049.1](#) Pupil personnel services credential

[80632-80632.5](#) Preparation programs for pupil personnel services

United States Code, Title 10 [503](#) Military recruiter access to directory information United States Code, Title 20

[1232g](#) Family Educational Rights and Privacy Act

[7908](#) Armed forces recruiter access to students and student recruiting information

Code of Federal Regulations, Title 34

[99.1-99.67](#) Family educational rights and privacy

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Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6164.4

IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION

The County Superintendent recognizes the need to actively seek out and evaluate Butte County residents from birth to age 21 who have disabilities in order to provide them with appropriate educational opportunities in accordance with state and federal law.

The County Superintendent or designee shall establish a comprehensive system that includes procedures for the identification, screening, referral, and regular and triennial assessment of individuals eligible for special education, as well as procedures for the planning, implementation, and review of the education and related services provided to such individuals.

Butte County Office of Education's identification procedures shall include methods for utilizing referrals from parents/guardians, teachers, appropriate professionals, and others, and shall be coordinated with school site procedures for referral of students whose needs cannot be met with modifications to the regular instructional program.

The County Superintendent or designee shall notify parents/guardians, in writing, of their rights related to identification, referral, assessment, instructional planning, implementation, and review, including the right to consent to any assessment concerning their child. In addition, the County Superintendent or designee shall notify parents/guardians of procedures for initiating a referral for assessment to identify individuals who need special education services.

Legal Reference

Education Code

[44265.5](#) Professional preparation for teachers of impaired students

[56000-56885](#) Special education programs, especially

[56195.8](#) Adoption of policies

[56300-56304](#) Identification of individuals with disabilities

[56320-56331](#) Assessment

[56333-56338](#) Eligibility criteria for specific learning disabilities

[56340-56347](#) Instructional planning and individualized education program

[56381](#) Reassessment of students

[56425-56432](#) Early education for individuals with disabilities

[56441.11](#) Eligibility criteria, children ages 3-5

[56445](#) Transition to grade school; reassessment

[56500-56509](#) Procedural safeguards Government Code

[95000-95029.5](#) California Early Intervention Services Act Code of Regulations, Title 5

[3021-3029](#) Identification, referral and assessment

[3030-3031](#) Eligibility criteria United States Code, Title 20

[1232g](#) Family Educational Rights and Privacy Act of 1974

[1412](#) State eligibility;

[1415](#) Procedural safeguards

Code of Federal Regulations, Title 34

Evaluation and placement

Procedural safeguards

[300.1-300.818](#) Individuals with Disabilities Education Act, especially

[300.301-300.306](#) Evaluations and reevaluations

Approved: November, 2010

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Reviewed: July, 2021

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SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

AR 6164.4

IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION

The County Superintendent or designee shall ensure that the Butte County Office of Education's child find process includes the collection of data and, at reasonable intervals, the screening of such data to determine if students are making adequate progress, as appropriate.

A student shall be referred for special education instruction and services only after the resources of the regular education program have been considered and used where appropriate. (Education Code 56303)

However, Butte County Office of Education shall ensure that evaluations of children suspected of having a disability are not delayed or denied because of the implementation of response to intervention strategies.

A parent/guardian or Butte County Office of Education may initiate a request for an initial evaluation to determine if the student is a student with a disability. (34 CFR 300.301)

When a verbal referral is made, staff shall offer assistance to the individual to make the request in writing and shall assist the individual if the individual requests such assistance. (5 CCR 3021)

All referrals from school staff for an initial evaluation shall include a brief reason for the referral and description of the regular program resources that were considered and/or modified for use with the student and, when appropriate, the results of intervention. This documentation shall not delay the timelines for completing the assessment plan or assessment. (5 CCR 3021)

Initial Evaluation for Special Education Services

Before the initial provision of special education and related services to a student with a disability, Butte County Office of Education shall conduct a full and individual initial evaluation of the student's educational needs related to all areas of suspected disability.

Upon receipt of a referral of any student for special education and related services, a proposed evaluation plan shall be developed within 15 days, not counting days between the student's regular school sessions or terms or days of school vacation in excess of five school days, unless the parent/guardian agrees, in writing, to an extension. If the referral is made within 10 days or less prior to the end of the student's regular school year or term, the proposed evaluation plan shall be developed within 10 days after the beginning of the next regular school year or term.

The proposed evaluation plan shall meet all of the following requirements:

1. Be in a language easily understood by the general public
2. Be provided in the native language of the parent/guardian or other mode of communication used by the parent/guardian unless it is clearly not feasible
3. Explain the types of evaluation to be conducted
4. State that no individualized education program (IEP) will result from the evaluation without parent/guardian consent

Before conducting an initial evaluation, Butte County Office of Education shall provide the parent/guardian with prior written notice. In addition, as part of the evaluation plan, the parent/guardian shall receive written notice that includes all of the following information:

1. Upon completion of the administration of tests and other evaluation materials, an IEP team meeting that includes the parent/guardian or their representative shall be scheduled. At this meeting, the team shall determine whether or not the student is a student with disabilities, and shall discuss the evaluation, the educational recommendations, and the reasons for the recommendations.

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

2. When making a determination of eligibility for special education, Butte County Office of Education shall not determine that the student is disabled if the primary factor for such determination is lack of appropriate instruction in reading, including the essential components of reading instruction, lack of appropriate instruction in mathematics, or limited English proficiency, if the student does not otherwise meet eligibility criteria under 34 CFR 300.8(a).
3. A copy of the evaluation report and the documentation of determination of eligibility shall be given to the parent/guardian.
4. If the parent/guardian disagrees with an evaluation obtained by the Butte County Office of Education, the parent has the right to obtain, at public expense, an independent educational evaluation (IEE) of the student from qualified specialists. The parent/guardian is entitled to only one such evaluation at public expense each time the Butte County Office of Education conducts an assessment with which the parent/guardian disagrees. If Butte County Office of Education observed the student in conducting its evaluation, or if its evaluation procedures make it permissible to have in-class observation of the student, an equivalent opportunity shall apply to the IEE. This equivalent opportunity shall apply to the student's current placement and setting as well as observation of Butte County Office of Education's proposed placement and setting, if any, regardless of whether the IEE is initiated before or after the filing of a due process hearing proceeding.
5. Butte County Office of Education may initiate a due process hearing to show that its evaluation is appropriate. If the final decision resulting from the due process hearing is that the evaluation is appropriate, the parent/guardian maintains the right for an IEE, but not at public expense.
If the parent/guardian obtains an IEE at private expense, the results of the IEE shall be considered by Butte County Office of Education with respect to the provision of a free appropriate public education (FAPE) to the student, and may be presented as evidence at a due process hearing regarding the student. If Butte County Office of Education observed the student in conducting its evaluation, or if its evaluation procedures make it permissible to have in-class observation of a student, an equivalent opportunity shall apply to an IEE of the student in the student's current educational placement and setting and in any educational placement and setting proposed by Butte County Office of Education, regardless of whether the IEE is initiated before or after the filing of a due process hearing.
6. If the parent/guardian proposes a publicly financed placement of the student in a non-public school, Butte County Office of Education shall have an opportunity to observe the proposed placement and, if the student has already been unilaterally placed in the non-public school by their parent/guardian, the student in that proposed placement. Any such observation shall only be of the student who is the subject of the observation and shall not include the observation or evaluation of any other student in the proposed placement unless that other student's parent/guardian consents to the observation or evaluation. The results of any observation or evaluation of another student in violation of Education Code 56329(d) shall be in-admissible in any due process or judicial proceeding regarding FAPE of that other student.

Parent/Guardian Consent for Evaluations

Consent means that the parent/guardian:

1. Has been fully informed, in their native language or other mode of communication, of all information relevant to the activity for which consent is sought
2. Understands and agrees, in writing, to the carrying out of the activity for which their consent is sought and the consent describes that activity and lists the records (if any) that will be released and to whom
3. Understands that the granting of consent is voluntary on their part and may be revoked at any time
4. Understands that if they revoke consent, that revocation is not retroactive (i.e., it does not negate an action that has occurred after the consent was given and before the consent was revoked)

Upon receiving the proposed evaluation plan, the parent/guardian shall have at least 15 days to decide whether or not to consent to the initial evaluation. Butte County Office of Education shall not interpret parent/guardian consent for initial evaluation as consent for initial placement or initial provision of special education services.

Butte County Office of Education shall make reasonable efforts to obtain the informed consent of the parent/guardian

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for an initial evaluation or reevaluation of a student. Butte County Office of Education shall maintain a record of its attempts to obtain consent, including:

1. Detailed records of telephone calls made or attempted and the results of those calls
2. Copies of correspondence sent to the parent/guardian and any responses received
3. Detailed records of visits made to the parent/guardian's home or place of employment and the results of those visits

If a parent/guardian refuses to consent to the initial evaluation or fails to respond to a request to provide consent, Butte County Office of Education may, but is not required to, pursue an evaluation by utilizing the procedural safeguards, including mediation and due process procedures.

For a student who is a ward of the state and not residing with their parent/guardian, Butte County Office of Education may conduct an initial evaluation without obtaining informed consent if any of the following situations exists:

1. Despite reasonable efforts to do so, Butte County Office of Education cannot discover the whereabouts of the parent/guardian of the student.
2. The rights of the parent/guardian of the student have been terminated in accordance with California law.
3. The rights of the parent/guardian to make educational decisions have been subrogated by a judge in accordance with California law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the student.

Butte County Office of Education need not obtain parent/guardian consent before reviewing existing data as part of an evaluation or administering a test or other evaluation that is administered to all students, unless consent is required from the parents/guardians of all students.

Conduct of the Evaluation

Within 60 calendar days of receiving parental consent for the initial assessment of a student, not counting days between the student's regular school sessions, terms, or days of school vacation in excess of five schooldays, a determination whether the student is eligible for special education and the educational needs of the student shall be made, an IEP team meeting shall occur, and an IEP shall be developed, unless the parent/guardian agrees in writing to an extension, pursuant to Education Code 56344. If the 60-day time is interrupted by a student school vacation, the 60-day time shall recommence on the date that student schooldays reconvene and a meeting to develop an IEP for the student shall be conducted within 30 days of a determination that the student needs special education and related services. (Education Code 56043, 56344) However, when a referral has been made for a student 30 days or less prior to the end of the regular school year, an IEP required as a result of an assessment of the student shall be developed within 30 days after the commencement of the subsequent regular school year.

The evaluation shall be conducted by qualified personnel who are competent to perform the assessment as determined by Butte County Office of Education.

The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for special education and related services.

In conducting the evaluation, Butte County Office of Education shall use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the student. Butte County Office of Education shall also use any information provided by the parent/guardian that may assist in making the determination as to whether the student is a student with a disability and, if so, the necessary components of their IEP when the IEP is developed, including information related to enabling the student to be involved in and to progress in the general education curriculum.

Butte County Office of Education's evaluation shall not use any single measure or assessment as the sole criterion for determining whether a student is a student with a disability and for determining the appropriate educational program

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for the student. The assessment shall use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors in addition to physical or developmental factors.

Butte County Office of Education shall also ensure that assessments and other evaluation materials provide relevant information that assists in determining the student's educational needs and are:

1. Selected and administered so as not to be discriminatory on a racial, cultural, or sexual basis
2. Provided and administered in the language and form most likely to yield accurate information on what the student knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to so provide or administer
3. Used for the purposes for which the assessments or measures are valid and reliable
4. Administered by trained and knowledgeable personnel
5. Administered in accordance with any instructions provided by the producer of the assessments
6. Tailored to assess specific areas of educational need and not merely designed to provide a single general intelligence quotient
7. If administered to a student with impaired sensory, manual, or speaking skills, selected and administered to best ensure that the results accurately reflect the student's aptitude or achievement level or whatever other factors the test purports to measure

Students shall be assessed in all areas related to the suspected disability, including, if appropriate, health and development, vision (including low vision), hearing, motor abilities, language function, general intelligence, academic performance, communicative status, self-help, orientation and mobility skills, career and vocational abilities and interests, and social and emotional status. When appropriate, a developmental history shall be obtained. Butte County Office of Education shall ensure that the evaluation is sufficiently comprehensive to identify all of the student's special education and related service needs, whether or not commonly linked to the disability category in which the student has been classified.

As part of the initial evaluation and any re-evaluation, the IEP team and other qualified professionals shall, if appropriate, review existing evaluation data on the student, including evaluations and information provided by the parents/guardians, current classroom-based local or state assessments and classroom-based observations, and observations by teachers and related services providers. On the basis of that review and input from the student's parent/guardian, the team shall identify what additional data, if any, are needed to determine:

1. Whether the student is a student with a disability, or in the case of a re-evaluation, whether the student continues to have a disability, and the educational needs of the student
2. The present levels of academic achievement and related developmental needs of the student
3. Whether the student needs, or continues to need, special education and related services
4. Whether any additions or modifications to the special education and related services are needed to enable the student to meet the measurable annual goals set out in their IEP and to participate, as appropriate, in the general education curriculum

If a student has transferred from another district in the same school year or leaves Butte County Office of Education, Butte County Office of Education shall coordinate with the student's prior or subsequent district as necessary and as expeditiously as possible to ensure prompt completion of full evaluations.

Eligibility Determination

Upon completion of the administration of assessments and other evaluation measures, a group of qualified professionals and the parent/guardian shall determine whether the student is a student with a disability and, if so, their educational needs. In interpreting the data, the group shall draw information from a variety of sources, including aptitude and achievement tests, parent/guardian input, and teacher recommendations, as well as information about the student's physical condition, social or cultural background, and adaptive behavior. The group shall ensure that the information obtained from these sources is documented and carefully considered.

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Evaluation Report

The personnel who evaluate the student shall prepare a written report of the results of each evaluation. The report shall include, but not be limited to, the following:

1. Whether the student may need special education and related services
2. The basis for making the determination
3. The relevant behavior noted during the observation of the student in an appropriate setting
4. The relationship of that behavior to the student's academic and social functioning
5. The educationally relevant health, developmental, and medical findings, if any
6. For students with learning disabilities, whether there is such a discrepancy between achievement and ability that it cannot be corrected without special education and related services
7. A determination concerning the effects of environmental, cultural, or economic disadvantage, where appropriate
8. The need for specialized services, materials, and equipment for students with low incidence disabilities, consistent with Education Code 56136

Eligibility Determination

Upon completion of the administration of assessments and other evaluation measures, a group of qualified professionals and the parent/guardian shall determine whether the student is a student with a disability as defined in 5 CCR 3030 and 34 CFR 300.8 and, if so, the student's educational needs. In interpreting the data, the group shall draw information from a variety of sources, including aptitude and achievement tests, parent/guardian input, and teacher recommendations, as well as information about the student's physical condition, social or cultural background, and adaptive behavior. The group shall ensure that the information obtained from these sources is documented and carefully considered.

When making a determination of eligibility for special education and related services, Butte County Office of Education shall not determine that a student is disabled if the primary factor for such determination is a lack of appropriate instruction in reading, including the essential components of reading instruction, lack of instruction in mathematics, limited English proficiency, or that the student does not otherwise meet the eligibility criteria.

The normal process of second-language acquisition, as well as manifestations of dialect and sociolinguistic variance, shall not be diagnosed as a disabling condition.

Independent Educational Evaluation

The parents/guardians of a student with a disability have the right to obtain an IEE at public expense under the same criteria that Butte County Office of Education uses for a Butte County Office of Education school-initiated evaluation. An independent educational evaluation is an evaluation conducted by a qualified examiner who is not employed by Butte County Office of Education. Public expense means Butte County Office of Education either pays for the full cost of the IEE or ensures that the evaluation is otherwise provided at no cost to the parent/guardian. If a parent/guardian disagrees with an evaluation conducted by the Butte County Office of Education and seeks an independent educational evaluation, the BCOE will either initiate a due process hearing to show that its evaluation is appropriate or will provide the parent an opportunity to obtain an independent educational evaluation in accordance with this policy by arranging for the independent evaluation. The parent must first inform the BCOE that the parent:

1. Disagrees with the evaluation, and
2. Is requesting an independent educational evaluation at public expense

If the parent/guardian makes an oral request for an IEE, BCOE staff shall offer to assist the parent in putting the request in writing, and then assist, as requested.

The parent/guardian is entitled to only one IEE at public expense each time Butte County Office of Education conducts an evaluation with which the parent/guardian disagrees.

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If a parent/guardian has requested an IEE, Butte County Office of Education may ask for the reason that they object to Butte County Office of Education's evaluation. However, the parent/guardian is not required to provide the reason to the Butte County Office of Education

If a due process hearing decision determines that the Butte County Office of Education's evaluation is appropriate, then the parent/guardian may obtain an IEE but not at public expense. In any decision made with respect to providing FAPE to a student with a disability, the result of any IEE obtained by the student's parent/guardian shall be considered by Butte County Office of Education if it meets district criteria. Any such result also may be presented as evidence at a hearing on a due process complaint.

Response to a Request for an Independent Educational Evaluation

Upon receiving the request for an IEE, Butte County Office of Education shall, without unnecessary delay, either:

1. File a due process complaint to request a hearing to show that its evaluation is appropriate
2. Ensure that an IEE is provided at public expense, unless Butte County Office of Education can later demonstrate at a hearing that the evaluation obtained by the parent/guardian did not satisfy the Butte County Office of Education's criteria

If parents request an independent educational evaluation at public expense, the BCOE will offer the parent/guardian an alternative examiner (Option 1 below) and also provide options for an independent educational evaluation at public expense (Options 2, 3 or 4 below) as follows:

1. A staff member from another school
2. A staff member from another LEA in the SELPA
3. A staff member from another SELPA
4. A private sector provider

The list of potential evaluators is not exhaustive and is not intended to limit a parent/guardian's options in obtaining an IEE from other qualified individuals who meet agency criteria. Once the parent/guardian chooses an option, the BCOE will arrange for the alternative evaluator, contract with an independent examiner, or otherwise ensure that an independent educational evaluation is provided at public expense.

In the event that a parent/guardian requests to utilize an evaluator who does not meet agency criteria, the BCOE shall provide the parent the opportunity to demonstrate that there are unique circumstances to justify their selection of such an evaluator. The BCOE will then make a determination if the use of the requested evaluator that does not meet agency criteria is warranted, and respond to the parent with a prior written notice, per 34 CFR 300.503.

If a due process hearing decision determines that Butte County Office of Education's evaluation is appropriate, then the parent/guardian may obtain an IEE but not at public expense.

In any decision made with respect to providing FAPE to a student with a disability, the result of any IEE obtained by the student's parent/guardian shall be considered by Butte County Office of Education if it meets Butte County Office of Education criteria. Any such result also may be presented as evidence at a hearing on a due process complaint.

Information Provided to Parents

Upon parent request for an independent educational evaluation, the BCOE will provide the parent/guardian with a copy of its policy/procedures and criteria for independent educational evaluations.

Consideration of the Independent Educational Evaluation

Independent educational evaluations are designed to determine both the educational needs of students with disabilities and whether an individual is eligible for special education and related services. The BCOE shall consider the independent educational evaluation, including any recommendations therein, if the independent educational evaluation

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meets agency criteria, in any decision made with respect to the provision of FAPE to the child.

