

CONCEPTS AND ROLES

The Tuolumne County Superintendent of Schools Office desires to provide a comprehensive, research-based curriculum that motivates every student to succeed. The district's educational program shall provide students with opportunities to attain the skills, knowledge, and abilities they need to be successful in school and develop to their full potential.

(cf. 9000 - Role of the Board)

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.

(cf. 0520 - Intervention for Underperforming Schools)
(cf. 0520.1 - High Priority Schools Grant Program)
(cf. 0520.2 - Title I Program Improvement Schools)
(cf. 0520.3 - Title I Program Improvement Districts)
(cf. 6158 - Independent Study)
(cf. 6159 - Individualized Education Program)
(cf. 6164.5 - Student Success Teams)
(cf. 6164.6 - Identification and Education Under Section 504)
(cf. 6172 - Gifted and Talented Student Program)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6174 - Education for English Language Learners)
(cf. 6175 - Migrant Education Program)
(cf. 6176 - Weekend/Saturday Classes)
(cf. 6177 - Summer School)
(cf. 6179 - Supplemental Instruction)
(cf. 6181 - Alternative Schools)
(cf. 6183 - Home and Hospital Instruction)
(cf. 6184 - Continuation Education)
(cf. 6185 - Community Day School)

Inasmuch as 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.

(cf. 5020 - Parent Rights and Responsibilities)
(cf. 6020 - Parent Involvement)

The County Office shall:

1. Establish standards of student achievement for core subjects at each grade level that are aligned with the district's vision for student learning, the specific needs and strengths of the students, the expectations of parents/guardians and the community, and available resources

CONCEPTS AND ROLES (continued)

(cf. 0100 - Philosophy)
(cf. 0200 - Goals for the School District)
(cf. 5123 - Promotion/Acceleration/Retention)
(cf. 6011 - Academic Standards)

2. Adopt the district curriculum and courses of study to be offered

(cf. 6143 - Courses of Study)

3. Adopt textbooks and other instructional materials

(cf. 1312.2 - Complaints Concerning Instructional Materials)
(cf. 6161 - Equipment, Books and Materials)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)
(cf. 6161.11 - Supplementary Instructional Materials)

4. Provide a continuing program of professional development to keep instructional staff, administrators, and County Board members updated about current issues and research pertaining to curriculum, instructional strategies, and student assessment

(cf. 4131 - Staff Development)
(cf. 4222 - Teacher Aides/Paraprofessionals)
(cf. 4331 - Staff Development)
(cf. 9240 - Board Development)

5. 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

(cf. 0500 - Accountability)
(cf. 6162.5 - Student Assessment)
(cf. 6161.51 - Standardized Testing and Reporting Program)
(cf. 6162.51 - High School Exit Examination)
(cf. 6190 - Evaluation of the Instructional Program)

6. Communicate clear information about County Office instructional goals, programs, and progress in student achievement to the community and media

(cf. 0510 - School Accountability Report Card)
(cf. 1100 - Communication with the Public)
(cf. 1112 - Media Relations)

The Tuolumne County Superintendent of Schools or designee shall:

1. Review research related to curriculum issues

CONCEPTS AND ROLES (continued)

2. Select and/or develop curricula for recommendation to the County Office in accordance with the district's curriculum development and review process
3. Ensure the articulation of the curriculum between grade levels and with postsecondary education and the workplace

(cf. 1700 - Relations between Private Industry and the Schools)

(cf. 6030 - Integrated Academic and Vocational Instruction)

4. Determine the general methods of instruction to be used
5. Assign instructors and schedule classes for all curricular offerings

(cf. 4113 - Assignment)

(cf. 6112 - School Day)

(cf. 6117 - Year-Round Schedules)

6. Recommend instructional materials to the County Office and direct the purchase of approved materials and equipment

(cf. 3310 - Expenditures and Purchases)

7. Evaluate and report to the County Office 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

Comparability in Instruction

The County Office shall provide comparable educational opportunities for all students. Instruction in the core curriculum shall be in no way diminished when students receive supplementary services funded by special governmental programs. Services funded by any categorical program shall supplement, not supplant, the core curriculum and any services which may be provided by other categorical programs.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 6171 - Title I Programs)

Legal Reference: (see next page)

CONCEPTS AND ROLES (continued)

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*

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Leadership: Curriculum, 1996

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

ACADEMIC STANDARDS

The Tuolumne County Superintendent of Schools Office recognizes that content and performance standards are necessary to clarify for students, parents/guardians and staff what students are expected to know and be able to do at each grade level and in each area of study. The County Office shall adopt standards for student achievement that meet or exceed statewide standards and challenge all students to reach their full potential.

