Steering Committee Meeting

November 8, 2018

Bay Area
Dashboard Updates - State Indicators
New Look and Feel for the Dashboard
New Logo

OLD

NEW

California School DASHBOARD

California School DASHBOARD
No More Pies...Gauges Are In!!

OLD

NEW
Sacramento Charter High

Explore information about Sacramento Sample District under California’s accountability system. All data shown is from Fall 2017.

- **English Language Arts**: Yellow
- **Mathematics**: Orange
- **English Learner Progress**: Blue
- **College / Career**: Green
- **Chronic Absenteeism**: Green
- **Graduation Rate (Grades 9-12)**: Green
- **Suspension Rate**: Green
- **Basics: Teachers, Instructional Materials, Facilities - Priority One**: INDICATOR MET
- **Implementation of Academic Standards - Priority Two**: INDICATOR MET
- **Parent Engagement - Priority Three**: INDICATOR MET
- **Local Climate Survey - Priority Six**: INDICATOR MET
Indicator Landing Page: Academic Performance
Indicator Landing Page: Academic Engagement

Academic Engagement
See data about academic participation. Click to view additional data by topic.

ABOUT THIS INDICATOR
Chronic Absenteeism
All Students | State
Green
2% chronically absent
Declined 0.5%
Equity Report: Student Group Performance

ABOUT THIS INDICATOR
Graduation Rate (Grades 9-12)
All Students | State
Orange
78% graduating within four years
Declined 3.0%
Equity Report: Student Group Performance

View More Detail →
Indicator Landing Page: Conditions and Climate
Indicator In-Depth Displays

**Graduation Rate (Grades 9-12)**
- All Students: Orange
- State: Orange
- 78% graduating within four years
- Declined 3.0%

**English Learner Progress**
- All Students: State
- Language Proficiency Assessments for California Results
- Level 4 - Well Developed: 9.4%
- Level 3 - Moderately Developed: 38.1%
- Level 2 - Somewhat Developed: 23.6%
- Level 1 - Beginning Stage: 28.9%

Equity Report: Student Group Performance
- 1 RED
- 1 ORANGE
- 5 YELLOW
- 5 GREEN
- 1 BLUE

View More Detail ➔
More Detail: Student Groups

Student Group Details

All Student Groups by Performance Level

Total Number of Student Groups = 11

- **Red**: Students with Disabilities
- **Orange**: Asian
- **Yellow**: Foster
- **Green**: Homeless
- **Blue**: Filipino

- **Socioeconomically Disadvantaged**: African American, Two or More Races
- **American Indian**: Hispanic
- **Pacific Islander**:
More Detail: Performance Level

Distance from Level 3 (Grades 3-8)

Distance from Level 3 measures how far each student is from the lowest possible scale score within the Level 3 (or Standard Met) Smarter Balanced performance level. The Smarter Balanced Consortium has identified Level 3 as demonstrating the knowledge and skills necessary for students to be on track for college and career readiness at their grade level.
State Indicators
High School Graduation Rate

- Previous changes to four-year calculation methodology will be applied
- Five-year graduation rate will be included (for informational purposes only)
- Five-year rate could be added to 2019 Dashboard
**Academic Performance***

- Elementary Schools and Districts
  - Grades 3–8
  - Grade 3–8 5x5 (same as 2017)
- High Schools and High School Districts (**NEW!**)
  - Grade 11
  - New 5x5 (scheduled for adoption in Nov.)
- Unified Districts (**REVISED!**)
  - Grades 3–8 **and 11**
  - Grades 3 – 8 5x5 (same as 2017)

*Pending November 2018 State Board of Education decisions*
Academic Indicator: Participation Rate

• Per U.S. Department of Education requirements
• New with 2018 Dashboard

• Schools and student groups that did not test 95 percent will be impacted as follows:
  • The Academic Indicator value (i.e., the Distance from Level 3) will be reduced by one-fourth of the percentage points needed by the school or student group to reach the 95 percent participation target.
Suspension Rate

- No changes!!!
Two new measures will be added to the 2018 Dashboard!

- State Seal of Biliteracy
- Leadership/Military Science

First time for performance levels (colors)
Chronic Absenteeism

Definition:
A student is considered chronically absent if the student misses 10 percent or more of the instructional days that the student was expected to attend.