The independent educational evaluation may also be presented by any party as evidence at a hearing on a due process complaint regarding that child.

Parent-Initiated Evaluations

If the parents obtain an independent educational evaluation at private expense, the results of the evaluation:

1. Must be considered, if it meets the SELPA's criteria, in any decision made with respect to the provisions of a free appropriate education to the student
2. May be presented as evidence at a due process hearing regarding that student

Evaluations Ordered by Hearing Officers

If a hearing officer orders an independent educational evaluation as part of a hearing, the cost of the evaluation will be at the expense of the Butte County Office of Education.

Reevaluation

A reevaluation shall be conducted when Butte County Office of Education determines that the educational or related service needs of the student, including improved academic achievement and functional performance, warrant a re-evaluation or if the student's parent/guardian or teacher requests a re-evaluation. Such re-evaluations shall occur every three years, unless the parent/guardian and Butte County Office of Education agree in writing that a re-evaluation is unnecessary. A re-evaluation may not occur more than once a year, unless the parent/guardian and Butte County Office of Education agree otherwise.

Butte County Office of Education shall ensure that any re-evaluations of the student are conducted in accordance with evaluation procedures.

Before entering kindergarten or first grade, children with disabilities who are in a preschool program shall be reevaluated to determine if they still need special education and services. IEP teams shall identify a means of monitoring the continued success of children who are determined to be eligible for less intensive special education programs to ensure that gains made are not lost by a rapid removal of individualized programs and supports for these children.

Approved: November, 2010

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Revised: September, 2023

Butte County Office of Education

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SP 6164.6

IDENTIFICATION AND EDUCATION UNDER SECTION 504

The County Superintendent believes that all children, including children with disabilities, should have the opportunity to learn in a safe and nurturing environment. The County Superintendent or designee shall work to identify children with disabilities and ensure that they receive educational and related services required by law.

Butte County Office of Education shall provide a free appropriate public education (FAPE) to qualified students with disabilities, as defined under Section 504 of the federal Rehabilitation Act of 1973. Such students shall receive regular or special education and related aids and services designed to meet their individual educational needs as adequately as the needs of nondisabled students are met.

In addition, qualified students with disabilities shall be provided an equal opportunity to participate in programs and activities that are part of the schools' education program or activities, including, but not limited to, extracurricular athletics and/or other nonacademic activities.

Nonacademic and extracurricular services and activities may include counseling services, physical recreational athletics, sports, physical education, interscholastic, club, health services, recreational activities, special interest groups or clubs sponsored by the school, referrals to agencies which provide assistance to individuals with disabilities, and employment of students, including both employment by the recipient and assistance in making available outside employment.

The local control and accountability plan(s) shall include goals and specific actions to improve student achievement and other outcomes of students with disabilities. At least annually, the County Superintendent or designee shall assess the LEAs progress in attaining the goals established for students with disabilities and shall report these results to the Board.

In providing services to students with disabilities under Section 504, the County Superintendent or designee shall ensure compliance with law, including providing the students and their parents/guardians with applicable procedural safeguards and required notifications. Any dispute as to the identification, evaluation, or placement of any student with a disability shall be resolved in accordance with the processes specified in the *Procedural Safeguards* section of the accompanying administrative regulation.

The County Superintendent recognizes that parents/guardians and the County Office of Education have the right to audio record the proceedings of Section 504 team meetings in accordance with law. A party intending to record a meeting shall provide at least 24 hours' notice to the other members of the team. If the County Office of Education initiates the intent to record and the parent/guardian objects or refuses to attend because the meeting is being recorded, the meeting shall not be audio recorded.

Legal Reference:

28 CCR 35.101-35.190 Nondiscrimination on the basis of disability in state and local government services

5 CCR 3051.12 Health and nursing services

Ed. Code 49423.5 Specialized physical health care services

Ed. Code 52052 Numerically significant student subgroups

Ed. Code 52060-52077 Local control and accountability plan

Ed. Code 56043 Special education, timelines

Ed. Code 56321 Assessment; development of IEP; parental notifications, consent

20 USC 1232g Family Educational Rights and Privacy Act of 1974

20 USC 1400-1482 Individuals with Disabilities Education Act

29 USC 705 Definitions; Vocational Rehabilitation Act

29 USC 794 Rehabilitation Act of 1973, Section 504

34 CFR 104.1 Purpose to effectuate Section 504 of the Rehabilitation Act of 1973

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34 CFR 104.1-104.61 Nondiscrimination on the basis of handicap, especially:

34 CFR 104.3 Definitions

34 CFR 104.32 Location and notification

34 CFR 104.33 Free appropriate public education

34 CFR 104.34 Educational setting

34 CFR 104.35 Evaluation and placement

34 CFR 104.36 Procedural safeguards

34 CFR 104.37 Nonacademic services

34 CFR 104.7 Responsible employee; grievance procedures

42 USC 12101-12213 Americans with Disabilities Act

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 June 2017
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 December 2021
 February 2022
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AR 6164.6

REGULATIONS REGARDING IDENTIFICATION AND EDUCATION UNDER SECTION 504

Coordinator for Implementation of Section 504

The County Superintendent designates the following position as the Butte County Office of Education 504 Coordinator to implement the requirements of Section 504 of the federal Rehabilitation Act of 1973: (34 CFR 104.7)

Executive Director, Special Education
1859 Bird St.
Oroville, CA 95965
(530) 532-5650

Definitions

Free appropriate public education (FAPE) under Section 504 of the Rehabilitation Act of 1973 means the provision of either regular or special education and related aids and services, designed to meet the student's individual educational needs as adequately as the needs of nondisabled students are met with no cost to the student or their parent/ guardian except when a fee is specifically authorized by law for all students.

Eligibility to receive FAPE under Section 504 means a student has a physical or mental impairment which substantially limits one or more major life activities.

Major life activities means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

Students with a disability means a student who has a physical or mental impairment which substantially limits one or more major life activities.

Physical or mental impairment means any of the following:

1. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal, special sense organs; respiratory, including speech organs; cardiovascular; reproductive, digestive, genito-urinary; hemic and lymphatic; skin; and endocrine
2. Any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities

Physical or mental impairment includes, but is not limited to, contagious and noncontagious diseases and conditions such as the following: orthopedic, visual, speech, and hearing impairments, and cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, intellectual disability, emotional illness, dyslexia and other specific learning disabilities, Attention Deficit Hyperactivity Disorder, Human Immunodeficiency Virus infection (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism.

The term substantially limits shall be construed broadly in favor of expansive coverage.

Substantially limits major life activities means limiting a person's ability to perform one activity, as compared to most people in the general population, such as caring for himself/herself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, writing, communicating, and working.

Major life activities also includes major bodily functions such as functions of the immune system, special sense organs and skin, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions, as well as the operation of an individual

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organ within a body system.

The determination of whether an impairment substantially limits a student's major life activities shall be made without regard to the ameliorative effects of mitigating measures other than ordinary eyeglasses or contact lenses. Mitigating measures are measures that an individual may use to eliminate or reduce the effects of an impairment, including, but not limited to, medications, medical supplies or equipment, prosthetic devices, assistive devices, reasonable modifications or auxiliary aids or services, learned behavioral or adaptive neurological modifications, psychotherapy, behavioral therapy, or physical therapy.

The following types of impairments will, at a minimum, substantially limit the major activities indicated:

1. Deafness substantially limits hearing;
2. Blindness substantially limits seeing;
3. Intellectual disability substantially limits brain function;
4. Partially or completely missing limbs or mobility impairments requiring the use of a wheelchair substantially limit musculoskeletal function;
5. Autism substantially limits brain function;
6. Cancer substantially limits normal cell growth;
7. Cerebral palsy substantially limits brain function;
8. Diabetes substantially limits endocrine function; Epilepsy, muscular dystrophy, and multiple sclerosis each substantially limits neurological function;
9. Human Immunodeficiency Virus (HIV) infection substantially limits immune function; and
10. Major depressive disorder, bipolar disorder, post-traumatic stress disorder, traumatic brain injury, obsessive compulsive disorder, and schizophrenia each substantially limits brain function.

Referral, Identification, and Evaluation

Any action or decision to be taken by the district involving the referral, identification, or evaluation of a student with disabilities shall be in accordance with the following procedures:

1. Any student may be referred by a parent/guardian, teacher, other school employee, student success team, or community agency for consideration of eligibility as a disabled student under Section 504. This referral may be made to the Principal or 504 Coordinator.
2. Upon receipt of a referral for eligibility, the Principal or 504 Coordinator, or other qualified individual with expertise in the area of the student's suspected disability shall consider the referral and determine whether an evaluation is appropriate. This determination shall be based on a review of the student's school records, including academic and nonacademic areas of the school program; consultation with the student's teacher(s), other professionals, and the parent/guardian, as appropriate; and analysis of the student's needs.
3. If it is determined that a student needs or is believed to need special education or related services under Section 504, Butte County Office of Education shall conduct an evaluation of the student prior to initial placement and before any significant change in placement.

Prior to conducting an initial evaluation of a student for eligibility under Section 504, Butte County Office of Education shall obtain written parent/guardian consent.

Butte County Office of Education's evaluation procedures shall ensure those tests and other evaluation materials:

1. Have been validated and are administered by trained personnel in conformance with the instruction provided by the test publishers
2. Are tailored to assess specific areas of educational need and are not based solely on a single IQ score

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3. Reflect aptitude or achievement or whatever else the tests purport to measure and do not reflect the student's impaired sensory, manual, or speaking skills unless the test is designed to measure these particular deficits

Section 504 Services Plan and Placement

1. A multi-disciplinary 504 team shall be convened to review the evaluation data in order to make placement decisions.

The 504 team shall consist of a group of persons knowledgeable about the student, the meaning of the evaluation data, and the placement options.

In interpreting evaluation data and making placement decisions, the team shall draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior. The team shall also ensure that information obtained from all such sources is documented and carefully considered and that the placement decision is made in conformity with the Code of Federal Regulations.

2. If, upon evaluation, a student is determined to be eligible for services under Section 504, the team shall meet to develop a written 504 services plan which shall specify the types of regular or special education services, accommodations, and supplementary aids and services necessary to ensure that the student receives Free Appropriate Public Education.

The parents/guardians shall be invited to participate in the meeting and shall be given an opportunity to examine all relevant records.

3. If the 504 team determines that no services are necessary for the student, the record of the team's meeting shall reflect whether or not the student has been identified as a disabled person under Section 504 and shall state the basis for the decision that no special services are presently needed. The student's parent/guardian shall be informed in writing of their rights and procedural safeguards, as described in the "Procedural Safeguards" section below.
4. The student shall be placed in the regular educational environment, unless Butte County Office of Education can demonstrate that the education of the student in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily. The student shall be educated with those who are not disabled to the maximum extent appropriate to their individual needs.
5. Butte County Office of Education shall complete the identification, evaluation, and placement process within a reasonable time frame. Schools shall adhere to this time frame regardless of any extended school breaks or times that school is otherwise not in session.
6. A copy of the student's Section 504 services plan shall be kept in their student record. The student's teacher(s) and any other staff who provide services to the student shall be informed of the plan's requirements.

If a student transfers to another school, the Principal or designee at the school from which the student is transferring shall ensure that the principal or designee at the new school receives a copy of the plan prior to the student's enrollment in the new school.

Review and Re-evaluation

1. The 504 team shall monitor the progress of the student and the effectiveness of the student's Section 504 services plan to determine whether the services are appropriate and necessary and whether the student's needs are being met as adequately as the needs of non-disabled students. The team shall review the student's plan annually. In addition, the student's eligibility under Section 504 shall be re-evaluated at least once every three years.

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2. A reevaluation of the student's needs shall be conducted before any subsequent significant change in placement.

Procedural Safeguards

Parents/guardians shall be notified in writing of all decisions regarding the identification, evaluation, or educational placement of students with disabilities or suspected disabilities. Notifications shall include all the procedural safeguards available to them if they disagree with the school's action or decision, including an opportunity to examine all relevant records and an impartial hearing in which they shall have the right to participate. Notifications shall also detail the parent/guardian's right to file a grievance with Butte County Office of Education over an alleged violation of Section 504; have an evaluation that draws on information from a variety of sources; be informed of any proposed actions related to eligibility and plan for services; receive all information in the parent/guardian's native language and primary mode of communication; periodic re- evaluations and an evaluation before any significant change in program/service modifications; an impartial hearing if there is a disagreement with Butte County Office of Education's proposed action; be represented by counsel in the impartial hearing process; and appeal the impartial hearing officer's decision.

If a parent/guardian disagrees with decisions regarding the identification, evaluation, or educational placement of their child under Section 504, they may request a Section 504 due process hearing in accordance with the following procedures:

1. Within 30 days after receipt of Butte County Office of Education's decision with which the parent/guardian disagrees, the parent/guardian may request an administrative review of the decision. The Principal or 504 Coordinator shall designate an appropriate administrator to meet with the parent/guardian to attempt to resolve the issue. This review shall be held within 14 days of receiving the parent/guardian's request.
2. If the parent/guardian chooses not to request an administrative review or if the review does not resolve the issue, the parent/guardian may request in writing a Section 504 due process hearing. The parent/guardian's request for a hearing shall be made within 30 days of receiving Butte County Office of Education's decision or within 14 days of completion of the administrative review. The request shall include:
 - a. The specific nature of the decision with which the parent/guardian disagrees
 - b. The specific relief the parent/guardian seeks
 - c. Any other information the parent/guardian believes pertinent

Within 30 days of receiving the parent/guardian's request, the County Superintendent or designee and Principal or 504 Coordinator shall select an impartial hearing officer. This 30-day deadline may be extended for good cause or by mutual agreement of the parties.

The Principal or 504 Coordinator shall maintain a list of impartial hearing officers who are qualified and willing to conduct Section 504 hearings. To ensure impartiality, such officers shall not be employed by or under contract with Butte County Office of Education in any capacity other than that of hearing officer and shall not have any professional or personal involvement that would affect their impartiality or objectivity in the matter.

Within 45 days of the selection of the hearing officer, the Section 504 due process hearing shall be conducted and a written decision mailed to all parties. This 45-day deadline may be extended for good cause or by mutual agreement of the parties.

Any party to the hearing shall be afforded the right to:

1. Be accompanied and advised by counsel and by individuals with special knowledge or training related to the problems of students who are qualified as disabled under Section 504
2. Present written and oral evidence
3. Question and cross-examine witnesses
4. Receive written findings by the hearing officer

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If desired, either party may seek a review of the hearing officer's decision by a federal court of competent jurisdiction.

Audio Recording of Meetings

- A parent/guardian or the County Office of Education shall have the right to audio record the proceedings of meetings and any team meetings held pursuant to Section 504.
- The parent/guardian or County Office of Education shall notify the members of the Section 504 team of their intent to audio record a meeting at least 24 hours before the meeting.
- If the County Office of Education initiates the notice of intent to audio record a meeting and the parent/guardian objects or refuses to attend the meeting because it will be audio recorded, the meeting shall not be audio recorded.

Notifications

The County Superintendent or designee shall ensure that Butte County Office of Education has taken appropriate steps to notify students and parents/guardians of Butte County Office of Education's duty under Section 504.

Legal Reference:

28 CCR 35.101-35.190 Nondiscrimination on the basis of disability in state and local government services

5 CCR 3051.12 Health and nursing services

Ed. Code 49423.5 Specialized physical health care services

Ed. Code 52052 Numerically significant student subgroups

Ed. Code 52060-52077 Local control and accountability plan

Ed. Code 56043 Special education, timelines

Ed. Code 56321 Assessment; development of IEP; parental notifications, consent

20 USC 1232g Family Educational Rights and Privacy Act of 1974

20 USC 1400-1482 Individuals with Disabilities Education Act

29 USC 705 Definitions; Vocational Rehabilitation Act

29 USC 794 Rehabilitation Act of 1973, Section 504

34 CFR 104.1 Purpose to effectuate Section 504 of the Rehabilitation Act of 1973

34 CFR 104.1-104.61 Nondiscrimination on the basis of handicap, especially:

34 CFR 104.3 Definitions

34 CFR 104.32 Location and notification

34 CFR 104.33 Free appropriate public education

34 CFR 104.34 Educational setting

34 CFR 104.35 Evaluation and placement

34 CFR 104.36 Procedural safeguards

34 CFR 104.37 Nonacademic services

34 CFR 104.7 Responsible employee; grievance procedures

42 USC 12101-12213 Americans with Disabilities Act

Approved: **March 2009**
 June 2017
 December 2021
 February 2022
 May 2026

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6170.1

TRANSITIONAL KINDERGARTEN

The County Superintendent desires to offer a high-quality transitional kindergarten program for eligible children who do not yet meet the minimum age criterion for kindergarten. The program shall assist children in developing the academic, social, and emotional skills they need to succeed in kindergarten and beyond.

Butte County Office of Education's transitional kindergarten shall be the first year of a two-year kindergarten program.

The County Superintendent encourages ongoing collaboration among preschool staff, other preschool providers, elementary teachers, administrators, and parents/guardians in program development, implementation, and evaluation of the TK programs.

Eligibility

The BCOE schools' TK program shall admit children as follows:

1. For the 2024-25 school year, children whose fifth birthday is between September 2 and June 2
2. For the 2025-26 school year, and in each school year thereafter, children who turn four by September 1

A child's eligibility for TK enrollment shall not impact family eligibility for a preschool or childcare program, including, but not limited to, a Head Start program, a childcare center serving children through an alternative payment program, a general childcare and development program, a California State Preschool Program (CSPP), a migrant childcare and development program, childcare and development services for children with special needs, or a program serving children through a CalWORKs Stage 1, Stage 2, or Stage 3 program.

Parents/guardians of eligible children shall be notified of the availability of the TK program and of the age, residency, immunization, and any other enrollment requirements. Enrollment in the TK program shall be voluntary.

Curriculum and Instruction

Butte County Office of Education's transitional kindergarten program shall be based on a modified kindergarten curriculum that is age and developmentally appropriate.

The program shall be aligned with the preschool learning foundations and preschool curriculum frameworks developed by the California Department of Education (CDE). It shall be designed to facilitate students' development in essential skills related to language and literacy, mathematics, physical development, health, visual and performing arts, science, history-social science, English language development, and social-emotional development.

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The number of instructional minutes offered in transitional kindergarten shall be the same as that required for Butte County Office of Education's kindergarten program.

The County Superintendent or designee shall develop a plan for how all children in attendance will have access to full-day learning programs the year before kindergarten that meet the needs of parents/guardians, including through partnerships with the expanded learning offerings, After School Education and Safety Program, the California State Preschool Program (CSPP), Head Start programs, and other community-based early learning and care programs. The County Superintendent or designee shall present such plan for consideration by the Board at a public meeting on or before June 30, 2022.

Transitional kindergarten students may be placed in the same classrooms as kindergarten students when necessary, provided that the instructional program is differentiated to meet student needs.