Standards shall be based on a review of state model standards and an assessment of the skills that students will need in order to be successful in the workplace and in higher education, including basic skills, problem-solving abilities and conceptual thinking.

Staff shall continually assess students' progress toward meeting the standards and shall offer remedial assistance in accordance with County Office policy. The standards shall also provide a basis for evaluating the instructional program, making decisions about curriculum and assessment, and, as required by law, evaluating teacher performance.

- (cf. 4115 - Evaluation/Supervision)*
- (cf. 5121 - Grades/Evaluation of Student Achievement)*
- (cf. 5123 - Promotion/Acceleration/Retention)*
- (cf. 6141 - Curriculum Development and Evaluation)*
- (cf. 6143 - Courses of Study)*
- (cf. 6146.1 - High School Graduation Requirements)*
- (cf. 6146.5 - Elementary/Middle School Graduation Requirements)*
- (cf. 6162.5 - Student Assessment)*
- (cf. 6177- Summer School)*
- (cf. 6190 - Evaluation of the Instructional Program)*

While desiring academic standards to be specific and comprehensive, the County Office does not intend that these standards be so extensive as to describe everything that will be taught in the classroom. Staff shall have sufficient time and flexibility to provide instruction that supplements the standards. Staff shall also have flexibility to determine the best instructional methods to use in preparing students to meet the standards.

The Tuolumne County Superintendent of Schools or designee shall ensure that County Office standards are regularly reviewed and updated as necessary.

Legal Reference:

- EDUCATION CODE
- 44662 Evaluation of certificated employees*
- 51003 Statewide academic standards*
- 60605-60605.5 Adoption of statewide academically rigorous content and performance standards*

Management Resources:

- WEB SITES
- CDE: <http://www.cde.ca.gov>*

PARENT INVOLVEMENT

Non-Title I Schools

The Tuolumne County Superintendent or designee shall develop and implement strategies applicable to each school/program site 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 the district and school/program sites will address the purposes and goals described in Education Code 11502. (Education Code 11504)

Legal Reference:

EDUCATION CODE

11500-11506 Programs to encourage parent involvement

48985 Notices in languages other than English

51101 Parent rights and responsibilities

64001 Single plan for student achievement

LABOR CODE

230.8 Time off to visit child's school

UNITED STATES CODE, TITLE 20

6311 Parental notice of teacher qualifications and student achievement

6312 Local educational agency plan

6314 Schoolwide programs

6316 School improvement

6318 Parent involvement

CODE OF FEDERAL REGULATIONS, TITLE 28

35.104 Definitions, auxiliary aids and services

35.160 Communications

Management Resources:

CSBA PUBLICATIONS

Parent Involvement: Development of Effective and Legally Compliant Policies, Governance and Policy Services Policy Briefs, August 2006

STATE BOARD OF EDUCATION POLICIES

89-01 Parent Involvement in the Education of Their Children, rev. 1994

U.S. DEPARTMENT OF EDUCATION NON-REGULATORY GUIDANCE

Parental Involvement: Title I, Part A, April 23, 2004

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, Family, School, Community Partnerships:

<http://www.cde.ca.gov/ls/pf>

California Parent Center: <http://parent.sdsu.edu>

California State PTA: <http://www.capta.org>

National Coalition for Parent Involvement in Education: <http://www.ncpie.org>

National PTA: <http://www.pta.org>

No Child Left Behind: <http://www.ed.gov/nclb>

Parent Information and Resource Centers: <http://www.pirc-info.net>

Parents as Teachers National Center: <http://www.parentsasteachers.org>

U.S. Department of Education: <http://www.ed.gov>

PARENT INVOLVEMENT

County Office Strategies for Non-Title I Schools

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

1. Engage parents/guardians positively in their children's education by helping them develop skills to use at home that 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 information, in parent handbooks and through other appropriate means, regarding academic expectations and resources to assist with the subject matter
 - b. 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 at home and to encourage good study habits
 - b. Encourage parents/guardians to monitor their children's school attendance, homework completion, and television viewing
3. Build consistent and effective communication between the home and school/program site so that parents/guardians 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
- b. Provide opportunities for parents/guardians to observe classroom activities
- c. To the extent practicable, provide notices and information to parents/guardians in a format and language they can understand