Example:
Total Instructional Days = 180

• Student A
  • Absent 16 days  No

• Student B
  • Absent 18 days  Yes

• Student C
  • Absent 35 days  Yes
Chronic Absenteeism Details

• Reported via CALPADS
• Calculation includes only students enrolled for at least 31 instructional days
• 2018 Dashboard will include “Status” and “Change”
• Check out 2016–17 data:
  • https://dq.cde.ca.gov/dataquest/DQCensus/AttChrAbsRate.aspx?aggllevel=State&cds=00&year=2016-17
English Learner Progress

• Not in Fall 2018 Dashboard as indicator
• 2017–18 ELPAC performance levels reported (for informational purposes)
• “Status” only in 2019 Dashboard; “Change” in 2020
• Development and technical work underway
Dashboard Alternative Schools Status (DASS)

• Schools automatically qualify or apply

• Included in 2018 Dashboard for the first time

• Same state indicators; alternate calculation methodologies:
  • Graduation Rate (in 2018 Dashboard)
  • CCI (under development for future Dashboard releases)
DASS: 1-year Graduation Rate

- Must have 30 students in grade 12
- Same counting rules as the four-year graduation rate
- Different cut scores for “Status” and “Change” than four-year graduation rate
Upcoming Deadlines and Events

• Already started:
  • LCAP Webinar series
    • Tuesdays at 2pm

• November
  • State Indicator Webinar Series
  • Local indicator deadline (11/16)
  • Rolling LEA preview

• December
  • State release (Week of 12/3)
Disproportionality Protocols*

- CDE’s disproportionality review is a two-prong process that includes a policy and procedure review and a student record review.
- In your packet are the record review protocols as a reminder of what CDE is looking for during the record review.
- Please note that CDE is only reviewing protocol items in the areas where the LEA was disproportionate (e.g., the LEA was determined to be disproportionate in suspension and expulsion so only the suspension and expulsion protocol will be used).
- When the review is complete you should be notified by CDE if any further actions are required.

* Denotes a handout
CDE Quality Assurance Process

Data Identified Noncompliance & Performance Indicator Review
Quality Assurance Process (QAP) Overview

QAP starts with indicators derived from State Performance Plan and Annual Performance Report (APR), federal monitoring requirements, court decisions and other initiatives (results driven accountability, LCFF/LCAP).

The indicators are used for a variety of purposes including evaluating state and local performance, preparing required reports by the state, and identifying needs for monitoring, correction and improvement.

A shift continues to occur from a focus on compliance to outcomes.
Quality Assurance Process (QAP)
Three Review Activities

Data-Identified Non-Compliance (DINC)
- 11. Eligibility Evaluation
- 13. Secondary Transition
- Annual IEP Timelines
- Triennial IEP Timelines
- 12. Part C to B Transition (3rd bday)

Disproportionality (DISPRO)
- 9. Racial/Ethnic disproportionality (overall)
- 4. Suspension/Expulsion
- 5. Least Restrictive Environments

Disproportionality by Eligibility Category

Performance Indicator Report (PIR)
- 1. Graduation Rate
- 2. Dropout Rate
- 3. Statewide Assessment
- 4. Suspension/Expulsion
- 5. Least Restrictive Environments
- 8. Parent Involvement
- 14. Post-School Outcomes
### Indicators and Review Activities

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Graduation Rate</td>
<td>PIR</td>
</tr>
<tr>
<td>2. Dropout Rate</td>
<td>PIR</td>
</tr>
<tr>
<td>3. Statewide Assessment (Participation, Proficiency)</td>
<td>PIR</td>
</tr>
<tr>
<td>4. Suspension/Expulsion</td>
<td>PIR &amp; DISPRO</td>
</tr>
<tr>
<td>5. Least Restrictive Environments</td>
<td>PIR &amp; DISPRO</td>
</tr>
<tr>
<td>8. Parent Involvement</td>
<td>PIR</td>
</tr>
<tr>
<td>9. Racial/Ethnic Disproportionality</td>
<td>DISPRO</td>
</tr>
</tbody>
</table>
### Indicators and Review Activities

| 10. Disproportionality by Disability Category | DISPRO |
| 11. Eligibility Evaluation | DINC |
| 13. Secondary Transition | DINC |
| **14. Post-School Outcomes** | PIR |
| Annual IEP Timeline | DINC |
| Triennial Review Timeline | DINC |
### California Special Education Indicators Alignment Metrics