TK students may be commingled in the same classroom with four-year-old students from a CSPP program as long as the commingled program meets all of the requirements of each program as well as the following requirements:

1. The classroom does not include students enrolled in TK for a second year or students enrolled in a regular kindergarten
2. An early childhood environment rating scale, as specified in 5 CCR 18281, is completed for the classroom
3. All children enrolled for 10 or more hours per week are evaluated using the Desired Results Developmental Profile, as specified in 5 CCR 18272
4. The classroom is taught by a teacher that holds a credential issued by the Commission on Teacher Credentialing (CTC) in accordance with Education Code 44065 and 44256
5. The classroom is in compliance with the adult-child ratio specified in Education Code 8241
6. Contractors of the district report the services, revenues, and expenditures for children in the preschool program in accordance with 5 CCR 18068 except for contractors of the TK program

The LEA shall maintain an average TK class enrollment of not more than 24 students for each school site, not including students who are continuously enrolled in and meet the minimum day requirement for independent study for more than 14 school days in a school year.

Staffing

The Superintendent or designee shall ensure that teachers assigned to teach in TK classes shall possess a teaching credential or permit from the Commission on Teacher Credentialing (CTC) that authorizes such instruction. A credentialed teacher who is first assigned to a TK class after July 1, 2015, shall, by August 1, 2025, have at least 24 units in early childhood education and/or child development, comparable professional experience in a preschool setting, and/or a child development teacher permit issued by the CTC.

The County Superintendent or designee may provide professional development as needed to ensure that TK teachers are knowledgeable about standards and effective instructional methods for teaching young children, including, but not limited to, developing competencies in serving inclusive classrooms and dual language learners.

The BCOE shall maintain an average of at least one adult for every 12 students for TK classrooms and, contingent upon an appropriation of funding, maintain an average of at least one adult for every 10 students commencing with the 2024-25 school year.

Continuation to Kindergarten

Students who complete the transitional kindergarten program shall be eligible to continue in kindergarten the following school year. Parents/guardians of such students shall not be required to submit a signed parental permission form for kindergarten attendance.

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A student shall not attend more than two years in a combination of transitional kindergarten and kindergarten.

Assessment

The County Superintendent or designee may develop or identify appropriate formal and/or informal assessments of Transitional Kindergarten students' development and progress. They shall monitor and regularly report to the Butte County Board of Education regarding implementation and the progress of students in meeting related academic standards.

Legal Reference

Education Code

[8235](#) California State Preschool Program

[8973](#) Extended-day kindergarten

[37202](#) School calendar; equivalency of instructional minutes

[44258.9](#) Assignment monitoring by county superintendent of schools

[46111](#) Kindergarten, hours of attendance

[46114-46119](#) Minimum school day, kindergarten

[46300](#) Computation of ADA, inclusion of kindergarten and transitional kindergarten

[48000](#) Age of admission, kindergarten and transitional kindergarten

[48002](#) Evidence of minimum age required to enter kindergarten or first grade

[48003](#) Kindergarten annual report

[48200](#) Compulsory education, starting at age six

Approved: June, 2017

Revised: September, 2020

Revised: February 26, 2021

Reviewed: July, 2021

Revised: February, 2022

Revised: April , 2024

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6171

TITLE I PROGRAMS

In order to improve the academic achievement of students from economically disadvantaged families, the Butte County Office of Education shall use federal Title I funds to provide supplementary services that reinforce the core curriculum and assist students in attaining proficiency on state academic standards and assessments.

The County Superintendent or designee shall provide technical assistance and support to any school participating in the Title I program, including consultation in the development and implementation of school plans and activities.

The Butte County Office of Education and each school receiving Title I funds shall develop a written parent involvement policy.

Local Educational Agency Plan

The County Superintendent or designee shall consult with teachers, principals, administrators, other appropriate school personnel, and parents/guardians of participating students in the development, periodic review, and, as necessary, the revision of a local educational agency (LEA) plan. The plan and any revisions shall be submitted to the Butte County Board of Education for approval.

The plan shall address the assessments, strategies, and services Butte County Office of Education will use to help low-achieving students meet challenging academic standards.

The initial plan shall be submitted to the California Department of Education (CDE) and approved by the State Board of Education. Subsequent revisions of the plan shall be kept on file at the Butte County Office of Education.

Comparability of Services

State and local funds used in schools receiving Title I funds shall provide services that, taken as a whole, are at least comparable to services in schools that are not receiving Title I funds or, if all Butte County Office of Education schools are receiving Title I funds, that are substantially comparable in each school. Comparability may be determined on a school-by-school basis or by grade span.

To demonstrate comparability of services among schools:

1. The County Superintendent shall adopt and implement a salary schedule;
2. The ratio of students to teachers, administrators, and other staff at each Title I school shall not exceed 110 percent of the average ratio across non-Title I schools;
3. Salary expenditures at each Title I school shall be no less than 90 percent of the average salary expenditure across non-Title I schools;
4. All schools shall be provided with the same level of base funding per student for curriculum and instructional materials;
5. The County Superintendent or designee shall maintain records of the quantity and quality of instructional materials and equipment at each school.

In determining comparability, the County Superintendent shall not include staff salary differentials for years of employment. The County Superintendent may also exclude unpredictable changes in student enrollment or personnel assignments that occur after the beginning of the school year, state and local funds expended for language instruction educational programs, state and local funds expended for the excess costs of providing services to disabled students, and supplemental state or local funds expended in any school attendance area or school for programs that specifically meet the intent and purposes of Title I.

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At the beginning of each school year, the County Superintendent or designee shall measure comparability in accordance with the above criteria and maintain records documenting compliance. If any instances of non-comparability are identified, the County Superintendent or designee shall promptly implement adjustments as needed to ensure comparability.

Program Evaluation

The County Superintendent shall use state assessment results and other available measures or indicators to annually determine whether each participating school is making adequate yearly progress toward ensuring that all students meet the state's proficient level of achievement on state assessments.

Legal Reference

Education Code

[11503](#) Parent involvement programs in Title I schools

[52060-52077](#) Local control and accountability plan

[54420-54425](#) State Compensatory Education

[64001](#) Single plan for student achievement, consolidated application programs

United States Code, Title 20

[6301](#) Program purpose

[6311-6322](#) Improving basic programs for disadvantaged students, including:

[6312](#) Local educational agency plan

[6313](#) Eligibility of schools and school attendance areas; funding allocation

[6314](#) Title I schoolwide programs

[6315](#) Targeted assistance schools

[6318](#) Parent and family engagement

[6320](#) Participation of private school students

[6321](#) Comparability of services

[6333-6335](#) Grants to local educational agencies

[6391-6399](#) Education for migrant students

[7881](#) Participation of private school students

Code Of Federal Regulations, Title 34

[200.1-200.73](#) Improving basic programs for disadvantaged students

Approved: August, 2006

Revised: June, 2017; September, 2020

Reviewed: July, 2021

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

AR 6171

REGULATIONS REGARDING TITLE I PROGRAMS

Schoolwide Programs

A school may operate a Title I schoolwide program in order to upgrade the entire educational program of the school when at least 40 percent of the students in the school attendance area, or at least 40 percent of the students enrolled in the school, are from low-income families. The County Superintendent or designee shall inform any such eligible school and the school's parents/guardians of the school's eligibility and its ability to consolidate funds from federal, state, and local sources for program purposes.

Any participating school shall develop, annually review, and update a single plan for student achievement which incorporates the plan required by 20 [USC 6314](#) for reforming the school's total instructional program and plans required by other categorical programs included in the state's consolidated application.

A schoolwide program shall include:

1. A comprehensive needs assessment of the entire school, including the needs of migrant students, which includes the achievement of students in relation to state academic content and achievement standards
2. Schoolwide reform strategies that:
 - a. Provide opportunities for all students to meet the state's proficient and advanced levels of achievement
 - b. Use effective methods and instructional strategies, based on scientifically based research, that strengthen the school's core academic program, increase the amount and quality of learning time, help provide an enriched and accelerated curriculum, and include strategies for meeting the educational needs of historically underserved populations
 - c. Include strategies to address the needs of all students in the school, but particularly the needs of low-achieving students and those at risk of not meeting state achievement standards who are members of the target population of any program that is part of the schoolwide program
 - d. Such strategies may include counseling, student services, mentoring services, college and career awareness and preparation, and the integration of vocational and technical education programs.
 - e. Address how the school will determine if student needs have been met
 - f. Are consistent with and designed to implement state and local improvement plans, if any
3. High-quality and ongoing professional development for teachers, principals, paraprofessionals, and, if appropriate, student services personnel, other staff, and parents/guardians to enable all students in the school to meet state academic achievement standards
4. Strategies to attract high-quality, highly qualified teachers to high-need schools
5. Strategies to increase parent involvement
6. Plans for assisting preschool children in the transition from early childhood programs to elementary school programs
7. Measures to include teachers in decisions regarding the use of academic assessments to provide information on and to improve the achievement of individual students and the overall instructional program
8. Activities to ensure that students who experience difficulty mastering the proficient and advanced levels of academic standards shall be provided with effective, timely additional assistance, which shall include measures for timely identification of students' difficulties and provision of sufficient information on which to base effective assistance
9. Coordination and integration of federal, state, and local services and programs

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Targeted Assistance Programs

Any school that receives Title I funds but does not operate a schoolwide program shall use Title I funds to provide services to:

1. Students in grades 3-12 identified by the school as failing, or most at risk of failing, to meet the state's academic achievement standards on the basis of criteria established by the County Office and supplemented by the school
2. Students in preschool through grade 2 selected solely on the basis of such criteria as teacher judgment, interviews with parents/guardians, and developmentally appropriate measures

A targeted assistance program shall:

1. Use program resources to help participating students meet state academic achievement standards expected for all students
2. Ensure that program planning is incorporated into existing school planning
3. Use effective methods and instructional strategies, based on scientifically based research, that strengthen the core academic program, give primary consideration to providing extended learning time, help provide an accelerated, high-quality curriculum, and minimize removing students from the regular classroom during regular school hours for instruction provided by Title I
4. Coordinate with and support the regular education program, which may include services to assist preschool students in the transition to elementary school programs
5. Provide instruction by highly qualified teachers
6. Provide opportunities for professional development for teachers, principals, paraprofessionals, and, if appropriate, student services personnel, other staff, and parents/guardians who work with participating students
7. Provide strategies to increase parent involvement
8. Coordinate and integrate federal, state, and local services and programs

Participation of Private School Students

The County Superintendent or designee shall provide or contract to provide special educational services or other Title I benefits to eligible private school students residing in a participating school attendance area. Such services and benefits shall be provided on an equitable basis with participating public-school students.

Teachers, other educational personnel, and families of participating private school students shall have an opportunity to participate, on an equitable basis, in parent involvement activities and professional development pursuant to 20 [USC 6318](#) and [6319](#).

Each year the County Superintendent or designee shall contact officials of private schools with students who reside within county boundaries, regardless of whether the private school they attend is located within the county or whether or not those officials have previously indicated any interest in program participation.

The County Superintendent or designee shall consult, in a meaningful and timely manner, with appropriate private school officials during the design and development of the Title I programs. Such consultation shall occur before Butte County Office of Education makes any decision that affects the opportunities of eligible private school students to participate in Title I programs and shall include a discussion of:

1. How the needs of private school students will be identified
2. What services will be offered
3. How, where, and by whom the services will be provided
4. How the services will be academically assessed and how assessment results will be used to improve those services
5. The size and scope of the equitable services to be provided to private school students and the proportion of

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funds that is allocated for such services

6. The method or sources of data that are used to determine the number of students from low-income families in participating school attendance areas who attend private schools
7. How and when Butte County Office of Education will make decisions about the delivery of service to such students, including a thorough consideration and analysis of the views of private school officials on the provision of services through a third-party provider
8. How, if Butte County Office of Education disagrees with the views of private school officials on the provision of services through a third-party provider, Butte County Office of Education will provide to private school officials a written analysis of the reasons that Butte County Office of Education has chosen not to use a contractor

Meetings between Butte County Office of Education and private school officials shall continue throughout implementation and assessment of services.

The County Superintendent or designee shall maintain, and shall provide to the California Department of Education upon request, a written affirmation signed by officials of each participating private school that consultation has occurred.

If the private school officials do not provide such affirmation within a reasonable period of time, the County Superintendent or designee shall maintain records of the consultation or the offer of consultation.

The County Superintendent or designee also shall maintain records documenting that:

1. The needs of private school teachers and/or private school students were identified.
2. The funds made available were equitable to those allocated for public school students and teachers.
3. Butte County Office of Education's program met the needs of the private school teachers and/or private school students.
4. Butte County Office of Education made efforts to resolve any complaints made by private school representatives.

Approved: June, 2017

Revised:

Reviewed: July, 2021

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6172.1

CONCURRENT ENROLLMENT IN COLLEGE CLASSES

Special part-time students may enroll in up to 11 units per semester, or the equivalent, in a community college. Such students shall receive credit for community college courses that they complete in an amount jointly determined appropriate by the County Office and the community college governing board.

A written agreement regarding the student's enrollment in postsecondary courses and the credits to be awarded for successful completion shall be signed by the student, parent/guardian, principal, and college representative. The student shall be informed whether the credits to be earned are considered academic credits or elective credits and whether the course would need to be completed again during the college years to satisfy college requirements.

To receive school credit for coursework completed at a community college or four-year college, the student or parent/guardian shall submit a transcript showing completion of the course with a passing grade.

Minimum School Day

Except under the conditions specified in Education Code [46146](#), the minimum day of attendance in BCOE schools shall be 180 minutes for any student who is enrolled part-time in a community college and any student in grades 11- 12 who is enrolled part-time in the California State University or University of California, when the student is enrolled in classes for which academic credit will be provided upon satisfactory completion of enrolled courses.

A student enrolled full-time at a community college shall be exempted from full-time attendance in the BCOE school's regular education program.

However, both part-time and full-time community college students shall be required to undertake courses of instruction of a scope and duration sufficient to satisfy the requirements of law.

Community College Classes on High School Campus

If a community college class is to be offered at a BCOE high school campus, the class shall not be held during the time the campus is closed to the general public.

Education Code

[11300-11302](#) Early and middle college high schools

[42238.02](#) Definition of unduplicated student

[46141](#) Minimum day, high school

[46145-46147](#) Minimum day, high school

[48800-48802](#) Enrollment of gifted students in community college

[51225.3](#) Alternative means of satisfying graduation requirements

52620 Adult education and attendance at community college

[76000-76004](#) Enrollment in community college

[76140](#) No community college fee/tuition for special part-time students

[87010](#) Definition of sex offense

[87011](#) Definition of controlled substance offense

Approved: June, 2017

Revised: September, 2020

Reviewed: July, 2021

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6173

EDUCATION FOR HOMELESS CHILDREN

The County Superintendent believes that the identification of students experiencing homelessness is critical to providing services for improving the educational outcomes of such students and ensuring that such students have access to the same free and appropriate public education made available to other students. Students experiencing homelessness shall be provided with access to education and other services necessary for meeting the same challenging academic standards as other students.

The County Superintendent or designee shall identify and remove any barriers to the identification and immediate enrollment of homeless students and to the retention of homeless students due to absences or outstanding fees or fines. Students shall not be segregated into a separate school or program based on their status as homeless, nor shall homeless student be stigmatized in any way.

The Butte County Office of Education homeless education policies shall be reviewed at least once every three years and updated to ensure removal of any barriers to the education of students experiencing homelessness, including unaccompanied youth. Such policy review shall address identification, enrollment, and retention of students experiencing homelessness, including those barriers that are due to absences or outstanding fees or fines.

Each student experiencing homelessness shall be provided services that are comparable to services offered to other students in the school, including, but not limited to, transportation, educational programs for which the student meets the eligibility criteria (such as federal Title I services or similar state or local programs, programs for students with disabilities, and educational programs for English learners), career and technical education programs, programs for gifted and talented students, and school nutrition programs.

Students experiencing homelessness shall not be segregated into a separate school or program based on their status as homeless and shall not be stigmatized in any way. On school grounds, students experiencing homelessness shall only be separated for short periods of time, as necessary for health and safety emergencies or to provide temporary, special, and supplementary services to meet their unique needs.

Information about the living situation of a student experiencing homelessness shall be considered part of a student's educational record, subject to the Family Educational Rights and Privacy Act, shall not be deemed to be directory information and shall not be released without written consent.

At least annually, the County Superintendent shall receive a report on the identification of and outcomes for students experiencing homelessness, which may include, but are not limited to, the housing questionnaire responses, school attendance, student achievement test results, promotion and retention rates by grade level, graduation rates, suspension/expulsion rates, and other outcomes related to any goals and specific actions identified in the LCAP. Based on the evaluation data, Butte County Office of Education's strategies shall be revised as needed to more effectively identify and support the education of students experiencing homelessness.

Additionally, the number of students experiencing homelessness graduating from the fourth or fifth year of high school who, for the prior school year, graduated with an exemption from Butte County Office of Education-established graduation requirements that are in addition to statewide coursework requirements shall be annually reported to CDE.

The County Superintendent hereby incorporates by reference the policies, procedures, and measures implemented by the County Superintendent of Schools to ensure the identification and full participation of students experiencing homelessness in Butte County Office of Education schools, programs, and activities, including, but not limited to, the following:

1. The designation of an appropriate staff person to serve as the Butte County Office of Education's liaison for

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SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

homeless children and youths who will assist and support students experiencing homelessness to succeed in school

2. Easy identification of students experiencing homelessness, including at each school, in accordance with law, through annual administration of a housing questionnaire to parents/guardians of all students and to unaccompanied youths, posting of the Butte County Office of Education liaison's contact information and homeless education information on Butte County Office of Education and school web sites, and collaboration with local social services agencies and other agencies or entities providing services to students experiencing homelessness, and, if applicable, transitional housing facilities
3. Provision of homeless education information and/or materials to the students' parents/guardians and unaccompanied youths in a manner and form understandable to such parents/guardians and unaccompanied youths
4. Assurance that placement decisions for students experiencing homelessness are based on the student's best interest as defined in law
5. Annually report the number of students experiencing homelessness, including unaccompanied youth, to the California Department of Education (CDE)

In addition, the County Superintendent or designee shall ensure that the district liaison's contact information and other information on homelessness, including, but not limited to, information regarding the educational rights and resources available to persons experiencing homelessness, are posted on the Butte County Office of Education and school web sites as specified in the accompanying administrative regulation.

The County Superintendent or designee shall ensure that placement decisions for homeless students are based on the student's best interest as defined in law and administrative regulation.

When there are at least fifteen [15] homeless students in any of Butte County Office of Education schools, the schools' Local Control and accountability plan [LCAP] shall include goals and specific actions to improve student achievement and other outcomes of homeless students.

The Superintendent or designee shall coordinate with other agencies and entities to ensure that students experiencing homelessness are promptly identified, ensure that students experiencing homelessness have access to and are in reasonable proximity to available education and related support services, and raise the awareness of school personnel and service providers of the effects of short-term stays in a shelter and other challenges associated with homelessness. Toward these ends, the Superintendent or designee shall collaborate with local social services agencies, other agencies or entities providing services to students experiencing homelessness, and, if applicable, transitional housing facilities. In addition, the Superintendent or designee shall coordinate transportation, transfer of school records, and other interdistrict activities with other local educational agencies. As necessary, the Superintendent or designee shall coordinate, within the district and with other involved local educational agencies, services for students experiencing homelessness and services for students with disabilities.