PARENT INVOLVEMENT (continued)

- d. Develop mechanisms to encourage parent/guardian input on district and school/program issues
 - e. Identify barriers to parent/guardian participation in school/program activities, including parents/guardians who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background
 - f. 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 child care
4. Train teachers and administrators to communicate effectively with parents/guardians (Education Code 11502, 11504)

SCHOOL CALENDAR

The Tuolumne County Superintendent of Schools or designee shall recommend to the County Office a calendar for each school/program site that will meet the requirements of law as well as the needs of the community, students and the work year as negotiated for represented personnel.

(cf. 4143/4243 - Negotiations/Consultation)

Each school/program site calendar shall show the beginning and ending school/program dates, legal and local holidays, orientation meeting days, minimum days, vacation periods and other pertinent dates.

(cf. 6112 - School Day)

(cf. 6115 - Ceremonies and Observances)

(cf. 6117 - Year-Round Schedules)

(cf. 6177 - Summer School)

The district shall offer 180 days of instruction per school year.

(cf. 1431 - Waivers)

Staff development days shall not be counted as instructional days.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331- Staff Development)

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. (Education Code 48980)

(cf. 5145.6 - Parental Notifications)

Legal Reference: (see next page)

SCHOOL CALENDAR (continued)

Legal Reference:

EDUCATION CODE

37200-37202 *School calendar*

37220-37223 *Holidays*

37252-37253.5 *Summer school*

37300-37307 *Year-Round School Demonstration Project*

37600-37672 *Continuous school programs: year-round schools, especially:*

37618 *School calendar*

37700-37713 *Four-day week*

41422 *Schools not maintained for 175 days*

41530-41532 *Professional Development Block Grant*

46200-46206 *Incentives for longer instructional day and year*

46300 *Method of computing ADA*

48980 *Notice at beginning of term*

REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS

44579-44579.6 *Instructional Time and Staff Development Reform Program*

ELECTIONS CODE

12283 *School closures, election days*

Management Resources:

WEB SITES

California Department of Education: <http://www.cde.ca.gov>

Secretary of State's Office: <http://www.ss.ca.gov>

SCHOOL DAY

The Tuolumne County Superintendent of Schools Office shall fix the length of the school day subject to the provisions of law. (Education Code 46100)

(cf. 6111 - School Calendar)

The Tuolumne County Superintendent of Schools or designee shall schedule class periods giving consideration to course requirements and curricular demands, availability of school/program site facilities, the age and attention span of students, and legal requirements.

The County Office encourages flexibility in scheduling so as to provide longer time blocks or class periods when appropriate and desirable to support student learning, provide more intensive study of core academic subjects or extended exploration of complex topics, and reduce transition time between classes.

(cf. 4131 - Staff Development)

Legal Reference:

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 schoolday*

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 *Minimum day - continuation schools*

46180 *Opportunity schools (minimum day)*

46190-46192 *Adult school (day of attendance)*

46200-46206 *Incentives for longer instructional day and year*

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION CORRESPONDENCE

Kindergarten Information, June 7, 2002

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

The Uses of Time for Teaching and Learning, October 1996

Extending Learning Time for Disadvantaged Students, August 1995

NATIONAL EDUCATION COMMISSION ON TIME AND LEARNING PUBLICATIONS

Prisoners of Time, April 1994

WEB SITES

U.S. Department of Education: <http://www.ed.gov>

SCHOOL DAY

Secondary Schools

The minimum school day for junior high and high school students shall be 240 minutes unless otherwise provided by law. (Education Code 46141-46147)

The minimum school day shall be 180 minutes for students enrolled in a continuation high school, continuation education classes, opportunity school or classes, adult education classes, special day or Saturday vocational training program, or specified work experience program. (Education Code 46144, 46170, 46180, 46190)

(cf. 6178.1 - Work Experience Education)

(cf. 6184 - Continuation Education)

(cf. 6200 - Adult Education)

CEREMONIES AND OBSERVANCES

The Tuolumne County Superintendent of Schools Office recognizes the importance of having students join together to celebrate events of cultural or historical significance or to acknowledge the contributions of outstanding individuals. Besides helping students to appreciate their pluralistic heritage, holidays, ceremonies and observances can enhance their sense of community, instill pride in our country, and contribute to a positive school climate.