<table>
<thead>
<tr>
<th>Indicator 1 (Performance) Graduation 4-Year Rate</th>
<th>Definition</th>
<th>CDE Compliance Process</th>
<th>Dash board Y/N</th>
<th>Data Source</th>
<th>Data Fields</th>
<th>Target</th>
<th>LCAP Priority #</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percent all exiting students within a four-year cohort in grade twelve and entering ungraded students eighteen and over, who graduate from high school with a regular diploma.</td>
<td>FFR Comp Review</td>
<td>Y</td>
<td>CALPADS PRIOR YEAR DATA</td>
<td>- Student School Exit Code</td>
<td>- Graduation Rate of 0.94%</td>
<td>15-16: 90%</td>
<td>16-17: 90%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Indicator 2 (Performance) Dropout 4-Year Rate</th>
<th>Definition</th>
<th>CDE Compliance Process</th>
<th>Dash board Y/N</th>
<th>Data Source</th>
<th>Data Fields</th>
<th>Target</th>
<th>LCAP Priority #</th>
</tr>
</thead>
<tbody>
<tr>
<td>Present at all students in grades nine and higher, and ungraded students eighteen and over, who will complete basic education by dropping out of school.</td>
<td>FFR Comp Review</td>
<td>Y</td>
<td>CALPADS PRIOR YEAR DATA</td>
<td>- Exit Review Code</td>
<td>- Exit Rate</td>
<td>15-16: 13.12%</td>
<td>16-17: 13.12%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Indicator 3 (Performance) Statewide Assessment</th>
<th>Achievement</th>
<th>Achievement</th>
<th>CDE Compliance Process</th>
<th>Dash board Y/N</th>
<th>Data Source</th>
<th>Data Fields</th>
<th>Target</th>
<th>LCAP Priority #</th>
</tr>
</thead>
<tbody>
<tr>
<td>Achievement testing to meet the requirements of California Assessment of Student Progress and Performance (CASSP). Also see indicator 17.</td>
<td>FFR Comp Review</td>
<td>Achievement</td>
<td>CALPADS ELA and Math</td>
<td>- Participation</td>
<td>- Participation Rate</td>
<td>15-16: 50%</td>
<td>16-17: 50%</td>
<td>17-18: 50%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Indicator 4 (Suspensions/Expulsions)</th>
<th>Overall Performance</th>
<th>Overall Performance</th>
<th>CDE Compliance Process</th>
<th>Dash board Y/N</th>
<th>Data Source</th>
<th>Data Fields</th>
<th>Target</th>
<th>LCAP Priority #</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percent of all students with disabilities in the local educational agency (LEA) that were suspended or expelled for greater than ten days in a school year.</td>
<td>FFR Comp Review</td>
<td>Overall</td>
<td>CALPADS Data published to June CASEME</td>
<td>- District of Residence</td>
<td>- Expulsion Rate</td>
<td>15-16: 5.10%</td>
<td>16-17: 5.10%</td>
<td>17-18: 5.10%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Indicator 5 (Performance) Least Restrictive Environments</th>
<th>Overall Performance</th>
<th>Overall Performance</th>
<th>CDE Compliance Process</th>
<th>Dash board Y/N</th>
<th>Data Source</th>
<th>Data Fields</th>
<th>Target</th>
<th>LCAP Priority #</th>
</tr>
</thead>
<tbody>
<tr>
<td>The average amount of time students ages six through twenty-two receive their special education or related services in settings apart from their non-disabled peers.</td>
<td>FFR Comp Review</td>
<td>Overall</td>
<td>CALPADS Data published to November CASEME</td>
<td>- District of Residence</td>
<td>- Percentage of Time Spent</td>
<td>15-16: &gt;49.2%</td>
<td>16-17: &gt;49.2%</td>
<td>17-18: &gt;49.2%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Indicator 6 (Performance) Preschool Environment</th>
<th>Overall Program</th>
<th>Overall Program</th>
<th>CDE Compliance Process</th>
<th>Dash board Y/N</th>
<th>Data Source</th>
<th>Data Fields</th>
<th>Target</th>
<th>LCAP Priority #</th>
</tr>
</thead>
<tbody>
<tr>
<td>The percent of children aged 3 through 5 who receive special education services in early childhood programs.</td>
<td>Preschool Comp Review</td>
<td>Overall</td>
<td>CALPADS Data published to November CASEME</td>
<td>- District of Residence</td>
<td>- Percentage of Time Spent</td>
<td>15-16: &gt;41.8%</td>
<td>16-17: &gt;41.8%</td>
<td>17-18: &gt;41.8%</td>
</tr>
</tbody>
</table>