At least annually, the Butte County Office of Education liaison and other appropriate staff shall participate in professional development and other technical assistance activities to assist them in identifying and meeting the needs of students experiencing homelessness. Such professional development and technical assistance shall include, but are not limited to, training on the Butte County Office of Education's homeless education program policies, definitions of terms related to homelessness, recognition of signs that students are experiencing or are at risk of experiencing homelessness, the steps that should be taken once a potentially homeless student is identified, and how to connect students experiencing homelessness with appropriate housing and service providers.

Transportation

Butte County Office of Education shall provide transportation for a homeless student who is enrolled in a Butte County Office of Education school, to and from their school of origin if the parent/guardian requests that such transportation be

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SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

provided. If the student moves outside the county boundaries, but continues to attend their school of origin, the County Superintendent of designee shall consult with the County Superintendent of the District in which the student is now residing to agree upon a method to apportion the responsibility and costs of the transportation.

Legal Reference

Education Code

[39807.5](#) Payment of transportation costs by parents

[48850](#) Educational rights of homeless and foster youth

[48852.5](#) Notice of educational rights of homeless students

[48852.7](#) Enrollment of homeless students

[48915.5](#) Recommended expulsion, homeless student with disabilities

[48918.1](#) Notice of recommended expulsion

[51225.1-51225.3](#) Graduation requirements

[52052](#) Accountability; numerically significant student subgroups

[52060-52077](#) Local control and accountability plan

Code of Regulations, Title 5

[4600-4670](#) Uniform complaint procedures

United States Code, Title 20

1087vv Free Application for Federal Student Aid; definitions

[1232g](#) Family Educational Rights and Privacy Act

[6311](#) Title I state plan; state and local educational agency report cards

United States Code, Title 42

[11431-11435](#) McKinney-Vento Homeless Assistance Act

12705 Cranston-Gonzalez National Affordable Housing Act; state and local strategies

Approved: June, 2017

Revised: September, 2020

Reviewed: July, 2021

Revised: February, 2022

AR 6173

EDUCATION FOR HOMELESS CHILDREN

The County Superintendent or designee shall ensure that each school identifies all homeless children and youths and unaccompanied youths enrolled at the school.

Definitions

Homeless students or students experiencing homelessness means students who lack a fixed, regular, and adequate nighttime residence and includes:

1. Students who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals
2. Students who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings
3. Students who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings
4. Migratory children who qualify as homeless because they are living in conditions described in items #1- 3 above

Unaccompanied youth includes youth who are not in the physical custody of a parent or guardian.

School of origin means the school that the homeless student attended when permanently housed or the school in which the student was last enrolled, including a preschool. If the school the homeless student attended when permanently housed is different from the school in which the student was last enrolled, or if there is some other school that the student attended within the preceding 15 months and with which the student is connected, Butte County Office of

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Education shall determine, in consultation with and with the agreement of the homeless student and the person holding the right to make educational decisions for the student, and in the best interests of the homeless student, which school shall be deemed the school of origin.

Best interest means that, in making educational and school placement decisions for a homeless student, consideration is given to, among other factors, educational stability, the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress, and the student's access to academic resources, services, and extracurricular and enrichment activities that are available to all students.

To ensure easy identification of students experiencing homelessness, the County Superintendent or designee shall annually administer a housing questionnaire developed by the California Department of Education (CDE) to the parents/guardians of all students and all unaccompanied youths, and shall report to CDE the number of homeless children and youths and unaccompanied youths enrolled in the county as identified from the housing questionnaire.

If the primary language of a student's parent/guardian or an unaccompanied youth is not English, the housing questionnaire shall be made available in the primary language of the student's parent/guardian or the unaccompanied youth or an appropriate translation of the housing questionnaire shall be provided to the student's parent/guardian or an unaccompanied youth upon request.

Liaison

The County Superintendent designates the following staff person as the liaison for homeless students:

Director, School Ties & Prevention Services

2491 Carmichael, Suite 400 Chico, CA 95928 (mailing)

(530) 879-2328

Butte County Office of Education Liaison

The County Superintendent or designee shall:

1. Ensure that students experiencing homelessness are identified by school personnel through outreach and coordination activities with other entities and agencies
2. Ensure that students experiencing homelessness are enrolled in and have a full and equal opportunity to succeed in Butte County Office of Education schools
3. Ensure that families and children and youth experiencing homelessness have access to and receive educational services for which they are eligible, including services through Head Start and Early Head Start programs, early intervention services under Part C of the federal Individuals with Disabilities Education Act, and other preschool programs administered by Butte County Office of Education
4. Ensure that families and students experiencing homelessness receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services
5. Inform parents/guardians of the educational and related opportunities available to their children and ensure that they are provided with meaningful opportunities to participate in the education of their children
6. Disseminate notice of the educational rights of students experiencing homelessness in locations frequented by parents/guardians of children and youth and by unaccompanied youth experiencing homelessness, including schools, family shelters, public libraries, and hunger relief agencies (soup kitchens). The rights shall be presented in a manner and form understandable to the parents/guardians of students and unaccompanied youth experiencing homelessness.
7. Mediate enrollment disputes in accordance with law and the section "Resolving Enrollment Disputes" below
8. Fully inform parents/guardians of students and unaccompanied youth experiencing homelessness of all transportation services, including transportation to the school of origin, and assist them in accessing transportation to the school of choice
9. Offer annual training related to the Butte County Office of Education's homeless education program policies to school personnel who provide services to students experiencing homelessness, including principals and other school leaders, attendance officers, teachers, enrollment personnel, and specialized instructional support personnel, to ensure that such employees are informed of available training, professional development, and

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other support, and the services provided by the Butte County Office of Education liaison for homeless students.

Such professional development and technical assistance shall include, but are not limited to, training on homeless education program policies, definitions of terms related to homelessness, recognition of signs that students are experiencing or are at risk of experiencing homelessness, the steps that should be taken once a potentially homeless student is identified, and how to connect students experiencing homelessness with appropriate housing and service providers

10. Ensure that unaccompanied youth are enrolled in school, have opportunities to meet the same challenging state academic standards established for other students, and are informed of their status as independent students and that they may receive assistance from the county liaison to receive verification of their independent student status for purposes of applying for federal student aid
11. Coordinate and collaborate with state coordinators and community and school personnel responsible for the provision of education and related services to students experiencing homelessness, including the provision of comprehensive data to the state coordinator as required by law

In addition, when notified, the Butte County Office of Education liaison shall assist, facilitate, or represent a homeless student who is undergoing a disciplinary proceeding that could result in their expulsion. When notified,, the Butte County Office of Education liaison shall participate in an individualized education program team meeting to make a manifestation determination regarding the behavior of a student with a disability.

The County Superintendent or designee shall inform students experiencing homelessness, their parents/guardians, unaccompanied youth, school personnel, service providers, and advocates working with homeless families of the duties of the Butte County Office of Education liaison. They shall also provide the name and contact information of the Butte County Office of Education liaison to the California Department of Education for publishing on their web site.

Enrollment

Butte County Office of Education shall make placement decisions for homeless students based on the student's best interest.

In determining the best interest of the student, Butte County Office of Education shall consider student- centered factors related to the student's best interest, including factors related to the impact of mobility on achievement, education, health, and safety, giving priority to the request of the student's parent/guardian or, in the case of an unaccompanied youth, the youth.

When determining the best interest of any student experiencing homelessness, Butte County Office of Education shall give priority to the request of the student's parent/guardian, or in the case of an unaccompanied youth, the request of the student. The student's educational stability and opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress and other student-centered factors related to the student's best interest, including the impact of mobility on the student's achievement, education, health, and safety, shall also be considered.

Such factors may include, but are not limited to, the age of the student, the distance of the commute and the impact it may have on the student's education, personal safety issues, the student's need for special instruction, the length of anticipated stay in the temporary shelter or other temporary location, likely area of future housing, school placement of siblings, and the time remaining in the school year.

However, placement decisions shall not be based on whether a student experiencing homelessness lives with their homeless parent/guardian or has been temporarily placed elsewhere.

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In the case of an unaccompanied youth, the Butte County Office of Education liaison shall assist in placement or enrollment decisions, give priority to the views of the student, and provide notice to the student of their appeal rights.

Once a placement decision has been made, the Principal or designee shall immediately enroll the student in the school of choice. The student shall be enrolled even if the student:

1. Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended
2. Does not have clothing normally required by the school, such as school uniforms
3. Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, and records of immunization and other required health records
4. Has missed application or enrollment deadlines during any period of homelessness

The Principal or designee shall immediately contact the school last attended by the student to obtain the relevant records. If the student needs to obtain immunizations or does not possess immunization or other required health records, the Principal or designee shall refer the parent/guardian to the Butte County Office of Education liaison for students experiencing homelessness. The Butte County Office of Education liaison shall assist the parent/guardian, or the student if they are an unaccompanied youth, in obtaining the necessary immunizations, screenings, or records for the student.

If the student is placed at a school other than the school of origin or the school requested by the student's parent/guardian or the student, if an unaccompanied youth, the County Superintendent or designee shall provide the parent/guardian or the unaccompanied youth with a written explanation of the reasons for the decision, including why placement in the student's school of origin or requested school is not in the student's best interest, along with a statement regarding the right to appeal the placement decision. The written explanation shall be in a manner and form understandable to such parent/guardian or unaccompanied youth.

At the point of any change or subsequent change in the residence of a student experiencing homelessness, the student may continue attending the school of origin for the duration of the homelessness.

To ensure that a student experiencing homelessness has the benefit of matriculating with their peers in accordance with the established feeder patterns, the following shall apply:

1. If the student is transitioning between grade levels, they shall be allowed to continue in the same attendance area.
2. If the student is transitioning to a middle school or high school, and the school designated for matriculation is in another school, the student shall be allowed to continue to the school designated for matriculation.

If the student's status changes before the end of the school year so the student is no longer homeless, the student shall be allowed to stay in the school of origin:

1. Through the duration of the school year if enrolled in grades K-8
2. Through graduation if enrolled in high school

Resolving Enrollment Disputes

If a dispute arises over student eligibility, school selection, or enrollment in a particular school, the matter shall be referred to the Butte County Office of Education liaison, who shall carry out the dispute resolution process as expeditiously as possible.

The parent/guardian or unaccompanied youth shall be provided with a written explanation of any decisions related to eligibility, school selection, or enrollment and of the right of the parent/guardian or unaccompanied youth to appeal such decisions.

The written explanation shall include:

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1. A description of the action proposed or refused
2. An explanation of why the action is proposed or refused
3. A description of any other options that have been considered and the reasons that any other options were rejected
4. A description of any other factors relevant to the decision and information related to the eligibility or best interest determination including the facts, witnesses, and evidence relied upon and their sources
5. Appropriate timelines to ensure any relevant deadlines are not missed
6. Contact information for the Butte County Office of Education liaison and state coordinator, and a brief description of their roles

The written explanation shall be complete, as brief as possible, simply stated, and provided in language that the parent/guardian or student can understand.

The Butte County Office of Education liaison may use an informal process as an alternative to formal dispute resolution procedures, provided that the parents/guardians or unaccompanied youth have access to the more formal process if informal resolution is not successful in resolving the matter.

In working with a student's parents/guardians or unaccompanied youth to resolve an enrollment dispute, the Butte County Office of Education liaison shall:

1. Inform them that they may provide written and/or oral documentation to support their position
2. Inform them that they may seek the assistance of social services, advocates, and/or service providers in having the dispute resolved
3. Provide them a simple form that they may use and turn in to the school to initiate the dispute resolution process
4. Provide them a copy of the dispute form they submit for their records
5. Provide them the outcome of the dispute for their records

When a student's parent/guardian or an unaccompanied youth involved in the enrollment dispute is an English learner, Items #1-5 shall be provided either in the native language of the parent/guardian or unaccompanied youth or through an interpreter. Any additional support needed because of a disability of that parent/guardian or unaccompanied youth shall be made available without a charge.

If a parent/guardian or unaccompanied youth disagrees with the liaison's enrollment decision, they may appeal the decision to the County Superintendent. The County Superintendent shall make a determination within five working days.

If the parent/guardian chooses to appeal the placement decision, the school liaison shall forward all written documentation and related paperwork to the homeless liaison at the Butte County Office of Education.

Pending final resolution of the dispute, including all available appeals, the student shall be immediately enrolled in the school in which enrollment is sought and shall be allowed to attend classes and participate fully in school activities.

Transportation

Butte County Office of Education shall provide transportation for a student experiencing homelessness to and from their school of origin when the student is residing within the county and the parent/guardian, or the Butte County Office of Education liaison in the case of an unaccompanied youth, requests that such transportation be provided. If the student moves outside of county boundaries, but continues to attend their school of origin, the County Superintendent or designee shall consult with the County Superintendent of the district in which the student is now residing to agree upon a method to apportion the responsibility and costs of the transportation.

Any fees that Butte County Office of Education charges for home-to-school transportation and other transportation as expressly provided by law shall be waived for students experiencing homelessness.

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Butte County Office of Education shall not be obligated to provide transportation to students who continue attending their school of origin after they secure permanent housing, unless the formerly homeless student has an individualized education program that includes transportation as a necessary related service for the student.

Transfer of Coursework and Credits

When a student experiencing homelessness transfers into a Butte County Office of Education school, Butte County Office of Education school will receive an official transcript from the transferring COE, school, or district which reflects full and partial credits and grades earned by the student and includes:

1. A determination of the days of enrollment and/or seat time, if applicable for all full and partial credits earned based on any measure of full or partial coursework being satisfactorily completed Partial coursework satisfactorily completed includes any portion of an individual course, even if the student did not complete the entire course
2. Separate listings for credits and grades earned at each school and local educational agency so it is clear where credits and grades were earned
3. A complete record of the student's seat time, including both period attendance and days of enrollment

Butte County Office of Education school shall transfer the credits and grades from the transferring school's transcript onto an official Butte County Office of Education school transcript in the same manner as described in Item #2, above.

If the school site administrator or designee has knowledge that the transcript from the transferring school may not include certain credits or grades, the administrator or designee shall contact the prior school within two business days to request that the full or partial credits be issued, which shall then be issued and provided by the prior school within two business days of the request.

Butte County Office of Education school shall accept and issue full credit for any coursework that the student has satisfactorily completed while attending another public school, a juvenile court school, a charter school, a school in a country other than the United States, or a nonpublic, nonsectarian school.

If the entire course was completed, Butte County Office of Education shall not require the student to retake the course.

If the student experiencing homelessness did not complete the entire course, the student shall be issued partial credit for the coursework completed and shall be required to take the portion of the course that the student did not complete at their previous school. However, Butte County Office of Education may require the student to retake the portion of the course completed if, in consultation with the holder of educational rights for the student, Butte County Office of Education finds that the student is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a homeless student in any particular course, the student shall be enrolled in the same or equivalent course, if applicable, so that the student may continue and complete the entire course.

Partial credits shall be awarded on the basis of 0.5 credits for every seven class periods attended per subject. If the school is on a block schedule, each block schedule class period attended shall be equal to two regular class periods per subject. Partial credits and grades earned by a student shall be included on the student's official transcript within two business days of the notification of the student's transfer..

In no event shall Butte County Office of Education prevent a student experiencing homelessness from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California.

Applicability of Graduation Requirements

To obtain a high school diploma, a student experiencing homelessness shall complete all courses required by Education Code [51225.3](#) and fulfill any additional graduation requirements prescribed by the Butte County Board of Education.

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However, when a student experiencing homelessness who has completed their second year of high school transfers into the county from another school district or transfers between high schools within Butte County, the student shall be exempted from all BCOE adopted coursework and other established graduation requirements, unless there is a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of their fourth year of high school. Within 30 calendar days of the homeless student's transfer, the County Superintendent or designee shall notify the student, the person holding the right to make educational decisions for him/her, and the Butte County Office of Education liaison for homeless students of the availability of the exemption and whether the student qualifies for it. If the County Superintendent or designee fails to provide this notification, the student shall be eligible for the exemption once notified, even if the notification occurs after the student is no longer homeless.

To determine whether a homeless student is in their third or fourth year of high school, Butte County Office of Education shall use either the number of credits the student has earned as of the date of the transfer or the length of their school enrollment, or for a student with significant gaps in school attendance, the student's age as compared to the average age of students in the third or fourth year of high school, whichever qualifies him/her for the exemption.

If the student experiencing homelessness was not properly notified of an exemption, declined the exemption, or was not previously exempted, the student or the person holding the right to make educational decisions for the student may request the exemption and the County Superintendent or designee shall exempt the student within 30 days of the request. The student may request the exemption even if the student is no longer a homeless student.

When the County Superintendent or designee determines that a student who transferred into a Butte County Office of Education school is reasonably able to complete Butte County Office of Education-established graduation requirements by the end of the student's fourth year of high school, the student shall not be exempted from those requirements. Within 30 calendar days of the following academic year, the student shall be reevaluated based on the student's course completion status at the time, to determine if the student continues to be reasonably able to complete the Butte County Office of Education-established graduation requirements in time to graduate by the end of the student's fourth year of high school. Written notice as to whether the student then qualifies for exemption shall be provided to the student, the person holding the right to make educational decisions for the student, and if applicable, to the student's social worker or probation officer.

If, upon reevaluation, it is determined that the student experiencing homelessness is not reasonably able to complete the Butte County Office of Education-established graduation requirements in time to graduate from high school by the end of the student's fourth year of high school, the County Superintendent or designee shall provide the student with the option to receive an exemption from Butte County Office of Education-established graduation requirements or stay in school for a fifth year to complete the Butte County Office of Education-established graduation requirements upon agreement with the student, or if under 18 years of age, the person holding the right to make educational decisions for the students, and provide notifications

When a student experiencing homelessness is exempted from Butte County Office of Education-established graduation requirements, the County Superintendent or designee shall consult with the student and the person holding the right to make educational decisions for the student about the following:

1. Discussion of how any requirements that are waived may affect the student's postsecondary education or vocational plans, including the ability to gain admission to a postsecondary educational institution
2. Discussion and information about other options available to the student, including, but not limited to, a fifth year of high school, possible credit recovery, and any transfer opportunities available through the California Community Colleges
3. Consideration of the student's academic data and any other information relevant to making an informed decision on whether to accept the exemption

Butte County Office of Education shall not require or request a student experiencing homelessness to transfer schools in

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order to qualify for an exemption and shall not grant any request made by a student experiencing homelessness, the person holding the right to make educational decisions for the student, or the Butte County Office of Education liaison on behalf of the student for a transfer solely to qualify for an exemption.

The County Superintendent or designee shall not require a student experiencing homelessness who is eligible for an exemption from Butte County Office of Education-established graduation requirements, and would otherwise be entitled to remain in attendance at the school, to accept the exemption or be denied enrollment in, or the ability to complete, courses for which the student is otherwise eligible, including courses necessary to attend an institution of higher education, regardless of whether such courses are required for statewide graduation requirements.

