

TITLE I PROGRAM IMPROVEMENT SCHOOLS

Definitions

Adequate yearly progress (AYP) encompasses the following four requirements:

1. Annual measurable objectives: Achievement of the statewide annual measurable objectives (AMOs) on English-language arts (ELA) and mathematics assessments (schoolwide/districtwide and subgroups). AMOs are the minimum required percentages of students at proficient or above in each content area.
2. Participation rate: Achievement of 95 percent student participation rate on ELA and mathematics assessments (schoolwide/districtwide and subgroups) or average of 95 percent over a three-year period.
3. Academic Performance Index (API): Growth in the API score of at least one point or a minimum growth API as defined annually by the State Board of Education (SBE) (schoolwide/districtwide).
4. Graduation Rate: Improvement in the graduation rate of at least .1 percent or a graduation rate of 100 percent (schoolwide/districtwide). This applies only to high schools and districts with high school students.

At or above the proficient level, for students in grades 2-8, means the percentage of students scoring at the proficient or advanced level on the California Standards Tests. At the high school level, proficiency is determined by equivalent levels on the California High School Exit Examination as determined by the SBE. For special education students, *proficient* is limited to the performance on the California Alternate Performance Assessment (CAPA).

(cf. 6162.51 - Standardized Testing and Reporting Program)

(cf. 6162.52 - High School Exit Examination)

Eligibility for supplemental education services is based on family income. (34 CFR 200.45)

Numerically significant subgroups include economically disadvantaged students, students from major racial and ethnic groups, students with disabilities and students with limited English proficiency. For purposes of determining AYP, a significant subgroup is at least 100 students, or 50 students who represent at least 15 percent of the students to be tested.

Program improvement school is a school receiving federal Title I funds that has failed to make AYP for two or more consecutive school years on the same indicator (i.e., AMOs for ELA and mathematics, participation rate, API, graduation rate).

Year One Program Improvement

When any Title I school is identified for Year One Program Improvement: (20 USC 6316)

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1. The Superintendent or designee shall provide students enrolled in the school the option of transferring to another district school or charter school that has not been identified for program improvement, as described below under "Student Transfers."

(cf. 0420.4 - Charter Schools)

2. The principal and school community shall develop or revise a two-year improvement plan in accordance with 20 USC 6316, for approval by the Board of Trustees.

(cf. 0420 - School Plans/Site Councils)

(cf. 6171 - Title I Programs)

Within 45 days of receiving the plan, the Board shall establish a peer review process to assist with the review of the plan, work with the school as necessary, and approve the plan if it meets the requirements of law. (20 USC 6316)

The school shall implement the improvement plan no later than the beginning of the next full school year following the school's identification for program improvement, or, if the plan has not been approved prior to beginning the school year, immediately upon approval of the plan. (20 USC 6316)

As the school develops and implements the school plan, the Superintendent or designee shall ensure that the school receives technical assistance either from the district, the California Department of Education, an institution of higher education, a private organization, an educational service agency or another entity with experience in helping schools improve academic achievement, including assistance in: (20 USC 6316)

1. Analyzing state assessment data and other examples of student work to identify and address problems in instruction and/or problems in implementing Title I requirements pertaining to parent involvement, professional development, or school and district responsibilities identified in the school's Title I plan
2. Identifying and implementing professional development, instructional strategies and methods of instruction that are based on scientifically based research and that have proven effective in addressing the specific instructional issues that caused the school to be identified for school improvement
3. Analyzing and revising the school's budget so that the school's resources are more effectively allocated to the activities most likely to increase student achievement and to remove the school from program improvement status

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Year Two Program Improvement

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

1. Continue to provide all elements of Year One Program Improvement
2. Arrange for the provision of supplemental educational services to eligible students from low-income families by a provider with a demonstrated record of effectiveness, as described below under "Supplemental Educational Services"
3. Continue to provide for technical assistance

Year Three Program Improvement

When a school continues to fail to make AYP by the end of the second full school year after identification for program improvement (four consecutive years of failure to make AYP), the Superintendent or designee shall continue to provide all elements of Year One and Year Two Program Improvement. In addition, the Board shall take at least one of the following corrective actions: (20 USC 6316)

1. Replace school staff relevant to the failure
2. Implement a new curriculum and related professional development
3. Significantly decrease management authority at the school level
4. Appoint an outside expert to advise the school
5. Extend the school year or school day for the school
6. Restructure the internal organization of the school

Year Four and Beyond Program Improvement

For any school that continues to fail to make AYP after one full year of corrective action, the Superintendent or designee shall continue to provide all elements of Year One and Year Two Program Improvement. In addition, the Board shall implement one of the following options for alternative governance and restructuring, consistent with California law: (20 USC 6316)