2/14/2013
Quality Assurance Process

- Performance Indicator Review (PIR)
- Disproportionality (Dispro)
- Data Identified Non-Compliance (DINC)
The Office Special Education Programs (OSEP) of the U.S. Department of Education requires that a state examine LEA data for noncompliance with the requirements of the Individuals with Disabilities Education Act (IDEA).

If noncompliance is identified, the state must make a finding of noncompliance and require the LEA to make correction using federally specified procedures (OSEP Memorandum 09-02, October 17, 2008).
CDE reviews CASEMIS data in the following areas to determine if a compliance issue exists:

- Indicator 11: Eligibility Evaluation
- Indicator 12: Part C to B Transition (3rd bday)
- Indicator 13: Secondary Transition
- Annual IEP Timelines
- Triennial IEP Timelines
Data Identified Non-Compliance (DINC) Process

**Data Submission**
- June CASEMIS Data submitted to CDE

**CDE Review**
- CASEMIS Data Reviewed & Determinations Made
- DINC Notifications Sent to LEA’s

**LEA Response**
- Identified LEA’s make required corrections
- Prepare for December CASEMIS submission
Data Identified Non-Compliance (DINC) Logon

Fiscal Year 2018–19 Data Collection

Please use the following link to download LEA DINC
Instructions:
https://www3.cde.ca.gov/files/downloadurl.aspx?id=111&d=3e43c72e34b43b92bb

If you have any DINC related questions you may contact us at:
DINC@cde.ca.gov

Focused Monitoring Technical Assistance Consultant
assignments available here:
https://www3.cde.ca.gov/files/downloadurl.aspx?id=111&d=a9f18a6f0994724a5

Due November 20, 2018.

District Logon

SELPA: El Dorado County Charter
District: The O'Farrell Charter
Password: [Enter password]

Reset  Login
Data Identified Non-Compliance (DINC) SELPA Resources

Top 10 CASEMIS Errors & Fixes

SEIS Maintenance Module

SEIS DLU Training Modules

SEIS District Level User Training Modules

The El Dorado Charter SELPA is proud to offer a self-paced, web-based training for new District Level Users (DLUs). Each module is approximately 5-10 minutes in length, with a 3-hour total time commitment to complete the training. Once you complete the online training and practicum, you will receive your SEIS username and password. Thank you for your participation.
Quality Assurance Process

- Performance Indicator Review (PIR)
- Disproportionality (Dispro)
- Data Informed Non-Compliance (DINC)
Federal regulation, Code of Federal Regulations (CFR), Title 34, Section 300.600, also requires a review of the performance indicators contained in the Office of Special Education Program’s Annual Performance Report (APR).

As a result, the CDE will conduct a PIR with those LEAs with one or more performance indicator values which did not meet the established statewide targets.
Performance Indicator Review (PIR) Indicators

CDE reviews data related to the following indicators:

Indicator 1: Graduation Rate
Indicator 2: Dropout Rate
Indicator 3: Statewide Assessment
Indicator 4: Suspension/Expulsion
Indicator 5: Least Restrictive Environment
Indicator 8: Parent Involvement
Indicator 14: Post-School Outcomes
**Performance Indicator Review (PIR) Process**

**Data Submission**
- Data is pulled from multiple sources including CALPADS, CASEMIS, and CAASPP

**CDE Review**
- Data Reviewed & Determinations Made
- PIR Notifications expected in November

**LEA Response**
- Identified LEAs Must Submit an Assurance Form
- Identified LEAs Must Develop an Improvement Plan or Provide an Existing Plan that addresses indicators (e.g., LCAP)
Identify current initiatives or plans aimed at improving the LEA’s performance on each of the relevant SPPIs, and discuss their effectiveness. If the LEA’s current LCAP includes the required information, it is permissible for the LEA to submit its LCAP.

If LCAP does not include the required information, move forward with the Improvement Plan.