If a student experiencing homelessness is exempted from Butte County Office of Education-established graduation requirements, the exemption shall not be revoked. Additionally, the exemption shall continue to apply after the student is no longer homeless or if the student transfers to another school or out of the Butte County Office of Education school or program.

The County Superintendent or designee shall not require or request a student experiencing homelessness who is exempted from Butte County Office of Education-established graduation requirements and who completes the statewide coursework requirements before the end of the fourth year of high school, and would otherwise be entitled to remain in school, to graduate before the end of the student's fourth year of high school.

If the County Superintendent or designee determines that a student experiencing homelessness is reasonably able to complete graduation requirements within their fifth year of high school, they shall:

1. Consult with the student and, if under 18 years of age, the person holding the right to make educational decisions for him/her, of the option available to the student to remain in school for a fifth year to complete graduation requirements and how that will affect their ability to gain admission to a postsecondary educational institution
2. Consult with and provide information to the student about transfer opportunities available through the California Community Colleges
3. Upon agreement with the student or with the person holding the right to make educational decisions for him/her if the student is under 18 years of age, permit the student to stay in school for a fifth year to complete the graduation requirements
4. Consult with the student or with the person holding the right to make educational decisions for the student of the option to remain in the student's school or origin

When a student experiencing homelessness who has completed the second year of high school transfers into the Butte County Office of Education from another COE or school district, and is not reasonably able to complete the Butte County Office of Education-established graduation requirements within the student's fifth year of high school but is reasonably able to complete the statewide coursework requirements within the fifth year of high school, the student shall be exempted from all Butte County Office of Education-established graduation requirements and be provided with the option to remain in school for a fifth year to complete the statewide requirements. In such situations, the County Superintendent or designee shall consult with the student and the person holding the right to make educational decisions for the student, regarding the following:

1. The student's option to remain in school for a fifth year to complete statewide coursework requirements
2. The effect of waiving the Butte County Office of Education-established requirements and remaining in school for a fifth year on the student's postsecondary education or vocation plans, including the ability to gain admission to an institution of higher education
3. Other options available to the student, including but not limited to, possible credit recovery, and any transfer

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opportunities available through the California Community Colleges

4. The student's academic data and any other information relevant to making an informed decision on whether to accept the exemption and option to remain in school for a fifth year to complete the statewide coursework requirements

Eligibility for Extracurricular Activities

A student experiencing homelessness who enrolls in any school shall have access to extracurricular and enrichment activities that are available to all students in the school or program.

Notification and Complaints

Information regarding the educational rights of homeless students, as specified in Education Code [51225.1](#) and [51225.2](#), shall be included in the annual Uniform Complaint Procedures notification distributed to students, parents/guardians, employees, and other interested parties, pursuant to 5 CCR [4622](#).

Any complaint that Butte County Office of Education has not complied with requirements regarding the education of homeless students, as specified in Education Code [51225.1](#) or [51225.2](#), may be filed in accordance with Butte County Office of Education's Uniform Complaint Procedures and Administrative Regulation 1312.3.

The County Superintendent or designee shall ensure that a list of the Butte County Office of Education liaison(s) and the contact information for such liaison(s), as well as specific information on homelessness, including, but not limited to, information regarding the educational rights and resources available to students experiencing homelessness, are posted on the Butte County Office of Education's web site.

Each Butte County Office of Education school that has a web site shall also post the contact information for the Butte County Office of Education liaison and the name and contact information of any employee or other person under contract with the school who assists the Butte County Office of Education liaison in completing the liaison's duties.

Approved: June, 2017

Revised: December, 2021

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Butte County Office of Education

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SP 6173.1

EDUCATION FOR FOSTER YOUTH

The County Superintendent recognizes that foster youth may be at greater risk for poor academic performance due to their family circumstances, disruption of their educational program, and emotional, social, and other health needs that may be addressed with the provision of a safe, positive learning environment that is free from discrimination and harassment and that promotes students' self-esteem and academic achievement.

The County Superintendent or designee shall provide foster youth with full access to the district's educational program and implement strategies necessary for the improvement of the academic achievement of foster youth as identified in the district's local control and accountability plan (LCAP). The Superintendent or designee shall also develop strategies to build a foster youth's feeling of connectedness with school, including, but not limited to, strategies that promote positive discipline and conflict resolution, the development of resiliency and interpersonal skills, and the involvement of foster parents, group home administrators, and/or other caretakers in school programs and activities.

The County Superintendent or designee shall ensure that placement decisions for foster youth are based on the students' best interests as defined in law and as specified in the accompanying administrative regulation. To that end, the Superintendent or designee shall designate a staff person as the district liaison for foster youth to help facilitate the enrollment, placement, and transfer of foster youth.

The County Superintendent or designee and district liaison shall ensure that all appropriate staff, including, but not limited to, each principal, school registrar, and attendance clerk, receive training on the enrollment, placement, and transfer of foster youth and other related rights.

To address the needs of foster youth and help ensure the maximum utilization of available funds, the County Superintendent or designee shall collaborate with local agencies including, but not limited to, the county placing agency, social services, probation officers, juvenile court officers, nonprofit organizations, and advocates. The County Superintendent or designee shall explore the feasibility of entering into agreements with these groups to coordinate services and protect the rights of foster youth.

At least annually and in accordance with the established timelines, the County Superintendent or designee shall report to the Butte County Board of Education on the outcomes for foster youth regarding the goals and specific actions identified in the Local Control Accountability Plan, including, but not limited to, school attendance, student achievement test results, promotion and retention rates by grade level, graduation rates, and suspension/expulsion rates. As necessary, evaluation data shall be used to determine and recommend revisions to the Local Control Accountability Plan for improving or increasing services for foster youth.

Annually, the County Superintendent or designee shall report to the California Department of Education the number of foster youth graduating from the fourth or fifth year of high school who, for the prior school year, graduated with an exemption from district-established graduation requirements that are in addition to statewide coursework requirements.

Legal Reference

Education Code

32228-32228.5 Student safety and violence prevention

42238.01-42238.07 Local control funding formula

42920- 42925 Foster children educational services

48645-48646 Juvenile court schools

48850-48859 Educational placement of students residing in licensed children's institutions

48915.5 Suspension and expulsion; students with disabilities, including foster youth

48918.1 Notice of expulsion hearing for foster youth 49061 Student records

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49069.5 Foster care students transfer of records

49076 Access to student records

51225.1 Exemption from district graduation requirements

51225.2 Pupil in foster care defined; acceptance of coursework, credits, retaking of course

51225.3 High school graduation

52060-52077 Local control and accountability plan

56055 Rights of foster parents in special education

68051 High school exit examination

68051.5 Suspension of high school exit examination

Health and Safety Code

1522.41 Training and certification of group home administrators

1529.2 Training of licensed foster parents

120341 Foster youth: school placement: immunization records

Welfare and Institutions Code

300 Children subject to jurisdiction

309 Investigation and release of child

317 Appointment of legal counsel

361 Limitations on parental or guardian control

366.27 Educational decision by relative providing living arrangements

602 Minors violating law; ward of court

726 Limitations on parental or guardian control

727 Order of care, ward of court

16000-16014 Foster care placement

United States Code, Title 20

1415 Procedural safeguards; placement in alternative educational setting

United States Code, Title 29

794 Rehabilitation Act of 1973, Section 504 United States Code, Title 42 670-679b Federal assistance for foster care programs

11431-11435 McKinney-Vento Homeless Assistance Act

Approved: June, 2017

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Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

AR 6173.1

REGULATIONS REGARDING EDUCATION FOR FOSTER YOUTH

Definitions

Foster youth, foster child, or student in foster care means any of the following: (Education Code 42238.01, 48853.5)

1. A child who is the subject of a petition filed pursuant to Welfare and Institutions Code 300, whether or not the child has been removed from the child's home by the juvenile court pursuant to Welfare and Institutions Code 319 or 361
2. A child who is the subject of a petition filed pursuant to Welfare and Institutions Code 602, whether or not the child has been removed from the child's home
3. A child who is the subject of a petition filed pursuant to Welfare and Institutions Code 602, has been removed from the child's home by the juvenile court pursuant to Welfare and Institutions Code 727, and is in foster care as defined by Welfare and Institutions Code 727.4(d)
4. A nonminor who is under the transition jurisdiction of a juvenile court, as described in Welfare and Institutions Code 450, and satisfies the criteria specified in Education Code 42238.01
5. A child who has been removed from the youth's home pursuant to Welfare and Institutions Code 309
6. A dependent child of the court of an Indian tribe, consortium of tribes, or tribal organization who is the subject of a petition filed in the tribal court pursuant to the court's jurisdiction in accordance with the tribe's law
7. A child who is the subject of a voluntary placement agreement, as defined in Welfare and Institutions Code 11400(p)

Person holding the right to make educational decisions means a responsible adult appointed by a court pursuant to Welfare and Institutions Code 361 or 726.

School of origin means the school that the foster youth attended when permanently housed or the school in which the student was last enrolled. If the school the foster youth attended when permanently housed is different from the school in which the student was last enrolled, or if there is some other school that the foster youth attended within the preceding 15 months and with which the youth is connected, the school liaison shall, in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the youth, determine, in the best interests of the foster youth, which school is the school of origin.

Best interest of a foster youth means that, in making educational and school placement decisions for a foster youth, consideration is given to, among other factors, the proximity to the school at the time of placement, appropriateness of the educational setting, educational stability, the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress, and the foster youth's access to academic resources, services, and extracurricular and enrichment activities that are available to all Butte County students.

Liaison

The County Superintendent designates the following position as Butte County Office of Education's school liaison for foster youth:

School Ties Coordinator

Butte County Office of Education (530) 879-2328

The school liaison for foster youth shall:

1. Ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of students in foster care
2. Ensure proper transfer of credits, records, and grades when students in foster care transfer from one school to another or from one district to another

When a student in foster care is enrolling in a Butte County Office of Education school, the liaison shall contact the school last attended by the student to obtain all academic and other records, within two business days of receiving the request. When a foster youth is transferring to a new school, the liaison shall provide the student's

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records to the new school within two business days of receiving the new school's request.

3. When required by law, notify the foster youth's attorney and the representative of the appropriate county child welfare agency when the foster youth is undergoing any expulsion or other disciplinary proceeding, including manifestation determination prior to a change in the foster youth's placement, when the student is a student with a disability.
4. As needed, make appropriate referrals to ensure that students in foster care receive necessary special education services and services under Section 504 of the federal Rehabilitation Act of 1973
5. Ensure that students in foster care receive appropriate school-based services, such as supplemental instruction, counseling, or after-school services
6. Develop protocols and procedures so that staff, including principals and school clerical staff, is aware of the requirements for the proper enrollment, placement, and transfer of foster youth
7. Collaborate with the county placing agency, social services, probation officers, juvenile court officers, nonprofit organizations, and advocates to help coordinate services for the foster youth
8. Monitor the educational progress of foster youth based on indicators identified in the local control and accountability plan and provide reports to the County Superintendent or designee.

Enrollment

A foster youth placed in a licensed children's institution or foster family home within Butte County shall attend programs operated by the district of the institution or foster family home unless one of the following circumstances applies:

1. The student has an individualized education program requiring placement in a non-public, non-sectarian school or agency, or in another local educational agency.
2. The parent/guardian or other person holding the right to make educational decisions for the student determines that it is in the best interest of the student to be placed in another educational program and submits a written statement to the Butte County Office of Education indicating that determination and that they are aware of the following:
 - a. The student has a right to attend a regular public school in the least restrictive environment.
 - b. The alternate educational program is a special education program, if applicable.
 - c. The decision to unilaterally remove the student and to place him/her in an alternate education program will not be financed by Butte County Office of Education.
 - d. Any attempt to seek reimbursement for the alternate education program may be at the expense of the parent/guardian or other person holding the right to make educational decisions for the student.
3. At the initial placement or any subsequent change in placement, the student exercises their right to continue in their school of origin, as defined above.
 - a. The student may continue in the school of origin for the duration of the court's jurisdiction.
 - b. If the court's jurisdiction over a grade K-8 student is terminated prior to the end of a school year, the student may continue in their school of origin for the remainder of the school year.
 - c. If the court's jurisdiction is terminated while the student is in high school, the student may continue in their school of origin until the student graduates.
 - d. If the student is transitioning between school grade levels, the student shall be allowed to continue in the district of origin in the same attendance area to provide him/her the benefit of matriculating with their peers in accordance with the established feeder patterns of school districts. A student who is transition to a middle school or high school shall be allowed to enroll in the school designated for matriculation in another school district.

The school liaison may, in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the youth, recommend that the youth's right to attend the school of origin be waived and the student be enrolled in any school that students living in the attendance area in which the foster youth resides are eligible to attend. All decisions shall be made in accordance with the foster youth's best interests.

Prior to making any recommendation to move a foster youth from their school of origin, the school liaison shall provide the youth and the person holding the right to make educational decisions for the youth with a written explanation of the

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basis for the recommendation and how this recommendation serves the youth's best interests.

The role of the school liaison shall be advisory with respect to placement decisions and determination of the school of origin.

If the school liaison, in consultation with the foster youth and the person holding the right to make educational decisions for the foster youth, agrees that the best interests of the youth would be served by their transfer to a school other than the school of origin, the principal or designee of the new school shall immediately enroll the foster youth. The foster youth shall be immediately enrolled even if the student:

1. Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended
2. Does not have clothing normally required by the school, such as school uniforms
3. Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, and medical records, including, but not limited to, immunization records or other documentation

If a person with the right to make educational decisions for a foster youth or the foster youth disagrees with the liaison's enrollment recommendation, they may appeal to the Associate County Superintendent of Student Programs and Services. The Associate County Superintendent of Student Programs and Services shall make a determination within 30 calendar days of receipt of the appeal. Within 30 calendar days of receipt of the Associate County Superintendent's decision, the parent/guardian or foster youth may appeal that decision to the County Superintendent. The County Superintendent shall consider the issue upon receipt of the appeal. The County Superintendent's decision shall be final.

If any dispute arises regarding the request of a foster youth to remain in the school of origin, the youth has the right to remain in the school of origin pending resolution of the dispute.

Transportation

Butte County Office of Education shall not be responsible for providing transportation to and from the school of origin.

Effect of Absences on Grades

The grades of a student in foster care shall not be lowered for any absence from school that is due to either of the following circumstances:

1. A decision by a court or placement agency to change the student's placement, in which case the student's grades shall be calculated as the date the student left school
2. A verified court appearance or related court-ordered activity

Transfer of Coursework and Credits

When a foster youth transfers into a Butte County Office of Education school, the Butte County Office of Education will receive an official transcript from the transferring school or district which reflects full and partial credits and grades earned by the foster youth and includes:

1. A determination of the days of enrollment and/or seat time, if applicable for all full and partial credits earned based on any measure of full or partial coursework being satisfactorily completed Partial coursework satisfactorily completed includes any portion of an individual course, even if the student did not complete the entire course
2. Separate listings for credits and grades earned at each school and local educational agency so it is clear where credits and grades were earned
3. A complete record of the student's seat time, including both period attendance and days of enrollment

The Butte County Office of Education shall transfer the credits and grades from the transferring school's transcript onto an official district transcript in the same manner as described in Item #2, above.

If the Principal or designee has knowledge that the transcript from the transferring school may not include certain credits or grades, the Principal or designee shall contact the prior school within two business days to request that the

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full or partial credits be issued, which shall then be issued and provided by the prior school within two business days of the request.

Butte County Office of Education shall accept and issue full or partial credit for any coursework that the foster youth has satisfactorily completed while attending another public school, a juvenile court school, a charter school, a school in a country other than the United States, or a nonpublic, nonsectarian school or agency.

If the entire course was completed, Butte County Office of Education shall not require the foster youth to retake the course.

If the entire course was not completed at the previous school, the foster youth shall be issued partial credit for the coursework completed and shall be required to take the uncompleted portion of the course. However, Butte County Office of Education may require the foster youth to retake the portion of the course completed if, in consultation with the holder of educational rights for the foster youth, Butte County Office of Education finds that the foster youth is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a foster youth in any particular course, the foster youth shall be enrolled in the same or equivalent course, if applicable, to enable the completion of the entire course.

Partial credits shall be awarded on the basis of 0.5 credits for every seven class periods attended per subject. If the school is on a block schedule, each block schedule class period attended shall be equal to two regular class periods per subject. Partial credits and grades earned by a student shall be included on the student's official transcript within two business days of the County Office's notification of the student's transfer, as required under Education Code 49069.5.

In no event shall the receiving school prevent a foster youth from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California.

Applicability of Graduation Requirements

To obtain a high school diploma, a foster youth shall complete all courses required by Education Code 51225.3 and fulfill any additional graduation requirements prescribed by the Butte County Board of Education.

However, when a foster youth who has completed their second year of high school transfers in the district from another school district or transfers between high schools within the district, the student shall be exempted from all district-adopted coursework and other BCOE established graduation requirement, unless the County Office makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of their fourth year of high school. Within 30 calendar days of the foster youth's transfer, the County Superintendent or designee shall notify the foster youth, the person holding the right to make educational decisions for him/her, and the foster youth's social worker of the availability of the exemption and whether the foster youth qualifies for it. If the County Superintendent or designee fails to provide this notification, the student shall be eligible for the exemption once notified, even if the notification occurs after the student is no longer a foster youth.

To determine whether a foster youth is in their third or fourth year of high school, Butte County Office of Education shall use either the number of credits the foster youth has earned as the date of the transfer or the length of their school enrollment, or for a foster youth with significant gaps in school attendance, the foster youth's age as compared to the average age of students in the third or fourth year of high school, whichever qualifies him/her for the exemption.

If a foster youth was not properly notified of an exemption, declined the exemption, or was not previously exempted, the foster youth or the person holding the right to make educational decisions for the foster youth may request the exemption and the Superintendent or designee shall exempt the foster youth within 30 days of the request. A student who at one time qualified for the exemption may request the exemption even if the student is no longer eligible.

When the County Superintendent or designee determines that a foster youth who transferred into a Butte County Office

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of Education school is reasonably able to complete Butte County Office of Education-established graduation requirements by the end of the foster youth's fourth year of high school, the foster youth shall not be exempted from those requirements. Within 30 calendar days of the following academic year, the foster youth shall be reevaluated based on the foster youth's course completion status at the time, to determine if the student continues to be reasonably able to complete the Butte County Office of Education-established graduation requirements in time to graduate by the end of the foster youth's fourth year of high school. Written notice as to whether the foster youth then qualifies for the exemption shall be provided to the foster youth, the person holding the right to make educational decisions for the foster youth, and if applicable, to the foster youth's social worker or probation officer.

If, upon reevaluation, it is determined that the foster youth is not reasonably able to complete the Butte County Office of Education-established graduation requirements in time to graduate from high school by the end of the foster youth's fourth year of high school, the County Superintendent or designee shall provide the foster youth with the option to receive an exemption from Butte County Office of Education-established graduation requirements or stay in school for a fifth year to complete the Butte County Office of Education-established graduation requirements upon agreement with the foster youth, or if under 18 years of age, the person holding the right to make educational decisions for the foster youth, and provide notifications.

