

**JURUPA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
SPECIAL MEETING
AGENDA**

MISSION STATEMENT

The mission of the Jurupa Unified School District is to create for our students a dynamic learning environment that is safe, healthy, and based on mutual respect, cooperation, and support among students, staff, parents, and the broader community. Staff and parents serve as educators and positive role models for all students by helping them develop a sense of responsibility, character, creativity and the skills to become successful, productive citizens of our democracy.

BOARD OF EDUCATION Sam Knight, President Ray Teagarden, Clerk Carolyn Adams Mary Burns John Chavez

SUPERINTENDENT Benita B. Roberts

**NOTICE AND AGENDA FOR SPECIAL MEETING OF THE BOARD OF EDUCATION
ON THE IMPLEMENTATION OF PROPOSITION 227**

TUESDAY, AUGUST 18, 1998

EDUCATION CENTER BOARD ROOM #16, 3924 Riverview Drive, Riverside, CA 7:00 p.m.

ORDER OF BUSINESS

I. **Roll Call:** President Knight, Mr. Teagarden, Mrs. Adams, Mrs. Burns, Mr. Chavez

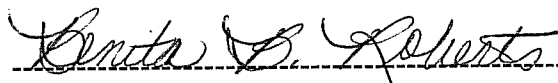
II. **Public Verbal Comments**

This item is placed on the agenda for the purpose of hearing public comments on the matter before the Board of Education during this evening's Special meeting.

III. **Hear and Approve Proposed Proposition 227 Implementation Plan**

At the August 3, 1998 Regular meeting, the Board determined that a Special meeting should be called to review the district's proposed implementation plan for Proposition 227, the "English for the Children Initiative." Essentially, the new law, passed by the voters in June, changes the State's method for educating English language learners. During this Special meeting, the staff will review the district's current bilingual education program, present a proposed implementation plan, and discuss any anticipated costs associated with the proposal. Administration recommends that the Board approve the preliminary implementation plan for Proposition 227 compliance to be initiated for the new school term beginning August 27, 1998.

IV. **Adjournment**



Benita B. Roberts, Secretary to the Board of Education

NOTICE POSTED AND MAILED: August 14, 1998

Title 5, California Code of Regulation

Division 1, Chapter 11

English Language Education for Immigrant Children

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5 1. Amend the title of Subchapter 4. to read:

6 Subchapter 4. Special Programs or Classes for Elementary School Pupils

7 Subchapter 4. English Language Education for Immigrant Children

- 8 2. Adopt Section 11300. to read:

9 § 11300. Definitions.

10 "School term" as used in Education Code section 330 means each school's
11 semester or equivalent, as determined by the local governing board, which next
12 begins following August 2, 1998. For multitrack or year round schools, a semester or
13 equivalent may begin on different days for each school track.

14 Note: Authority cited: Section 33031, Education Code. Reference: Section 330,
15 Education Code.

- 16 3. Adopt Section 11301. to read:

17 § 11301. Knowledge and Fluency in English

18 (a) For purposes of "a good working knowledge of English" pursuant to
19 Education Code Section 305 and "reasonable fluency in English" pursuant to
20 Education Code Section 306(c), an English learner shall be transferred from a
21 structured English immersion classroom to an English language mainstream
22 classroom when the pupil has acquired a reasonable level of English proficiency as
23 measured by any of the state-designated assessments approved by the California
24 Department of Education, or any locally developed assessments.

25 (b) At any time, including during the school year, a parent or guardian may have
26 his or her child moved into an English language mainstream classroom.

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1 (c) An English learner may be re-enrolled in a structured English immersion
2 program not normally intended to exceed one year if the pupil has not achieved a
3 reasonable level of English proficiency as defined in Section 11301(a) unless the
4 parents or guardians of the pupil object to the extended placement.

5 Note: Authority cited: Section 33031, Education Code. Reference: Sections 305 and
6 306(c), Education Code.

7 4. Adopt Section 11302. to read:

8 § 11302. Services for English Language Learners.

9 School districts shall continue to provide additional and appropriate educational
10 services to English learners in kindergarten through grade 12 for the purposes of
11 overcoming language barriers until the English learners have:

12 (a) demonstrated English-language proficiency comparable to that of the school
13 district's average native English-language speakers; and

14 (b) recouped any academic deficits which may have been incurred in other areas
15 of the core curriculum as a result of language barriers.

16 Note: Authority cited: Section 33031, Education Code. Reference: Sections 305, 306
17 and 310, Education Code; U.S. Code, Title 20, Section 1703(f); Castaneda v. Pickard
18 (5th Cir. 1981) 648 F.2d 989, 1009-1010; and Gomez v. Illinois State Board of Education
19 (7th Cir. 1987) 811 F.2d 1030, 1041-1042.