Identify stakeholders who will participate in the plan’s development. At a minimum, the development team must include the special education director, SELPA representative, and a general education administrator.
For each SPPI that failed to meet statewide targets, the planning team should:

1. Identify the root causes.
2. Discuss and identify new strategies to address the root causes.
3. Identify specific improvement activities that will be used to address the strategies.
4. Identify required resources (e.g., staff, training, curricula) and person(s) responsible.
5. Specify dates by which planning meetings will be held and activities will be initiated.
6. Identify methods and standards to be used to measure progress.
7. The LEA should seek to align the newly identified strategies with the LEA’s LCAP.
8. Hold regularly scheduled reviews of the process and progress and refine the plan as necessary.

Ongoing monitoring
LEAs will use forms in the SPPI Improvement Process packet to complete their plans.

A separate plan is provided and will be completed for each indicator not met.

Tips for reviewing current performance and sample drill down activities are also included for each indicator.
Note: If the LEA has already made improvements and met the specified indicator in the 17-18 school year, the Improvement Plan should be written to describe those actions and how they will be sustained.
The CDE will review the Improvement Plan submitted by the LEA to ensure the plan identifies and summarizes the following:

- Root causes that interfere with improvement activities
- Strategies to address root causes
- Specific improvement activities used to address the strategies
- Required resources
- Names and role(s) of person(s) responsible for carrying out activities
- Dates by which activities will be initiated
- Methods and standards used to measure progress
Performance Indicator Review (PIR)

Resources

Five Whys?

What is it?

The Five Whys is simply a process of asking Why? at least five times in a row to detect the root cause or meaning of a particular problem or situation.

When is it used?

The Five Whys is necessary when people do not truly understand the situation, or when a deeper understanding is necessary.

Where is it used?

The Five Whys is often used, but not limited to, stages 1, 4 and 8 of the Problem Process.

The Hexagon Tool: Exploring Context

Adapted with permission by The State Implementation & Scaling-up of Evidence-based Practices Center (SISEP)

Based on the work of Kiser, Zabel, Zachik, & Smith (2007) and The National Implementation Research Network (NIRN)

Frank Porter Graham Child Development Institute

https://padlet.com/selpapd/QAP
# Quality Assurance Process Timelines

<table>
<thead>
<tr>
<th>Aug-Sept</th>
<th>Oct-Nov</th>
<th>Dec-Feb</th>
<th>March-April</th>
<th>May</th>
<th>June-July</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PIR</strong></td>
<td>PIR Determination Released Along with Annual Determinations and Dashboard</td>
<td>If Identified: LEAs begin working on PIR Plan</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>DINC</strong></td>
<td>DINC Corrective Actions Released</td>
<td><em>If Identified:</em> DINC Evidence of Corrective Actions Due</td>
<td>December CASEMIS Submission</td>
<td>DINC Corrective Actions Released</td>
<td>If Identified: DINC additional Submission</td>
</tr>
<tr>
<td><strong>DISPRO</strong></td>
<td><em>If Identified:</em> Policies and Procedures Review</td>
<td><em>If Identified:</em> File Reviews</td>
<td>Sig Dis Determinations Released</td>
<td></td>
<td>Dispro Determinations Released</td>
</tr>
</tbody>
</table>

Comprehensive Review can occur any time during the year
Questions?
California Assessment System Updates*
New Resources Offers Guidance on the ELPAC

The highly anticipated 2018–19 ELPAC Information Guide is now available on the CDE website!

This guide provides local educational agencies (LEAs) and schools with the information they need to:

• Understand the differences between the Initial ELPAC and the Summative ELPAC.
• Understand the initial identification and recategorization processes for English learners (ELs).
• Provide information about assessing ELs with disabilities.
• Prepare teachers to understand and use their students’ ELPAC results.
• Communicate ELPAC results to parents and guardians.
English Language Proficiency Assessment for California (ELPAC)

New English-Spanish Glossary Available

The 2018 English-Spanish Glossary for Educational Settings is here!