When a foster youth is exempted from Butte County Office of Education-established graduation requirements, the County Superintendent or designee shall consult with the foster youth and the person holding the right to make educational decisions for the foster youth about the following:

1. Discussion of how any requirements that are waived may affect the foster youth's postsecondary education or vocation plans, including the ability to gain admission to a postsecondary educational institution
2. Discussion and information about other options available to the student, including, but not limited to, a fifth year of high school, possible credit recovery, and any transfer opportunities available through the California Community Colleges
3. Consideration of the foster youth's academic data and any other information relevant to making an informed decision on whether to accept the exemption

Butte County Office of Education shall not require or request a foster youth to transfer schools in order to qualify for an exemption and shall not grant any request made by a foster youth or any person acting on behalf of a foster youth for a transfer solely to qualify the foster youth for an exemption.

The County Superintendent or designee shall not require a foster youth who is eligible for an exemption from Butte County Office of Education-established graduation requirements, and would otherwise be entitled to remain in attendance at the school, to accept the exemption or be denied enrollment in, or the ability to complete, courses for which the foster youth is otherwise eligible, including courses necessary to attend an institution of higher education, regardless of whether such courses are required for statewide graduation requirements.

If a foster youth is exempted from Butte County Office of Education-established graduation requirements the exemption shall not be revoked. Additionally, the exemption shall continue to apply after the termination of the court's jurisdiction over the student while still enrolled in school or if the foster youth transfers to another school or school district.

The County Superintendent or designee shall not require or request a foster youth who is exempted from district-established graduation requirements and who completes the statewide coursework requirements before the end of the fourth year of high school, and would otherwise be entitled to remain in school, to graduate before the end of the foster youth's fourth year of high school.

Upon making a finding that a foster youth is reasonably able to complete graduation requirements within their fifth year of high school, the County Superintendent or designee shall:

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1. Consult with the foster youth and the person holding the right to make educational decisions for the foster youth of the option to remain in school for a fifth year to complete the Butte County Office of Education-established graduation requirements and how that will affect the foster youth's ability to gain admission to a postsecondary educational institution
2. Consult with and provide information to the foster youth about transfer opportunities available through the California Community Colleges
3. Upon agreement with the foster youth or, if under 18 years of age, the person holding the right to make educational decisions for the foster youth, permit the foster youth to stay in school for a fifth year to complete the district-established graduation requirement
4. Consult with the foster youth and the person holding the right to make educational decisions for the foster youth of the option to remain in the foster youth's school of origin

When a foster youth who has completed the second year of high school transfers into the Butte County Office of Education from another school district or transfers between high schools within the Butte County Office of Education, and is not reasonably able to complete the Butte County Office of Education-established graduation requirements within the foster youth's fifth year of high school but is reasonably able to complete the statewide coursework requirements within the fifth year of high school, the foster youth shall be exempted from all Butte County Office of Education-established graduation requirements and provided with the option to remain in school for a fifth year to complete the statewide requirements. In such situations, the County Superintendent or designee shall consult with the foster youth and the person holding the right to make educational decisions for the foster youth, regarding the following:

1. The foster youth's option to remain in school for a fifth year to complete statewide coursework requirements
2. The effect of waiving the Butte County Office of Education-established requirements and remaining in school for a fifth year on the foster youth's postsecondary education or vocation plans, including the ability to gain admission to an institution of higher education
3. Other options available to the foster youth, including but not limited to, possible credit recovery, and any transfer opportunities available through the California Community Colleges
4. The foster youth's academic data and any other information relevant to making an informed decision on whether to accept the exemption and option to remain in school for a fifth year to complete the statewide coursework requirements

Eligibility for Extracurricular Activities

A foster youth who changes residences pursuant to a court order or decision of a child welfare worker shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities.

Notification and Complaints

Information regarding educational rights of foster youth shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622.

Any complaint that the County Office has not complied with requirements regarding the education of foster youth may be filed in accordance with the County Office's Uniform Complaint Procedures. If the County Office finds merit in a complaint, the County Office shall provide a remedy to the affected student. A complainant not satisfied with the County Office's decision may appeal the decision to the California Department of Education and shall receive a written decision regarding the appeal within 60 days of the California Department of Education's receipt of the appeal. If the California Department of Education finds merit in an appeal, the County Office shall provide a remedy to the affected student.

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Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6173.4

EDUCATION FOR AMERICAN INDIAN STUDENTS

The County Superintendent recognizes that American Indian students may have unique cultural, language, and educational needs that may be addressed by increasing student knowledge about American Indian history, including the history and culture of local tribes, and by providing American Indian students with access to education and other services necessary for such students to meet the same challenging academic standards as other students.

The County Superintendent or designee shall provide all students with culturally relevant curriculum related to local American Indian tribes and implement strategies necessary for the improvement of the academic achievement of American Indian students.

In order to discuss, gain a shared understanding of, and develop curriculum for use within the LEA, and to identify the extent and nature of any achievement gaps between American Indian students and other LEA students, and strategies to address any such gaps, the Butte County Office of Education may form a California Indian Education Task Force with tribes local to the region. Participants in the task force meetings may consider issues of mutual concern, which include:

1. Developing a thorough, shared understanding of accurate, high-quality curricular materials about the history, culture, and government of local tribes, and developing such materials for use within the LEA that include tribal experiences and perspectives
2. Developing a shared understanding of proper or improper instructional materials when these materials use depictions of Native Americans
3. Encouraging the adoption of the curriculum developed by the California Indian Education Task Force
4. Identifying the extent and nature of any achievement gap between American Indian students and other students, and strategies necessary to close it

If formed, the California Indian Education Task Force shall, within one year and thereafter annually, submit a report to the California Department of Education on the findings, including progress of work on Items #1-4, above.

The County Superintendent or designee shall identify American Indian students most at-risk of not meeting state academic standards and provide to such students the needed support(s), including making referrals, as appropriate, for special education services or services under Section 504 of the federal Rehabilitation Act of 1973, or other school-based services such as counseling and health services, supplemental instruction, before- or after-school services, and summer learning programs.

Suspension, expulsion, assignment to a supervised suspension classroom, or involuntary transfer to a continuation school of an American Indian student shall be in accordance with law and as specified in Administrative Regulation 5144.1 - Suspension and Expulsion/Due Process, 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities), and 6184 - Continuation Education.

The County Superintendent or designee shall provide programs to facilitate the successful transition of American Indian students to post-secondary education and employment, which may include college and career fairs in accordance with Labor Code 3074.2, mentorship programs, and counseling services.

As needed, the County Superintendent or designee shall provide professional development to teachers and other school staff to assist them in understanding and responding to the unique needs of American Indian students.

At least annually, the LEA shall report to the County Superintendent on the outcomes of American Indian students including, but not limited to, school attendance, student achievement test results, promotion and retention by grade level, graduation rates, and suspension/expulsion rates.

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Title VI Indian Education Program

With the assistance of federal Title VI funding for the education of children from federally recognized tribes, the LEA shall offer programs and activities to meet the unique cultural, language, and educational needs of American Indian students, as defined in 20 USC 7491. Program objectives and outcomes shall be based on state academic standards. (20 USC 7424)

In developing, implementing, and evaluating Title VI programs and activities, the County Superintendent or designee shall consult with and involve parents/guardians and family members of American Indian students and other community representatives. (20 USC 7424)

The LEA shall establish a committee that is composed of, and selected by, parents/guardians and family members of American Indian students, representatives of tribes on tribal lands located within 50 miles of any LEA school that serves any children of the tribes, teachers, and, if appropriate, American Indian students enrolled in secondary schools in the LEA. The majority of the committee shall be parents/guardians and family members of American Indian students. The committee shall participate in program development and provide written approval for the program. (20 USC 7424)

The LEA's Title VI program for American Indian education may include any of the following services and activities: (20 USC 7425)

1. Activities that support Native American language programs and Native American language restoration programs, which may be taught by traditional leaders
2. Culturally related activities that support the LEA's program
3. Early childhood and family programs that emphasize school readiness
4. Enrichment programs that focus on problem solving and cognitive skills development and directly support the attainment of state academic standards
5. Integrated educational services in combination with other programs that meet the needs of American Indian students and their families, including programs that promote parent/guardian involvement in school activities and increase student achievement
6. Career preparation activities that enable American Indian students to participate in career technical education programs, including programs for mentoring and apprenticeship
7. Activities to educate individuals so as to prevent violence, suicide, and substance abuse
8. The acquisition of equipment that is essential to achieve program goals
9. Activities that promote the incorporation of culturally responsive teaching and learning strategies into the LEA's educational program
10. Family literacy services
11. Activities that recognize and support the unique cultural and educational needs of American Indian students, and incorporate appropriately qualified tribal elders and seniors
12. Dropout prevention strategies for American Indian students
13. Strategies to meet the educational needs of American Indian students in correctional facilities, including such strategies that support American Indian students who are transitioning from such facilities to schools served by the LEA

Any federal funds received to support American Indian education programs shall be used to supplement, not supplant, state or local funds allocated for such purposes. (20 USC 7424)

Program funds may be used to support a Title I schoolwide program pursuant to 20 USC 6314 if approved by the committee established pursuant to 20 USC 7424, provided that the schoolwide program is consistent with the purpose of American Indian education programs and the LEA's application identifies how the use of such funds in a schoolwide program will produce benefits to American Indian students that would not be achieved if not used in a schoolwide program. (20 USC 7424)

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As needed, professional development shall be provided to teachers and other school staff to assist them in working with American Indian students and carrying out Title VI programs. (20 USC 7424)

The County Superintendent or designee shall maintain a record of the information establishing the status of each student as an American Indian student eligible for assistance through the federal American Indian education program. (20 USC 7427)

The County Superintendent or designee shall periodically assess the progress of all American Indian students, including American Indian students who do not participate in programs funded through Title VI, in meeting program goals and objectives. Assessment results shall be provided to the County Superintendent, the committee established pursuant to 20 USC 7424, tribes whose children are served by the LEA, and the community. (20 USC 7424)

Legal Reference

Education Code

State

Ed. Code 33380-33384 California Indian Education Centers

Ed. Code 33390-33391 California Indian Education Act

Ed. Code 48400-48454 Compulsory continuation education

Ed. Code 48850-48859 Education of foster youth and homeless students

Ed. Code 48900-48927 Suspension and expulsion

Lab. Code 3074.2 College and career fairs; notice to apprenticeship programs

Federal

2 CFR 200.0-200.521 Federal uniform grant guidance

20 USC 1400-1482 Individuals with Disabilities Education Act

20 USC 6314 Title I schoolwide program

20 USC 7401-7492 Indian education

20 USC 7701-7714 Impact Aid

29 USC 794 Rehabilitation Act of 1973; Section 504

34 CFR 222.90-222.129 Impact Aid; special provisions for local educational agencies that claim children residing on Indian lands

34 CFR 300.1-300.818 Individuals with Disabilities Education Act

Approved: April 2024

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6174

EDUCATION FOR ENGLISH LEARNERS

The County Superintendent intends to provide English learners with challenging curriculum and instruction that develop proficiency in English while facilitating student achievement in the regular course of study.

Butte County Office of Education shall identify in its local control and accountability plan [LCAP] goals and specific actions and services to enhance student engagement, academic achievement, and other outcomes for English learners.

No middle or high school student who is an English learner shall be denied enrollment in any of the following: (Education Code 60811.8)

1. Courses in the core curriculum areas of reading/language arts, mathematics, science, and history/social science, courses required to meet state and local high school graduation requirements, or courses required for middle school grade promotion

However, an English learner who has been enrolled in a school in the United States for less than 12 months or is enrolled in a program designed to develop the basic English skills of newly arrived immigrant students may be denied participation in any such course, if the course of study provided to the student is designed to remedy academic deficits incurred during participation and reasonably calculated to enable the student to attain parity of participation in the standard instructional program within a reasonable length of time after the student enters the school system.

2. A full course load of courses specified in Item #1 above
3. Other courses that meet the "A-G" course requirements for college admission or are advanced courses such as honors or Advanced Placement courses, on the sole basis of the student's classification as an English learner

The County Superintendent or designee shall encourage parent/guardian and community involvement in the development and evaluation of programs for English learners.

English learners shall be provided English language development instruction targeted to their English proficiency level and aligned with the state content standards and curriculum framework. Butte County Office of Education's program shall be based on sound instructional theory, use standards-aligned instructional materials, and assist students in accessing the full educational program.

Staff Qualifications and Training

The County Superintendent or designee shall ensure that all staff employed to teach English learners possess the appropriate authorization from the Commission on Teacher Credentialing.

Butte County Office of Education shall provide effective professional development to teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), administrators, and other school or community-based organization personnel to improve the instruction and assessment of English learners and enhance staff's ability to understand and use curricula, assessment, and instructional strategies for English learners. Such professional development shall be of sufficient intensity and duration to produce a positive and lasting impact on teachers' performance in the classroom.

Staff development shall also address the sociocultural needs of English learners and provide opportunities for teachers to engage in supportive, collaborative learning communities.

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To support students' English language development, the County Superintendent or designee may provide an adult literacy training program that leads to English fluency for parents/guardians and community members.

Identification and Assessment

The County Superintendent or designee shall maintain procedures for the early identification of English learners and an assessment of their proficiency using the English Language Proficiency Assessments for California (ELPAC). To oversee test administration, the County Superintendent or designee shall annually designate a Butte County Office of Education ELPAC coordinator.

Once identified as an English learner, a student shall be annually assessed for language proficiency until the student is reclassified based on criteria specified in the accompanying County Superintendent's Administrative Regulation.

English learners' academic achievement in English language arts, mathematics, science, and any additional subject required by law shall be assessed using the California Assessment of Student Performance and Progress. As necessary, the test shall be administered with testing variations in accordance with 5CCR [853.5](#) and [853.7](#). English learners who are in their first 12 months of attending a school in the United States shall be exempted from taking the English language arts assessment to the extent allowed by federal law.

Language Acquisition Programs

In establishing Butte County Office of Education's language acquisition programs, the County Superintendent or designee shall consult with parents/guardians and the community during the LCAP development process.

They shall also consult with administrators, teachers, and other personnel with appropriate authorizations and experience in establishing a language acquisition program.

Language acquisition programs are educational programs that are designed to ensure English acquisition as rapidly and as effectively as possible and that provide instruction to students on the state-adopted academic content standards, including the English language development standards. The language acquisition programs provided to students shall be informed by research and shall lead to grade-level proficiency and academic achievement in both English and another language.

Butte County Office of Education shall offer English learners a structured English immersion program to ensure that English learners have access to the core academic content standards, including the English language development standards, and become proficient in English. In the structured English immersion program, nearly all of the classroom instruction shall be provided in English, but with the curriculum and presentation designed for students who are learning English.

For the purpose of determining the amount of instruction to be conducted in English in the structured English immersion program, "nearly all" means that all classroom instruction shall be conducted in English except for clarification, explanation, and support as needed.

In addition, language acquisition programs offered by the County Office may include, but are not limited to, the following:

1. Butte County Office of Education may offer a dual-language immersion program that provides integrated language learning and academic instruction for native speakers of English and native speakers of another language, with the goals of high academic achievement, first and second language proficiency, and cross-cultural understanding.
2. Butte County Office of Education may offer a transitional or developmental program for English learners that provides literacy and academic instruction in English and a student's native language and that enables an English learner to achieve English proficiency and academic mastery of subject matter content and higher order thinking

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skills, including critical thinking, in order to meet state academic content standards.

Parents/guardians of English learners may choose a language acquisition program that best suits their child. To the extent possible, any language acquisition program requested by the parents/guardians of 30 or more students at the school or by the parents/guardians of 20 or more students at any grade level shall be offered by the school.

Butte County Office of Education's language acquisition programs for grades K-3 shall comply with class size requirements specified in Education Code [42238.02](#).

At the beginning of each school year or upon a student's enrollment, parents/guardians shall be provided information on the types of language acquisition programs available to students enrolled, including, but not limited to, a description of each program.

When an English learner is determined pursuant to state and Butte County Office of Education's reclassification criteria to have acquired a reasonable level of English proficiency pursuant to Education Code [313](#) and [52164.6](#), or upon request by the student's parent/guardian, the student shall be transferred from a language acquisition program into an English language mainstream classroom.

Program Evaluation

To evaluate the effectiveness of Butte County Office of Education's educational program for English learners, the County Superintendent or designee shall report to the Butte County Board of Education, at least annually, regarding:

1. Progress of English learners towards proficiency in English
2. The number and percentage of English learners reclassified as fluent English proficient
3. The number and percentage of English learners who are or are at risk of being classified as long-term English learners in accordance with Education Code [313.1](#)
4. The achievement of English learners on standards-based tests in core curricular areas
5. Progress toward any other goals for English learners identified in the County Office LCAP
6. A comparison of current data with data from at least the previous year

The County Superintendent or designee also shall provide the Butte County Board of Education with regular reports from any English learner advisory committees.

Legal Reference

Education Code

[300-340](#) English language education, especially:

[305-310](#) Language acquisition programs

[313-313.5](#) Assessment of English proficiency

[430-446](#) English Learner and Immigrant Pupil Federal Conformity Act

[33050](#) State Board of Education waiver authority

[42238.02-42238.03](#) Local control funding formula

[44253.1-44253.11](#) Qualifications for teaching English learners

[48980](#) Parental notifications

[48985](#) Notices to parents in language other than English

[52052](#) Accountability; numerically significant student subgroups

[52060-52077](#) Local control and accountability plan

[52160-52178](#) Bilingual Bicultural Act

[56305](#) CDE manual on English learners with disabilities

[60603](#) Definition, recently arrived English learner

[60640](#) California Assessment of Student Performance and Progress

[60811-60812](#) Assessment of English language development

[62002.5](#) Continuation of advisory committee after program sunsets

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Code Of Regulations, Title 5

854.1-854.3 CAASPP and universal tools, designated supports, and accommodations

854.9 CASSPP and unlisted resources for students with disabilities

[11300-11316](#) English learner education

11517.6-11519.5 English Language Proficiency Assessments for California

United States Code, Title 20

[1412](#) Individuals with Disabilities Education Act; state eligibility

[1701-1705](#) Equal Educational Opportunities Act

[6311](#) Title I state plan

[6312](#) Title I local education agency plans

6801-7014 Title III, language instruction for English learners and immigrant students

7801 Definitions

Code Of Federal Regulations, Title 34

[100.3](#) Discrimination prohibited

Assessment of English learners

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Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

AR 6174

REGULATIONS REGARDING EDUCATION FOR ENGLISH LEARNERS

Definitions

English learner means a student who is age 3-21 years, who is enrolled or is preparing to enroll in an elementary or secondary school, and whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the student the ability to meet state academic standards, the ability to successfully achieve in classrooms where the language of instruction is English, or the opportunity to participate fully in society. An English learner may include a student who was not born in the United States or whose native language is a language other than English; a student who is Native American or Alaska Native, or a native resident of the outlying areas, who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or a student who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant.

Designated English language development means instruction provided during a time set aside in the regular school day for focused instruction on the state-adopted English language development standards to assist English learners to develop critical English language skills necessary for academic content learning in English.

Integrated English language development means instruction in which the state-adopted English language development standards are used in tandem with the state-adopted academic content standards. Integrated English language development includes specially designed academic instruction in English.