(cf. 6141.6 - Multicultural Education)

Legal Reference:

EDUCATION CODE

37220-37223 *Saturdays and holidays*

44015.1 *Week of the school administrator*

45203 *Paid holidays*

45460 *Classified employee week*

52720 *Daily performance of patriotic exercises in public schools*

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*

COURT DECISIONS

West Virginia State Board of Education et al v. Barnette et al, 319 U.S. 624 (1943)

Management Resources:

WEB SITES

CDE: <http://www.cde.ca.gov>

CEREMONIES AND OBSERVANCES

Holidays

County Office schools shall be closed in observance of 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
Independence Day	July 4
Labor Day	First Monday in September
Veteran's Day	November 11
Thanksgiving Day	That Thursday in November designated by the President
Christmas Day	December 25

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

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 Office may close the school/program sites on the date recognized by federal law instead of on the date above. (Education Code 37220)

(cf. 6111 - School Calendar)

CEREMONIES AND OBSERVANCES (continued)**Commemorative Exercises**

District schools shall hold exercises to commemorate the following special days:

U.S. Constitution Day	On or near September 17
Dr. Martin Luther King Jr., Day	The Friday before the day schools are closed for this holiday
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

Patriotic Exercises

Each school/program site shall conduct patriotic exercises daily. At elementary school/program sites, such exercises shall be conducted at the beginning of each school day. The Pledge of Allegiance to the flag will fulfill this requirement. (Education Code 52720)

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 school days at the entrance or on the grounds of every school/program site. At all times, the national flag shall be placed in the position of first honor. (Government Code 431, 436; 36 USC 174)

CEREMONIES AND OBSERVANCES (continued)

Upon order of the President, the national flag shall be flown at half-staff upon the death of principal figures of the United States government and the Governor of a state, as a mark of respect to their memory. In the event of death of other officials or foreign dignitaries, the flag shall be displayed at half-staff according to Presidential instructions or orders, or in accordance with recognized customs or practices not inconsistent with law. In the event of the death of a present or former official of the government of any state, the Governor may proclaim that the flag be flown at half-staff. (36 USC 175)

In addition, the national flag shall fly at half-staff: (36 USC 175)

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 internment of an Associate Justice of the Supreme Court, a secretary of executive or military department, former Vice President, and the Governor of a state
4. On the day of death and the following day for a Member of Congress

CLASSROOM INTERRUPTIONS

The Tuolumne County Superintendent of Schools Office recognizes that class time should be dedicated to student learning. The County Office believes that classroom interruptions which are not related to the educational program should be kept at an absolute minimum.

The Tuolumne County Superintendent of Schools or designee shall establish administrative regulations to govern classroom interruptions.

Legal Reference:

EDUCATION CODE

32212 Classroom interruptions

CLASSROOM INTERRUPTIONS

Announcements that apply only to teachers shall be distributed through e-mail or phone, at designated times.

The teacher shall deliver messages to students.

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

School visitors and observers shall make appointments in advance.

(cf. 1250 - Visitors/Outsiders)

CURRICULUM DEVELOPMENT AND EVALUATION

The Tuolumne County Superintendent of Schools Office accepts responsibility for establishing what students should learn. The County Office shall adopt a district curriculum which reflects district philosophy, responds to student needs and abilities, and is consistent with the requirements of law. Insofar as possible, this curriculum shall also reflect the desires of the community and the needs of society as a whole.

The County Office considers curriculum improvement to be a top priority for the district. Curriculum development and evaluation will therefore be an ongoing process in the district, routinely supported by planned allocations of resources and staff time.

The Tuolumne County Superintendent of Schools or designee shall establish procedures which ensure that the curriculum development and evaluation process includes input from teachers, administrators, students and parents/guardians. The selection and evaluation of instructional materials shall be coordinated with the curriculum development and evaluation process.

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

The County Superintendent or designee shall keep the County Board informed about student interest and achievement in each area of the curriculum.