20 5. Adopt Section 11303. to read:

21 § 11303. Parental Exception Waivers.

22 (a) Parents and guardians must be informed of the placement of their children in
23 a structured English immersion program and must be notified of an opportunity to
24 apply for a parental exception waiver. School districts shall establish procedures for
25 granting parental exception waivers as permitted by Education Code sections 310 and
26 311 which include each of the following components:



FOR FILING ADMINISTRATIVE REGULATIONS
WITH THE SECRETARY OF STATE
(Pursuant to Government Code Section 11360.1)

1 (1) Parents and guardians must be provided with a full written description and
2 upon request from a parent or guardian, a spoken description of the structured
3 English immersion program and any alternative courses of study and all
4 educational opportunities offered by the school district and available to the pupil.
5 The descriptions of the program choices shall address the educational materials to be
6 used in the different options.

7 (2) Pursuant to Education Code section 311(c), parents and guardians must be
8 informed that the student must be placed for a period of not less than thirty (30)
9 calendar days in an English language classroom and that the school district
10 superintendent must approve the waiver pursuant to guidelines established by the
11 local governing board.

12 (3) Parental exception waivers shall be granted unless the school principal and
13 educational staff have substantial evidence that the alternative program requested
14 by the parent would not be better suited for the pupil.

15 (b) All parental exception waivers shall be acted upon by the school within
16 twenty (20) instructional days of submission to the school principal. However,
17 parental waiver requests under Education Code section 311(c) shall not be acted
18 upon during the thirty- (30)-day placement in an English language classroom. These
19 waivers must be acted upon either no later than ten (10) calendar days after the
20 expiration of that thirty- (30)-day English language classroom placement or within
21 twenty (20) instructional days of submission of the parental waiver to the school
22 principal, whichever is later.

23 (c) In cases where a parental exception waiver pursuant to Education Code
24 sections 311(b) and (c) is denied, the parents and guardians must be informed in
25 writing of the reason(s) for denial, and if relevant, advised of any procedures that
26 exist to appeal the decision to the local board of education.

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1 (d) For waivers pursuant to Education Code section 311(a) and students for
2 whom standardized assessment data is not available, school districts may use
3 equivalent measures as determined by the local governing board.

4 Note: Authority cited: Section 33031, Education Code. Reference: Sections 305, 310
5 and 311, Education Code.

6 6. Adopt Section 11304. to read:

7 § 11304. State Board of Education Review of Guidelines for Parental Exception
8 Waivers

9 (a) Upon written request of the State Board of Education, school district
10 governing boards shall submit any guidelines or procedures adopted pursuant to
11 Education Code section 311 to the State Board of Education for its review.

12 (b) Any parent or guardian who applies for a waiver under Education Code
13 section 311 may request a review of the school district's guidelines or procedures by
14 the State Board of Education. The sole purpose of the review shall be to make a
15 determination as to whether those guidelines or procedures comply with the
16 parental exception waiver guidelines set forth in Section 11303.

17 Note: Authority cited: Section 33031, Education Code. Reference: Sections 305, 310
18 and 311, Education Code.

19 7. Adopt Section 11305. to read:

20 § 11305. Community Based English Tutoring.

21 In distributing funds authorized by Education Code sections 315 and 316, the
22 Superintendent of Public Instruction shall allocate the funds and local educational
23 agencies shall disburse the funds at their discretion consistent with the following:

24 (a) The funds made available by Education Code sections 315 and 316 shall be
25 apportioned by the State Superintendent of Public Instruction to local educational
26 agencies offering Community Based English Tutoring based upon the number of

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1 limited English proficient (LEP) pupils identified in the Annual Language Census
2 Survey in the prior year.

3 (b) The governing boards of local educational agencies may disburse these funds
4 at their discretion to carryout the purposes of this section. Local educational agency
5 governing boards shall require providers of adult English language instruction
6 which receive funds authorized by Education Code sections 315 and 316 to maintain
7 evidence that adult program participants have pledged to provide personal English
8 language tutoring to California school pupils with limited English proficiency.

9 (c) Local educational agencies may use these funds for direct program services,
10 community notification, transportation services, and background checks pursuant
11 to Education Code section 35021.1 related to the tutoring program.

12 (d) Local educational agencies shall not receive any funds pursuant to Education
13 Code sections 315 and 316 until the first day that Chapter 3 (commencing with
14 Section 300) of Part 1 of the Education Code is operative for that local educational
15 agency.

16 Note: Authority cited: Sections 316 and 33031, Education Code. Reference: Sections
17 315 and 316, Education Code.

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