Native speaker of English means a student who has learned and used English in their home from early childhood and English has been their primary means of concept formation and communication.

Identification and Assessments

Upon enrollment, each student's primary language shall be determined through the use of a home language survey.

Any student who is identified as having a primary language other than English as determined by the home language survey, and who has not previously been identified as an English learner by a California public school or for whom there is no record of results from an administration of an English language proficiency test, shall be initially assessed for English proficiency using the English Language Proficiency Assessment for California (ELPAC). Prior to administering the ELPAC, the County Superintendent or designee shall notify the student's parent/guardian in writing that the student will be administered the initial ELPAC.

Each year after a student is identified as an English learner and until the student is re-designated as English proficient, the summative assessment of the state's designated English language proficiency test shall be administered to the student during a four-month period after January 1 as determined by the California Department of Education.

The state assessment shall be administered in accordance with test publisher instructions and 5 CCR [11511- 11516.6](#). Variations and accommodations in test administration may be provided to English learners pursuant to 5 CCR [11516-11516.6](#).

Any student with a disability who is identified as an English learner shall be allowed to take the assessment with those accommodations for testing that the student has regularly used during instruction and classroom assessment as delineated in the student's individualized education program (IEP) or Section 504 plan. If the student is unable to participate in the assessment or a portion of the assessment even with such accommodations, an alternate assessment for English language proficiency shall be administered to the student as set forth in their IEP.

The County Superintendent or designee shall notify parents/guardians of their child's results on the state's English

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language proficiency assessment within 30 calendar days following receipt of the results from the test contractor. The notice shall indicate whether the student met the ELPAC initial assessment criterion for proficiency and include the district's contact information for use if the parent/guardian has questions or concerns regarding the student's classification.

The parent/guardian of a student participating in, or identified for participation in, a language instruction program supported by federal Title I or Title III funds shall receive notification of the assessment of their child's English proficiency. Such notice shall be provided not later than 30 calendar days after the beginning of the school year or, if the student is identified for program participation during the school year, within two weeks of the student's placement in the program. The notice shall include all of the following:

1. The reason for the identification of the student as an English learner and the need for placement in a language acquisition program
2. The level of English proficiency, how the level was assessed, and the status of the student's academic achievement
3. A description of the language acquisition program in which the student is, or will be, participating, including a description of all of the following:
 - a. The methods of instruction used in the program and in other available programs, including how such programs differ in content, instructional goals, and the use of English and a native language in instruction
 - b. The manner in which the program will meet the educational strengths and needs of the student
 - c. The manner in which the program will help the student develop their English proficiency and meet age-appropriate academic standards for grade promotion and graduation
 - d. The specific exit requirements for the program, the expected rate of transition from the program into classes not tailored for English learners, and the expected rate of graduation from secondary school if applicable
 - e. Where the student has been identified for special education, the manner in which the program meets the requirements of the student's IEP
4. As applicable, the identification of a student as a long-term English learner or at risk of becoming a long-term English learner, and the manner in which the program for English language development instruction will meet the educational strengths and needs of such students and help such students develop English proficiency and meet age-appropriate academic standards
5. Information about the parent/guardian's right to have the student immediately removed from a program upon the parent/guardian's request
6. Information regarding a parent/guardian's option to decline to enroll the student in the program or to choose another program or method of instruction, if available
7. Information designed to assist a parent/guardian in selecting among available programs, if more than one program or method is offered

Reclassification/Redesignation

Butte County Office of Education shall continue to provide additional and appropriate educational services to English learners for the purposes of overcoming language barriers until they:

1. Demonstrate English language proficiency comparable to that of the County Office's average native English language speakers
2. Recoup any academic deficits which may have been incurred in other areas of the core curriculum as a result of language barriers

English learners shall be reclassified as fluent English proficient when they are able to comprehend, speak, read, and write English well enough to receive instruction in an English language mainstream classroom and make academic progress at a level substantially equivalent to that of students of the same age or grade whose primary language is English and who are in the regular course of study.

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The measures used to determine whether an English learner shall be reclassified as fluent English proficient shall include, but not be limited to:

1. Assessment of English language proficiency using an objective assessment instrument, including, but not limited to, the ELPAC.
2. Participation of the student's classroom teacher and any other certificated staff with direct responsibility for teaching or placement decisions related to the student
3. Parent/guardian opinion and consultation
The County Superintendent or designee shall provide the parent/guardian with notice and a description of the reclassification process and of their opportunity to participate in the process and shall encourage their involvement in the process.
4. Student performance on an objective assessment of basic skills in English that shows whether the student is performing at or near grade level

The student's language proficiency assessments, the participants in the reclassification process, and any decisions regarding reclassification shall be retained in the student's permanent record.

The County Superintendent or designee shall monitor the progress of reclassified students to ensure their correct classification and placement.

The County Superintendent or designee shall monitor students for at least four years following their reclassification to determine whether the student needs any additional academic support to ensure their language and academic success.

Advisory Committee

A parent/guardian advisory committee shall be established when there are more than 50 English learners at Butte County Office of Education schools and at school level when there are more than 20 English learners at the school. Parents/guardians of English learners shall constitute committee membership in at least the same percentage as English learners represent of the total number of students in the school.

Butte County Office of Education's English language advisory committee shall advise the Butte County Board of Education on at least the following tasks:

1. The development of an BCOE schools master plan of education programs and services for English learners, taking into consideration the school site plans for English learners
2. The BCOE schools needs assessment on a school-by-school basis
3. Establishment of County Office program, goals, and objectives for programs and services for English learners
4. Development of a plan to ensure compliance with applicable teacher or aide requirements
5. Administration of the annual language census
6. Review of and comment on the County Office's reclassification procedures
7. Reviewing and commenting on the required written parental notifications

In order to assist the advisory committee in carrying out its responsibilities, the County Superintendent or designee shall ensure that committee members receive appropriate training and materials. This training shall be planned in full consultation with the members.

LCAP Advisory Committee

When there are at least 15 percent English learners at, with at least 50 students who are English learners, at Butte County Office of Education schools an English learner parent advisory committee shall be established to review and comment on the Butte County Office of Education's schools local control and accountability plan (LCAP) in accordance with BP 0460 - Local Control and Accountability Plan. The committee shall be composed of a majority of parents/guardians of English learners.

The advisory committee established pursuant to 5 CCR [11308](#), as described in the section "Advisory Committee" above,

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could serve as the LCAP English learner advisory committee if its composition includes a majority of parents/guardians of English learners.

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SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6177

SUMMER LEARNING PROGRAMS

The County Superintendent recognizes that an extended break from the instructional program may result in significant learning loss, especially among disadvantaged and low-achieving students, and desires to provide opportunities during the summer for students to practice essential skills, make academic progress, and develop social, emotional, and physical needs and interests through hands-on engaging learning experiences.

Summer programs offered by the Butte County Office of Education shall be aligned with the Butte County Office of Education's local control and accountability plan (LCAP), other applicable Butte County Office of Education and school plans, and the educational program provided during the school year. When feasible, summer programs shall blend high-quality academic instruction in core curricular and/or elective subjects with recreation, nutrition programs, social and emotional development, and support services that encourage attendance, student engagement in learning, and student wellness.

Summer School

The County Superintendent or designee may establish summer school day and/or evening classes.

As appropriate, priority for enrollment in summer school programs shall be given to Butte County Office of Education students who:

1. Need course credits in order to graduate from high school before the beginning of the next school year
2. Have been retained or are at risk of being retained at their grade level
3. Demonstrate academic deficiencies in core curriculum areas
4. Are in targeted student groups identified in the Butte County Office of Education's LCAP as needing increased or improved services to succeed in the educational program

The remaining openings shall be offered to other district students on a first-come first-served basis.

Legal Reference:

Education Code

State References Description

5 CCR 11470-11472 Summer school

5 CCR 3043 Extended school year; special education students

Ed. Code 37252-37254.1 Supplemental instruction

Ed. Code 39837 Transportation to summer employment program

Ed. Code 41505-41508 Pupil Retention Block Grant

Ed. Code 41976.5 Summer school programs; substantially disabled persons or graduating high school seniors

Ed. Code 42238.01-42238.07 Local control funding formula

Ed. Code 48070-48070.5 Promotion and retention

Ed. Code 51210 Course of study for grades 1-6

Ed. Code 51220 Course of study for grades 7-12

Ed. Code 51730-51732 Powers of governing boards (authorization for elementary summer school classes); admissions of adults and minors

Ed. Code 52052 Accountability; numerically significant student subgroups

Ed. Code 52060-52077 Local control and accountability plan

Ed. Code 54444.3 Summer program for migrant students

Ed. Code 56345 Individualized education program contents

Ed. Code 58700-58702 Credit towards summer school apportionments for tutoring and homework assistance

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Ed. Code 58806 Summer school apportionments

Ed. Code 8482-8484.6 After School Education and Safety Program

Ed. Code 8484.7-8484.9 21st Century Community Learning Centers

Government Code

Federal References Description

20 USC 6311-6322 Improving basic programs for disadvantaged students

20 USC 7171-7176 21st Century Community Learning Centers

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SP 6178

CAREER TECHNICAL EDUCATION

The County Superintendent desires to provide a comprehensive career technical education (CTE) program in the secondary grades which integrates core academic instruction with technical and occupational instruction in order to increase student achievement, graduation rates, and readiness for postsecondary education and employment. The CTE program shall be designed to help students develop the academic, career, and technical skills needed to succeed in a knowledge- and skills-based economy.

Butte County Office of Education's CTE program shall focus on preparing students to enter current or emerging high-skill, high-wage, and/or high-demand occupations by providing a rigorous academic component and practical experience in all aspects of an industry. CTE opportunities may be offered through linked learning programs, partnership academies, apprenticeship programs or orientation to apprenticeships, regional occupational centers or programs (ROC/Ps), charter schools, small learning communities, magnet programs, or other programs that expose students to career options while preparing them for future careers in a given industry or interest area.

The Superintendent or designee shall explore available funding sources that may be used to support CTE programs. The County Superintendent shall review and approve all plans and applications for the use of state and/or federal funds supporting CTE.

The County Superintendent shall adopt standards for CTE, which meet or exceed the state's model content standards and describe the essential knowledge and skills that students enrolled in these courses are expected to master. The course curriculum shall be aligned with adopted standards and the state's curriculum framework.

At least every three years, the County Superintendent or designee shall compare the LEA's curriculum, course content, and course sequence of CTE with the model state curriculum standards.

The Superintendent or designee shall systematically review the County Office's CTE courses to determine the degree to which each course may offer an alternative means for completing and receiving credit for specific portions of the course of study prescribed by Butte County Office of Education for high school graduation. CTE courses approved for these purposes shall be equivalent in content and rigor to the courses prescribed for graduation.

The Superintendent or designee shall develop partnerships with local businesses and industries to ensure that course sequences, career technical and integrated curriculum, classroom instruction and projects, and assessments have real-world relevance and reflect labor market needs and priorities. The Superintendent or designee shall also work to develop connections with businesses, postsecondary institutions, community organizations, and/or other employers to provide students with actual or simulated work-based learning opportunities.

The Superintendent or designee shall collaborate with postsecondary institutions to ensure that the district's program is articulated with postsecondary programs in order to provide a sequential course of study. Articulation opportunities may include dual or concurrent enrollment in community college courses.

The County Superintendent or designee shall appoint a CTE advisory committee to develop recommendations on the district's CTE program and to serve as a liaison between the district and potential employers. The committee shall consist of at least one student, teacher, business representative, industry representative, school administrator, member of the general public knowledgeable about the disadvantaged, and representative of the field office of the California Employment Development Department.

The Superintendent or designee shall inform all secondary students and their parents/guardians about the CTE experiences available in Butte County Office of Education, CTE courses that satisfy college admission criteria, and, if

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applicable, CTE courses that satisfy high school graduation requirements. In addition, secondary students shall receive individualized academic counseling which provides information about academic and CTE opportunities related to the student's career goals.

Prior to the beginning of each school year, the Superintendent or designee shall advise students, parents/guardians, employees, and the general public that all CTE opportunities are offered without regard to any actual or perceived characteristic protected from discrimination by law. The notification shall be disseminated in languages other than English as needed and shall state that Butte County Office of Education will take steps to ensure that the lack of English language skills will not be a barrier to admission and participation in the district's CTE program.

The Superintendent or designee shall collaborate with businesses, government agencies, postsecondary institutions including universities and career technical schools, community organizations, and/or other employers to provide students with actual or simulated work-based learning opportunities through college and/or career fairs.

When planning to hold a college or career fair, the Superintendent or designee shall notify each apprenticeship program in the county. The notification shall include the planned date, time and location of the college or career fair.

The Superintendent or designee shall ensure that teachers of CTE courses possess the qualifications and credentials necessary to teach their assigned courses. The Superintendent or designee shall also provide teachers and administrators with professional development designed to enhance their knowledge of standards-aligned CTE and shall provide opportunities for CTE teachers to collaborate with teachers of academic courses in the development and implementation of integrated curriculum models.

The Superintendent or designee shall provide counselors and other guidance personnel with professional development that includes, but is not limited to, information about current workforce needs and trends, requirements of the Butte County Office of Education's CTE program, work-based learning opportunities, and postsecondary education and employment options following high school.

The Superintendent or designee shall annually report to the Board achievement data on participating students, including, but not limited to, the percentage of participating students who successfully complete CTE programs, their performance on state and district academic achievement tests, and graduation rates. Data shall be disaggregated by various student subgroups. Based on such data, the Board shall determine the need for program improvements and update the goals in the local control and accountability plan as necessary.

Non-Discrimination/Admission

The Butte County Office of Education's program shall provide equal access to and shall not unlawfully discriminate against students who are members of special populations. Special populations include, but are not limited to, students with disabilities; students from economically disadvantaged families, including foster youth; students preparing for nontraditional fields; single parents and single pregnant females; displaced homemakers; and students with limited English proficiency.

Prior to the beginning of each school year, the County Superintendent or designee shall advise students, parents/guardians, employees, and the general public that all CTE opportunities are offered without regard to race, color, national origin, sex, or disability.

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The above notification shall be disseminated in languages other than English as needed and shall state that the Butte County Office of Education will take steps to ensure that the lack of English language skills will not be a barrier to admission and participation in the CTE program.

Legal Reference:

Education Code

[1205](#) Classification of counties

[8006-8155](#) Career technical education

[17078.70-17078.72](#) Career technical education facilities

33430-33432 Health science and medical technology grants

[35168](#) Inventory of equipment

[41540-41544](#) Targeted instructional improvement block grant

[44257.3](#) CTC recognition of study in linked learning teaching methods

[44260-44260.1](#) Designated subjects career technical education credential

[44260.9](#) Designated subjects career technical education credential

[48430](#) Legislative intent; continuation education schools and classes

[48980](#) Parental notifications

[51220-51229](#) Courses of study, grades 7-12

[51760-51769.5](#) Work experience education

[52060-52077](#) Local control and accountability plan

[52300-52499.66](#) Career technical education

[52519-52520](#) Adult education, occupational training

[53010-53016](#) California Career Pathways Trust

[53070-53076.4](#) The California Career Technical Education Incentive Grant Program

[53086](#) California Career Resource Network

[54690-54699.1](#) California Partnership Academies

[54750-54760](#) California Partnership Academies, green technology and goods movement occupations

[56363](#) Related services for students with disabilities; specially designed career technical education

[66205.5-66205.9](#) Approval of career technical education courses for admission to California colleges

[88500-88551](#) Community college economic and workforce development program

Government Code

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[54950-54963](#) Brown Act Labor Code

[3070-3099.5](#) Apprenticeships Code of Regulations, Title 5

[1635](#) Credit for work experience education

[3051.14](#) Specially designed career technical education for students with disabilities

[10070-10075](#) Work experience education

[10080-10092](#) Community classrooms

[10100-10111](#) Cooperative vocational education

[11500-11508](#) Regional occupational centers and programs

[11535-11538](#) Career technical education contracts with private postsecondary schools

[11610-11611](#) Regional adult and vocational education councils

Code of Regulations, Title 8 200-240 Apprenticeships

United States Code, Title 20

[2301-2414](#) Strengthening Career and Technical Education for the 21st Century Act

[6301-6578](#) Improving the Academic Achievement of the Disadvantaged

Code of Federal Regulations, Title 34

100 Appendix B Guidelines for eliminating discrimination in career technical education programs

[104.1-104.39](#) Section 504 of the Rehabilitation Act of 1973

[106.1-106.61](#) Discrimination on the basis of sex, effectuating Title IX

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SP 6178.1

WORK-BASED LEARNING

The County Superintendent desires to facilitate work-based learning opportunities which link classroom learning with real-world experiences. Butte County Office of Education's work-based learning program shall be designed to teach students the skills, attitudes, and knowledge necessary for successful employment and to reinforce mastery of both academic and career technical education (CTE) standards.

Butte County Office of Education's work-based learning program may offer opportunities for paid and/or unpaid work experiences, including, but not limited to:

1. Work experience education as defined in Education Code [51764](#)
2. Cooperative CTE or community classrooms as defined in Education Code [52372.1](#)
3. Job shadowing experience as defined in Education Code [51769](#)
4. Student internships
5. Apprenticeships
6. Service learning
7. Employment in social/civic or school-based enterprises
8. Technology-based or other simulated work experiences

The County Superintendent or designee may provide students employment opportunities with public and private employers in areas within or outside the county, including in any contiguous state.

The County Superintendent may elect to pay wages to students participating in a work-based learning program, but shall not make payments to or for private employers except for students with disabilities who are participating in work experience education programs funded by the state for such students.

Any Butte County Office of Education plan for work-based learning shall be submitted to the County Superintendent for approval. When required, the plan shall be submitted to the California Department of Education or other state agency or official.

The County Superintendent or designee shall involve local businesses or business organizations in planning and implementing work-based learning opportunities that support Butte County Office of Education's vision and goals for student learning and local workforce development efforts. They also may work with postsecondary institutions, community organizations, and others to identify opportunities for work-based learning.

When required by law, the County Superintendent or designee shall develop a written training agreement with the employer that describes the conditions and requirements to be met by all parties and shall develop an individual training plan for each student which outlines the objectives or competencies that the student is expected to accomplish at the work site.

To ensure appropriate guidance and supervision of participating students and maximize the educational benefit from placement in any work-based learning program, staff shall coordinate with the workplace supervisors or mentors.

A minor student shall be allowed employment through a paid work-based learning program only if the student has been issued a work permit, in accordance with law, County Superintendent's Policy and Administrative Regulations.

All laws or rules applicable to minors in employment relationships shall be applicable to students enrolled in work-based learning programs.

The County Superintendent or designee shall ensure that any student participating in a work-based learning program off

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school grounds is covered under the employer's or County Office's insurance, as applicable, in the event the student is injured.

The County Superintendent or designee shall ensure that any teacher-coordinator of a work-based learning program possesses the appropriate credential issued by the Commission on Teacher Credentialing.