- Consistent use of words and terminology that are common to state and federal communication documents about assessment, education, and accountability.
- In particular, the CDE has used the glossary for the production of materials for Spanish-speaking audiences. The CDE now offers this resource to local educational agencies to use for the same purpose.
Individual Student Assessment Accessibility Profile (ISAAP) Tool

Resources:

• CAASPP ISAAP Tool Instructional Video
  • Video was developed in 2017-2018 year, but still up to date!
  • Video references the 2016-2017 ISAAP tool, but all instructions are still applicable to the 2018-2019 ISAAP Tool
  • Step by Step Instructions on how to use the ISAAP tool
• CAASPP Student Accessibility Resources
  • Scroll to the middle of the web-page and select 2018-2019 ISAAP Tool

Test Administration Manuals and Administrative Tools

• Accessibility Guide for CAASPP Online Testing—This manual is forthcoming.
• 2018–19 Online Student Test Settings Template (Excel) (Updated 09/10/18)
• 2018–19 Individual Student Assessment Accessibility Profile (ISAAP) Tool (Excel) (Updated 09/10/18)
Individual Student Assessment Accessibility Profile (ISAAP) Tool

Use the ISAAP Tool with the following Resources:

- **Matrix One: CAASPP System Accessibility Resources**
  - Displays the universal tools, designated supports, and accommodations (embedded and non-embedded) allowed as part of the CAASPP system for 2018–19

- **Usability, Accessibility, and Accommodations Guidelines**
  - Information to use in selecting and administering universal tools, designated supports, and accommodations for those students who need them
Federal and State News

C2C Webinar Review and Updates*

Tuesday October 30, 2018 a webinar was given:
- A recording is available in the SEIS document library

Webinar Summary:
- CALPADS fields shared, new meeting types shared, use of the amendment process reviewed
- School Type 56 should be the only school type used for Independent Charter Schools in our SELPA
- District of Residence is now YOUR charter school
• Make sure all SSID numbers are entered.
• Make sure data matches between SEIS and CALPADS:
  • Student legal first name
  • Student legal last name
  • SSID
  • Student race and ethnicity
  • Gender
  • Birthday
Federal and State News

C2C Webinar Review and Updates*

To watch the webinar visit the SEIS document library and search CASEMIS to CALPADS Webinar.
Friday November 2, 2018 a number of updates were made to SEIS:

• Some issues have been identified and SEIS is working to fix them
• If you run into challenges, please report your concern to your assigned Program Technician or Program Specialist
• We will continue to share information as we learn it
Recent Legislation Update*

*BILLS
*BILLS
*BILLS
AB2601
Sexual health education in charter schools

• Districts have had the requirement (California Healthy Youth Act) to ensure that all pupils in grades 7 to 12 receive comprehensive sexual health education and human immunodeficiency virus (HIV) prevention education.

• Starting in the 2019-20 school year, charter schools will be included.

• Required at least once in Jr. High/ Middle and once in High School.
• “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 AIDS, methods of transmission, strategies to reduce the risk of HIV infection, and social and public health issues related to HIV and AIDS.
“Instructors trained in the appropriate courses” means instructors with knowledge of the most recent medically accurate research on human sexuality, healthy relationships, pregnancy, and HIV and other sexually transmitted infections.”
Parent Notification and Opt-Out

- Parental notification and opportunity to opt-out is provided at the beginning of the school year. EC § 51938(a).

- Parents are notified that they may request in writing that their child be excused from participation. EC §§ 51938(a), (b).

- EC § 51938 explicitly requires that schools have an “opt-out” (passive consent) policy, which means they notify parents and allow them to withdraw their children. They are not allowed to have an “opt-in” (active consent) policy, which requires parents to sign and return a permission slip for their children to participate.
Resources

- California Healthy Youth Act (CHYA) Implementation Toolkit (ACLU)
  - Includes:
    - A short fact sheet with basic info
    - An FAQ
    - Q and A for Districts
    - A Compliance Checklist
    - A Sample Parent Notification Letter
    - A List of Curricular Materials and Resources (included in your packet)

CDE Webpage on Comprehensive Sexual Health and HIV/AIDS Instruction
https://www.cde.ca.gov/ls/he/se/
Effective January 1, 2021, requires an applicant to the Board of Behavioral Sciences for licensure as:

- a marriage and family therapist,
- an educational psychologist,
- a clinical social worker,
- or a professional clinical counselor to complete a minimum of 6 hours of coursework or applied experience under supervision in suicide risk assessment and intervention.

This would be a one time requirement as part of their coursework prior to application for licensure, or upon renewal of their licensure.
Starting in the beginning of the 2017-18 school year, existing law requires the governing board of a school that serves pupils in grades 7 to 12, to adopt a policy on pupil suicide prevention that specifically addresses the needs of high-risk group.