1. Reopen the school as a charter school

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

Notifications

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

1. An explanation of what the identification means, and how the school compares in terms of academic achievement to other elementary or secondary schools in the district and state
2. The reasons for the identification
3. An explanation of what the school is doing to address the problem of low achievement
4. An explanation of what the district or state is doing to help the school address the achievement problem
5. An explanation of how parents/guardians can become involved in addressing the academic issues that caused the school to be identified for program improvement
6. An explanation of the option to transfer to another district school or charter school or to obtain supplemental educational services

(cf. 5145.6 - Parental Notifications)

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

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

All notifications pertaining to program improvement shall be written in an understandable and uniform format and, to the extent practicable, in a language the parents/guardians can understand. (20 USC 6316)

Student Transfers

All students enrolled in a Title I school that is identified for program improvement in Year One and beyond shall be provided an option to transfer to another district school or charter school that: (20 USC 6316; 34 CFR 200.44)

1. Has not been identified for program improvement, corrective action or restructuring
2. Has not been identified by the California Department of Education as a "persistently dangerous" school pursuant to 20 USC 7912

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5116.1 - Intradistrict Open Enrollment)

Among these students, priority shall be given to the lowest achieving students from low-income families, as defined by the district for purposes of allocating Title I funds. (20 USC 6316)

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

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

The transfer option shall be offered not later than the first day of the school year following administration of the assessments that resulted in the identification of the school for program improvement, corrective action or restructuring. (34 CFR 200.44)

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An explanation of the option to transfer to another public school shall be promptly provided to parents/guardians of each student enrolled in an identified school. Such notice shall be provided in an understandable and uniform format and, to the extent practicable, in a language that the parents/guardians can understand. (20 USC 6316)

Notice of the transfer option shall:

1. Inform parents/guardians that their child is eligible to attend another public school due to the identification of the current school as in need of improvement
2. Identify each public school or public charter school that the parent/guardian can select
3. Explain why the choices made available to them may have been limited
4. Provide information on the academic achievement of the school(s) to which the student may transfer (34 CFR 200.37)
5. Explain the provision of transportation to the new school (34 CFR 200.37)

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

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

The Superintendent or designee may establish reasonable timelines for parents/guardians to indicate their intent to transfer their child and for the district to notify parents/guardians of the school assignment.

The Superintendent or designee may require parents/guardians to rank-order their preferences from among schools that are eligible to receive transfer students. Parents/guardians may decline their assigned school and remain in their school of origin.

The district shall provide, or shall pay for the provision of, transportation for the student to the public school that student chooses to attend. (20 USC 6316)

(cf. 3540 - Transportation)

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

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

If all district schools are identified for program improvement, corrective action or restructuring, the Board shall, to the extent practicable, establish a cooperative agreement with other local educational agencies in the area for an interdistrict transfer. (20 USC 6316)

(cf. 5117 - Interdistrict Attendance)

Supplemental Educational Services

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

(cf. 6011 - Academic Standards)

(cf. 6179 - Supplemental Instruction)

When a school is required to provide supplemental educational services, the Superintendent or designee shall annually notify parents/guardians of:

1. The availability of supplemental educational services (20 USC 6316)
2. The identity of approved providers that are within the district or are reasonably available in neighboring local educational agencies (20 USC 6316)
3. The identity of approved providers that are accessible through technology, such as distance learning
4. The services, qualifications and demonstrated effectiveness of each provider (20 USC 6316)
5. The procedures and timelines that parents/guardians must follow to select a provider

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

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

The Superintendent or designee shall ensure that eligible students with disabilities, students covered under Section 504 and students with limited English proficiency receive appropriate supplemental educational services with any necessary accommodations or language assistance. (34 CFR 200.46)

If no provider is able to make the services available to such students, the district shall provide these services with necessary accommodations or language assistance, either directly or through a contract. Supplemental educational services shall be consistent with a student's individualized education program or Section 504 plan.

(cf. 6159 - Individualized Education Program)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

(cf. 6164.6 - Identification and Education Under Section 504)

(cf. 6174 - Education for English Language Learners)

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

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

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

1. Require the district to develop, in consultation with the parents/guardians and the provider, a statement of specific achievement goals for the student, how the student's progress will be measured, and a timetable for improving achievement. In the case of a student with disabilities, the statement shall be consistent with the student's individualized education program.
2. Describe how the student's parents/guardians and teacher(s) will be regularly informed of the student's progress.

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3. Provide for the termination of the agreement if the provider is unable to meet such goals and timetables.
4. Contain provisions with respect to the district making payments to the provider.
5. Prohibit the provider, without written parent/guardian permission, from disclosing to the public the identity of any student eligible for or receiving supplemental educational services.