The County Superintendent or designee shall maintain records related to each student's participation in the work-based learning program, including, but not limited to, the student's individualized training plan, employment hours and job site, work permit if applicable, the employer's report of student's attendance and job performance, the teacher-coordinator's consultations and observations, and reports of the student's grade and credits earned.

The County Superintendent or designee shall periodically report to the Butte County Board of Education regarding program implementation and effectiveness, including, but not limited to, rates of student participation in work-based learning programs and assessment results of participating students.

Legal Reference:

Education Code

[35208](#) Liability insurance

[46144](#) Minimum school day for work experience program

[46147](#) Exception for minimum day; students in last semester or quarter of grade 12

[46300](#) Method of computing ADA

[48402](#) Enrollment in continuation education, minors not regularly employed

[49110-49119](#) Permits to work

[49160](#) Permits to work, duties of employer

[51760-51769.5](#) Work-based learning

[52300-52499.66](#) Career technical education

[54690-54697](#) Partnership academies

[56026](#) Students with exceptional needs

[52372.1](#) Community classrooms and cooperative career technical education programs

Labor Code

[1285-1312](#) Employment of minors

[1391-1394](#) Working hours for minors

[3070-3099.5](#) Apprenticeship

[3200-6002](#) Workers' compensation and insurance

Code of Regulations, Title 5

[1635](#) Credit for work experience education

[10070-10075](#) Work experience education

[10080-10090](#) Community classrooms

[10100-10111](#) Cooperative career technical education programs

United States Code, Title 20

[2301-2414](#) Carl D. Perkins Career and Technical Education Act of 2006

Code of Federal Regulations, Title 29 570.35a Work experience programs

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SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

AR 6178.1

REGULATIONS REGARDING WORK-BASED LEARNING

Work Experience Education

Butte County Office of Education's work experience education (WEE) program shall consist of one or more of the following types of unpaid and paid on-the-job experiences:

1. Exploratory WEE which provides students with a combination of related classroom instruction in WEE and unpaid opportunities to observe and sample systematically a variety of conditions of work for the purpose of ascertaining their interest and suitability for the occupation they are exploring
The length of exploratory WEE assignments may vary depending on the aptitude of the student, the occupation being explored, the facilities of the work station, and the job classification. A student may not participate in an exploratory WEE assignment if the student receives pay for like work at the same work station or similar job outside of the WEE program.
2. General WEE which has as its purpose the application of basic skills of reading, writing, and computation and which provides students an opportunity to acquire general and specific occupational skills through a combination of supervised paid employment in any occupational field and related classroom instruction in WEE
3. Career technical WEE which reinforces and extends career learning opportunities for students through a combination of related classroom instruction in WEE and supervised paid or unpaid employment in the occupation for which their career technical course in school prepares them

The student-teacher ratio in any WEE program shall not exceed 125 students per full-time equivalent certificated teacher coordinator.

The minimum day for students enrolled in a WEE program shall be four periods totaling at least 180 minutes in duration, unless the school or student meets one of the conditions specified in Education Code [46144](#) or [46147](#).

A WEE program offered during the summer shall be conducted in the same time period as the regular summer school program and shall conform to all appropriate laws and regulations applicable to WEE.

Each WEE program shall operate under the supervision of a teacher-coordinator. The teacher-coordinator shall make at least two on-site contacts per semester with each work supervisor or at least one on-site contact during summer school to evaluate student performance.

Any student who is age 16 years or older and who satisfactorily completes a WEE program with a minimum of one instructional period per week of related classroom instruction or counseling by a certificated employee, in sessions scheduled intermittently throughout the semester, shall be granted up to 40 semester periods of credit for WEE within the following limits:

1. For exploratory WEE, the student may earn 10 semester periods for each semester, with a maximum of 20 semester periods earned in two semesters.
2. For either general or career technical WEE, the student may earn 10 semester periods for each semester, with a maximum of 40 semester periods.

Any student who satisfies the above requirements but is under age 16 may be granted credit under any of the following conditions:

1. The student is enrolled in grade 11 or higher.
2. The principal certifies that the student is in need of immediate work experience education in order to pursue employment opportunities.
3. The principal certifies that, without being provided an opportunity to enroll in the WEE program, there is a high probability that the student will no longer be enrolled as a full-time student.

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4. The student is age 14 years or older and the principal certifies that such credit is necessary for the student's participation in a career technical education (CTE) program.
5. The student has an individualized education program (IEP) which prescribes the type of training for which participation in a WEE program is deemed appropriate.

Cooperative Career Technical Education Program/Community Classrooms

To be eligible for program participation, a student shall be concurrently enrolled in a CTE course or program approved by the California Department of Education and shall meet other criteria specified in 5 CCR [10103](#) as applicable.

At least one instructional period per week of formal CTE classroom instruction shall be provided to participating students. Each CTE instructional period shall be equivalent to a minimum of three regular classroom instructional periods of at least 50 minutes each week.

Teachers assigned to the program shall locate and select training stations to provide participating students with unpaid on-the-job learning experiences in the specific occupation related to the approved course or program. The cooperative CTE program teacher shall make at least one visitation every four weeks to each employer to ensure that the provisions of the training agreement are being met and that students are acquiring the competencies identified in their individual training plans. One out of every two visits to the training station shall include an observation of the student engaged in on-the-job training experiences.

Students shall be granted academic credit for satisfactory completion of the program. The teacher shall be responsible for evaluating the student's performance in the CTE course and, with the assistance of the employer, the student's participation at the training station.

Job Shadowing

The program coordinator shall identify job shadowing placements with the goal of providing students with exposure to a broad range of career options and employment settings.

The program coordinator shall supervise job shadowing activities, including the coordination of the student's and employer's schedules and consultation with the student's other teachers when necessary.

Participating students may attend job shadowing opportunities for up to 25 hours but no less than three hours in one semester, intersession, or summer school session. However, a student may be permitted to participate for up to 40 hours in one semester, intersession, or summer school session, if the principal certifies that it is necessary for the student's participation in a CTE program.

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SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6178.2

REGIONAL OCCUPATIONAL CENTER/PROGRAM

The County Superintendent recognizes the value of career and technical education for high school students and adults. As such, the Butte County Office of Education operates the Butte County Regional Occupational Program (ROP) for the secondary school students of Butte County as well as some adults.

The Butte County Office of Education ROP programs shall provide a curriculum, which includes skill training in occupational fields having current and future needs for such training. The program will provide an opportunity for students to acquire technical and occupational skills, which may lead to a combination work / study schedule, upgrading vocational skills and retraining where necessary. In addition, the program will prepare students for enrollment in more advanced training to enter into postsecondary and tech-prep programs.

Butte County Office of Education ROP programs will ask Butte County school districts to refer eligible students to the Butte County Office of Education ROP programs under the governance of the County Superintendent and Butte County Board of Education. The Butte County Office of Education ROP program will ensure that district students receive a high-quality career technical program. The district Superintendent or designee shall work with the Butte County ROP programs to identify appropriate means for the district to provide input into the ROP program development, budget adoption, program evaluation, and other matters. The Butte County ROP program may enter into contracts with districts for the provision of teachers, student support services, facilities, or other services to students enrolled in the program.

To enroll in the Butte County Office of Education ROP program on a part-time basis, a district high school or adult student must have their admittance approved by the Butte County Office of Education ROP program based on a determination that the student will benefit from the program. To be eligible, a student must be at least 16 years of age, unless the student meets one of the conditions specified in Education Code.

A student who is attending may be exempted from full-time compulsory continuation education program and/or physical education in accordance with law, policy, or regulation.

Credits earned from courses completed in the Butte County Office of Education ROP Program may be applied toward fulfillment of high school graduation course requirements.

Academic counseling programs shall be designed to increase students' awareness of available education options aligned with their career goals, including, as appropriate, career technical programs offered through the Butte County Office of Education ROP program.

The Butte County Office of Education ROP program will annually review and assess the participation of county students in grades 11-12, shall review student achievement data, and shall adopt an annual plan to increase participation of students in the program, unless it is determined that there are no additional students who would benefit from this participation.

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

Legal Reference

Education Code

1205 Classification of counties

37223 Weekend classes

39807.5 Transportation to ROC/P, parent/guardian payment

41850 Transportation to ROC/P, apportionments

44910 Permanent employment status; preclusion of ROC/P service

46140 Attendance credit

46300 Computation of average daily attendance

48410 Exemption from compulsory continuation education 48430-48433 Continuation education, ROC/P classes

51225.3 Requirements for graduation

52300-52335.6 Regional occupational centers/programs 52378 Supplemental school counseling program, grades 7-12

60850-60859 High school exit examination

60900 California longitudinal student achievement data system

Government Code

6500-6536 Joint powers agreements

Labor Code

3368 Workers' compensation, responsibility in jointly operated ROC/P

Unemployment Insurance Code

15037.1 Education and job training, performance accountability

Code of Regulations, Title 5

10080-10092 Community classrooms

10100-10111 Cooperative vocational education

11500 – 11508 Regional occupational centers and programs

United States Code, Title 20

2301-2414 Carl D. Perkins Career and Technical Education Act of 2006

6319 Highly qualified teachers

Approved: July, 2008

Revised: June, 2017

Reviewed: July, 2021

Revised: February, 2022

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6178.3

CHILD DEVELOPMENT PROGRAM

The County Superintendent recognizes the importance of the early years of development on future school readiness and success and shall provide the resources necessary to assure there are systems in place to provide for responsive, continuous improvement.

The County Superintendent supports the core framework of child development theory that states that parents are a child's first teacher, children grow and develop in predictable milestones at various ages and stages, and that all children need to cultivate all domains of development (physical, cognitive, and psycho-social) in order to achieve their best potential. Programs serving young children and their families shall be in compliance with state and federal laws regulating health and safety, best practices for providing child development services, and funding terms and conditions.

Instruction is based on sound principles of appropriate educational practices for young children and curriculum models will be chosen that are grounded in research success. All children will be screened, assessed, and evaluated to assure early intervention services are accessed when needed.

All children will have an appropriate educational portfolio identifying current levels of development to help with transitions to other educational programs. Parents will be partners in the screening, assessment, and evaluation process of their children.

Approved: July, 2004

Revised: June, 2017

Reviewed: July, 2021

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6179

SUPPLEMENTAL INSTRUCTION

The County Superintendent 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. Butte County Office of Education 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 Butte County Office of Education in meeting its goals for student achievement.

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.

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.

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, written parent/guardian consent shall be obtained for the student's participation.

Supplemental instruction shall be offered to students in grades 2-9 who have been retained or recommended for retention at their current grade level.

Butte County Office of Education shall offer alternative supports designed to increase the academic achievement of socioeconomically disadvantaged students attending schools identified by the California Department of Education for program improvement for two or more consecutive years.

In addition, supplemental instruction may be offered to:

1. Students who are identified as being at risk for retention based on state assessment results, grades, or other indicators
2. Students who demonstrate academic deficiencies that may jeopardize their attainment of academic standards
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

[42238.01-42238.5](#) Local control funding formula

[46100](#) Length of school day

[48070-48070.6](#) Promotion and retention

[48200](#) Compulsory education

[48985](#) Translation of notices

[51210-51212](#) Courses of study, elementary schools

[51220-51228](#) Courses of study, secondary schools

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

[52060-52077](#) Local control and accountability plan [60603](#) Definitions, core curriculum areas
[60640-60649](#) California Assessment of Student Performance and Progress Code of Regulations, Title 5
[11470-11472](#) Summer school United States Code, Title 20 [6311](#) State plan

Approved: June, 2017

Revised: September, 2020

Reviewed: July, 2021

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

AR 6183

REGULATIONS REGARDING HOME AND HOSPITAL INSTRUCTION

A student with a temporary disability which makes school attendance impossible or inadvisable shall be entitled to receive individual instruction at home or in a hospital or other residential health facility, excluding state hospitals.

Temporary disability means a physical, mental, or emotional disability incurred while a student is enrolled in regular day classes or an alternative education program, and after which the student can reasonably be expected to return to regular day classes or the alternative education program in which the student is enrolled. Temporary disability does not include a disability that would qualify a student for special education pursuant to Education Code 56026. (Education Code 48206.3)

At the beginning of the school year, the County Superintendent or designee shall notify parents/guardians of students regarding:

1. The availability of individual instruction for any student with a temporary disability, including information regarding student eligibility for, and the duration of, individual instruction
2. The rights and responsibilities of parents/guardians of any student with a temporary disability pursuant to Education Code 48207 and 48208

Parents/guardians shall notify the principal or designee when their child is temporarily disabled and needs individual instruction at home or in a hospital or other residential health facility.

Determination of Student Eligibility

Not later than five working days after receiving notification from a parent/guardian that a student has a temporary disability, the County Superintendent or designee shall determine whether the student will be able to receive individual instruction at home or in a hospital or residential health facility.

The County Superintendent or designee may require verification through any reasonable means that the student is temporarily disabled and needs individual instruction.

Provision of Individual Instruction

Individual instruction at a student's home or in a hospital or other residential health facility shall begin no later than five working days after the County Superintendent or designee makes the determination that the student is eligible to receive individual instruction. (Education Code 48207.5, 48208)

The County Office shall be responsible for providing individual instruction to any BCOE enrolled student temporarily disabled student who is in a hospital or other residential health facility. If the student is enrolled in another district, the County Superintendent or designee may enter into an agreement to have the student's district of residence provide the individual instruction. The County Superintendent or designee may also enter into an agreement to provide individual instruction to a BCOE student who is in a hospital or other residential health facility located within the boundaries of another district. (Education Code 48208)

Whenever the County Office provides individual instruction to a non-district student who is in a hospital or other residential health facility, the County Superintendent or designee shall, within five working days of the beginning of the individual instruction, provide written notification to the student's district of residence that, effective on the date on which individual instruction began, the district of residence may not count the student for purposes of computing

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

that district's average daily attendance.

A student receiving individual instruction in a hospital or residential health facility for a partial week shall be entitled to attend school or receive individual instruction at home on days in which the student is not receiving individual instruction in the hospital or other residential health facility, if the student is well enough to do so. (Education Code 48207.3)

Home or hospital instruction shall be provided only by teachers with valid California teaching credentials who consent to the assignment.

Insofar as possible, the student's regular teacher(s) are offered the home teaching opportunity first. The teacher providing home or hospital instruction shall consult with the student's current classroom teacher(s) so as to provide a continuity of instruction that enables the student to stay abreast with the regular school program.

The County Office's attendance supervisor shall ensure that the absences of any temporarily disabled student receiving individual instruction at home or in a hospital or other residential health facility are excused until the student is able to return to the regular school program.

Return to School

A student receiving individual instruction who is well enough to return to school shall be allowed to return to the school that the student attended immediately before receiving individual instruction, if the return occurs during the school year in which the individual instruction was initiated. (Education Code 48207.3)

Legal Reference:

EDUCATION CODE

44865 Qualifications for home teachers

45031 Home teachers

48200 Minimum school day

48206.3-48208 Students with temporary disabilities; individual instruction

48240 Supervisors of attendance

48980 Parental notifications

51800-51802 Employment of home teachers

56026 Individual with exceptional needs

CODE OF REGULATIONS, TITLE 5

421 Method of verification

423 Prolonged illness

(6/89 10/98) 12/18

Approved: June, 2011

Revised: June, 2017; September, 2020

Reviewed: July, 2021

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6186

Juvenile Court Schools

The Butte County Office of Education shall provide for the administration and operation of a juvenile court school that meets the needs of students who are under the protection or authority of the county juvenile justice system and have been placed in juvenile halls, juvenile homes that house 25 or more children, day centers, ranches, camps, or regional youth education facilities.

The County Superintendent of Schools shall be responsible for the administration of juvenile court schools.

The juvenile court administrator may, in accordance with Education Code 48646, enter into a memorandum of understanding or other agreement with the county chief probation officer to establish a process for communication, decision making, mutual goals, and conflict resolution to support the needs of students who are receiving their education in juvenile court schools.

School Calendar

The County Superintendent or designee shall adopt an annual school calendar identifying holidays and staff in-service days for juvenile court schools.

Unless otherwise provided by law, the minimum school day shall be 240 minutes.

Educational Programs

Juvenile court schools shall offer a curriculum that meets state academic standards and a course of study that prepares students for a high school diploma or high school equivalency certificate, career entry, and college admission. The County Superintendent shall adopt a course of study for juvenile court schools and shall regularly evaluate the educational program established. The prescribed courses of study shall be kept on file for public inspection.

Students enrolled in a juvenile court school shall participate in physical education courses unless exempted by law, including, but not limited to, an exemption for students whose school is located in a juvenile home, ranch, or camp where students are otherwise scheduled for recreation and exercise.

Any student who completes the graduation requirements of the student's school district of residence while attending juvenile court school shall receive a diploma from the school last attended in the district of residence or from the Butte County Office of Education.

School Facilities

Any plans for the construction of juvenile court school classrooms, offices, or any other school structures in any juvenile hall, juvenile home, day center, juvenile ranch, or juvenile camp shall be approved by the County Superintendent and the County Board of Supervisors. The cost of such construction shall be charged against county funds.

Joint Transition Planning

The County Superintendent shall ensure that the Butte County Office of Education and the county department of probation have a joint transition planning policy for the purposes of improving communication regarding dates of release and educational needs of students who have had contact with the juvenile justice system, coordinating immediate school placement and enrollment, and ensuring that probation officers in the community have the information they need to support the return of students who are being transferred from juvenile court schools to public schools in their communities. The transition planning policy shall include the assignment of transition oversight responsibilities to COE personnel who will work in collaboration with the county probation department, as needed, and relevant local educational agencies to facilitate:

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

1. The transfer of complete and accurate education records, including the student's individualized education program (IEP) or Section 504 plan, if applicable, when a student enters the juvenile court school
2. Access to information about postsecondary academic and vocational opportunities, including college financial aid programs
3. The implementation of the student's transition plan, if one exists
4. The transition of a student from a juvenile court school to a public school in the community, including procedures for the student's immediate enrollment, transfer of course credits, placement in appropriate courses based on completed coursework, and the transfer of complete and accurate education records, including any IEP or Section 504 plan, within 72 hours of the student's release from the juvenile detention facility

Individualized Transition Plan

For any student detained for 20 consecutive school days or fewer, a copy of the student's individualized learning plan, if one exists, shall be made available by the COE to the student upon the student's release, if possible.

Legal References:

FEDERAL

48645-48647 Juvenile court schools

51040 Prescribed courses

51041 Educational program

51220 Areas of study

51222 Physical education, secondary schools

51241 Exemptions from physical education

602 Minors violating law; ward of court

60200 Adoption of instructional materials

880-893 Wards and dependent children; juvenile homes, ranches and camps

Approved: December, 2021

Revised: February, 2022

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 6201

CHARTER SCHOOLS

The Legislature enacted the Charter Schools Act to provide opportunities for teachers, parents, pupils and community members to establish and maintain schools that operate independently from existing school district structure. The County Superintendent supports the legislative intent behind the Charter Schools Act. In order to further the intent of the Charter Schools Act, the Butte County Office of Education may grant, deny or renew a charter as provided for in the Education Code and other applicable laws.

Legal Reference Education Code 47600 et seq.

Approved: June, 2011

Revised: June, 2017

Reviewed: July, 2021