Starting July 1, 2019, the same schools as included above (that issues student ID cards) MUST have printed on either side of the ID card the following:
  • The telephone number for the National Suicide Prevention Lifeline, 1-800-273-8255
  
  and MAY have
  • The Crisis Text Line, which can be accessed by texting HOME to 741741.
  • A local suicide prevention hotline telephone number.
California Timeline and Cases for Cannabis: What it Means for LEAs
Marijuana Timeline

The Marijuana Legalization Timeline for California
Since 1972, California has been on the cutting edge of legalizing marijuana.

- **1972**
  - California voters reject Proposition 19 to decriminalize marijuana.

- **1975**
  - Bill 95 is introduced, which reforms marijuana laws.

- **1996**
  - Voters approve Proposition 215 for medical marijuana reform.

- **2010**
  - Voters oppose Proposition 19 to make recreational marijuana legal.

- **2016**
  - Voters approve Proposition 64, making recreational marijuana legal in California.

*Source: LA Times, Money Morning Staff Research*
Proposition 64: The Dos and Don’ts

Allows:

- Use, possession and growing by those over 21 years of age (changed penalties for same)
- Growing up to 6 plants at home
- Sale, distribution, delivery, and dispensaries as regulated locally
- Business regulations and taxes
- Transportation of marijuana

Disallows:

- Use, possession and growing by those under 21 years of age
- Public smoking or ingesting
- Smoking or ingesting while driving, driving “under the influence”, or “open container”
- Marijuana businesses within 600 feet of school, daycare, or youth center
- Smoking or ingesting on, or near, a school, daycare or youth center
- Smoking in tobacco-free zones
- Advertising directed at minors
Prop 64: And Some Things Stay the Same

- Employers can regulate workplace policies around drugs
- Schools need to regulate and maintain drug-free school zones
- Use of medical marijuana
- Mandated Reporter obligations
- US Department of Transportation regulations for bus drivers
Prop 64: How it Changed Medical Use

- Stricter standards for doctor recommendation (no prescription)
- Protects privacy of those with ID cards
- Can’t be used against a parent in a custody case
- Allows “open container” inside a vehicle
- Separates medical and recreational dispensaries
Epidiolex

June 25, 2018

- The U.S. Food and Drug Administration today approved Epidiolex (cannabidiol) [CBD] oral solution for the treatment of seizures associated with two rare and severe forms of epilepsy, Lennox-Gastaut syndrome and Dravet syndrome, in patients two years of age and older.
- Still a Schedule 1 substance under Federal Controlled Substance Act.
Employees, Accommodations and the ADA

• You are not required to make accommodations for an employee who uses marijuana medicinally
• ADA does not protect use of medical marijuana
• However….you can not discriminate against an employee who uses marijuana medicinally (AB2069) if they test positive

Searching or Testing for Marijuana:

➔ Balance between Privacy and Invasion
➔ Really tricky since it is legal recreationally/ hard to prove even if they have it
➔ Focus on the duties and/or inability to perform
Possession on a K-12 Campus

- Under 18: $100 fine
- 1st Offense
  - 8 hours Drug Education and Counseling
  - 40 hours Community Service within 90 days
- Subsequent Offenses:
  - 10 hours Drug Education and Counseling
  - 60 hours Community Service within 120 days

(Prop 64 amended penalties)
Administering on Campus? Unsettled

- Sylvan Union School District (OAH Case No. 2014010077)
  - OAH held that the District acted Reasonably when it informed parents that it would not administer at school
  - OAH will not turn a blind eye, under the guise of stay put, to an IEP that calls for unlawful criminal activity under other State and federal statutes simply because the parties had previously agreed upon and implemented the unlawful provisions.

- Rincon Valley Union School District (OAH Case No. 2018050651)
  - OAH held that the District failed to offer FAPE in LRE
  - Hold IEP to place student on public school campus among peers with emergency seizure medication available
  - Allow student and nurse to travel on a public school bus to and from the school and on field trips with the medication
What’s the Real Issue Here?

- Central issue in Rincon Valley was LRE
- Home placement (the FAPE offer) was not LRE and that (if not for this medication issue) the student could and should be on a public school campus
- Whether or not FAPE considerations trump drug enforcement laws should ultimately be resolved by a court of higher authority than OAH
Leaves Us Hanging.....

- ALJ’s analysis was somewhat speculative in concluding that enforcement against the District and/or loss of funding was highly unlikely and possibly prohibited by Department of Justice regulation.
- We are under a presidential administration where the head of the DOJ has announced differing attitudes and intentions towards marijuana than previous administrations.
- ALJ’s analysis also did not take into consideration whether requiring a school district to maintain, transport, and administer this drug could invalidate insurance policies or risk insurance coverage.
Some Legal Thoughts.....

- Legal landscape on this issue is far from settled until a federal court weighs in
- Boils down to the federal law’s treatment of marijuana and how it impacts (or doesn’t impact) schools in California
- Does not recommend relying on the Rincon Valley OAH decision to inform or even guide District policy
- OAH decisions lack precedential value; this decision applies only to this specific student
- Further legal actions that will continue clarify what the law says
- Until a California federal court (or the 9th Circuit) rules on this issue, any policy action that allows medical marijuana or derivatives of same on a school campus is risky and, probably, ill advised
- Concerns among school districts that they may compromise their federal funding if they proceed with this kind of action
- There is no indication to date that the feds mean to take any action
Brown's veto message:

This bill is overly broad as it applies to all students instead of limited cases where a doctor recommends medical marijuana for a student in order to prevent or reduce the effects of a seizure. Generally, I remain concerned about the exposure of marijuana on youth and am dubious of its use for youth for all ailments. This bill goes too far -- further than some research has -- to allow use of medical marijuana for youth. I think we should pause before going much further down this path.

Parent objections:

Many parents disliked this bill as it only approved parents' rights to come on campus to administer cannabis medications. As in the OAH decision, parents argued that this would force them to hover outside the campus all day or come to the campus sometimes multiple times per day to administer.
● Need a federal court decision to truly resolve this issue
● Until then, we aren’t in a position to direct employees to perform a task for which they could be criminally prosecuted
● Education Code provisions related to safe/drug free schools and student discipline haven’t changed
● There are a number of conflicts in the law that still need resolution
**SELPA Updates**

**IEE Assessors List by Region***

- IEE assessors by Region have been added to the SEIS document library.
- The lists of assessors are in no way exhaustive.
- The assessors on the lists are not endorsements of the SELPA, rather they are assessors that met cost criteria and requirements and are currently offering assessment.
- These lists will be updated as assessors change rates, or sometimes stop assessing.
- Please feel free to use your own recommendations, or consider parent suggestions.

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*IEE Assessors List by Region*
FAQ FOR EXTENDED SCHOOL YEAR (ESY)

TABLE OF CONTENTS

GENERAL INFORMATION
Q1. What is extended school year (ESY)?
Q2. What is the difference between ESY and summer school?
Q3. What should IEP teams consider when discussing ESY?

GUIDANCE FOR IEP TEAMS
Q4. What do the terms “regression” and “recoupment” mean?
Q5. How can we collect regression/recoupment data?
Q6. How can IEP teams identify emerging skills?
Q7. Does a student’s ESY program need to be the same as their regular school year program?

IEP TEAM REMINDERS
Q8. When do IEP teams need to discuss ESY?
Q9. What if the team can’t make an ESY determination at the initial IEP meeting?
Q10. How do IEP teams document the decision making process for ESY?

PROGRAM CONSIDERATIONS
Q11. What if our LEA doesn’t have an ESY program?
Q12. Can LEAs collect ADA for ESY pupils?

APPENDIX A

APPENDIX B
Highly Mobile Students FAQ

FAQ FOR HIGHLY MOBILE STUDENTS

TABLE OF CONTENTS

Q1. Who are “highly mobile” students?

Q2. What barriers do highly mobile students face?

Q3. What laws exist to assist highly mobile students to find stability and access to academic success?

Q4. What should I do when a student experiencing homelessness enrolls in our school?

Q5. What programs are highly mobile students eligible for?

Q6. What should I do if a foster youth enrolls in our school?

Q7. What do I do if a student whose parent serves in the military enrolls in my school?
# Professional Learning Offerings*

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*For any questions about upcoming Professional Learning offerings, contact our Professional Learning Team at CHARTERSELPA or at 916-925-2569.
Riding the Waves of Change

Thursday, February 21
San Diego

Keynote Speaker: Jeff Eben
Mental Health Level 2
Budget Template Webinar
Upcoming Steering Meeting

Online Via Zoom

January 16th 10:00 a.m. – 12:00 p.m.