Legal Reference: (see next page)

CURRICULUM DEVELOPMENT AND EVALUATION (continued)

Legal Reference:

EDUCATION CODE

221.5 *Equal opportunity without regard to sex*
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, especially*
51225.3 *Requirements for high school graduation*
51500-51540 *Prohibited instruction*
51720-51879.9 *Authorized classes and courses of instruction*
52160-52178 *Bilingual-Bicultural Act*
52200-52212 *Mentally gifted and talented pupil program*
52300-52414 *Vocational education*
54000-54028 *Programs for disadvantaged pupils*
54100-54145 *Miller-Unruh Act of 1965*
56000-56865 *Special education programs*

GOVERNMENT CODE

3543.2 *Scope of representation*

CODE OF REGULATIONS, TITLE 5

4000-4091 *School improvement programs*
4304-4320 *Bilingual education programs*
4400-4426 *Improvement of elementary and secondary education*

Management Resources:

CDE PROGRAM ADVISORIES

123.87 *Curriculum Review, Improvement and Implementation, CIL:87/8-9*

RECOGNITION OF RELIGIOUS BELIEFS AND CUSTOMS

The Tuolumne County Superintendent of Schools Office recognizes that students' education would be incomplete without an understanding of the role of religion in society. As appropriate for a particular course, teachers may objectively discuss the influences of various religions, using religious works and symbols to illustrate their relationship with culture, literature or the arts. The County Office expects that such instruction will identify principles common to all religions and foster respect for the diversity of religions and customs in the world.

(cf. 6143 - Courses of Study)

In order to respect each student's individual right to freedom of religious practice, religious indoctrination is clearly forbidden in the public schools. Instruction about religion shall not promote or denigrate the beliefs or customs of any particular religion or sect, nor should a preference be shown for one religious viewpoint over another. Staff members shall be highly sensitive to their obligation not to interfere with the religious development of any student in whatever tradition the student embraces.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 1330 - Use of School Facilities)

(cf. 1325 - Advertising and Promotion)

(cf. 5113 - Absences and Excuses)

(cf. 6145.5 - Student Organizations and Equal Access)

Staff shall not endorse, encourage or solicit religious or anti-religious expression or activities among students during class time. As part of their official duties, staff shall not lead students in prayer or other religious activities. However, staff shall not prohibit or discourage any student from praying or otherwise expressing his/her religious belief as long as this does not disrupt the classroom.

(cf. 5127 - Graduation Ceremony and Activities)

Students may express their beliefs about religion in their homework, artwork and other class work if the expression is germane to the assignment. Such work shall be judged by ordinary academic standards.

(cf. 5121 - Grades/Evaluation of Student Achievement)

(cf. 5145.2 - Freedom of Speech/Expression)

(cf. 6144 - Controversial Issues)

(cf. 6154 - Homework/Make-up Work)

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.

RECOGNITION OF RELIGIOUS BELIEFS AND CUSTOMS (continued)

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

COURT DECISIONS

Lassonde v. Pleasanton Unified School District, (2003, 9th Cir.) 320 F.3d 979

Cole v. Oroville Union High School District, (2000, 9th Cir.) 228 F.3d 1092

Lemon v. Kurtzman, (1971) 403 U.S. 602

Management Resources:

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools, February 2003

Religion in the Public Schools: A Joint Statement of Current Law, April 1995

WEB SITES

California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Education: <http://www.ed.gov>

CSBA: <http://www.csba.org>

RECOGNITION OF RELIGIOUS BELIEFS AND CUSTOMS

Staff shall make every effort to schedule one-time events, such as examinations, school-sponsored trips, special laboratories, picture-taking days and class parties, to minimize conflicts with major religious holidays of all faiths.

(cf. 6111 - School Calendar)

Programs and Exhibits

When school programs and exhibits are in any way related to instruction about religion or religious holidays, the following guidelines shall be observed:

1. The principal/program administrator or designee shall ensure that school-sponsored programs are presented in an objective manner, consistent with County Office policy.
2. The principal/program administrator or designee shall be kept informed of the program's development.
3. Program or exhibit planners shall take into consideration the diverse religious faiths represented in the community, student body and staff.

SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION

The Tuolumne County Superintendent of Schools Office recognizes that accurate information about family life and human sexuality may contribute to a decreased risk for sexually transmitted diseases or unintended pregnancies. The County Office also recognizes that Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS) pose a public health crisis and that education is a necessary component for helping to slow the spread of this disease. The County Office therefore desires to provide a well-planned sequence of instruction on comprehensive sexual health and HIV/AIDS prevention.

(cf. 6142.8 - Comprehensive Health Education)

The County Office curriculum shall be based on medically accurate and factual information and shall help students understand the biological, psychological, social, moral, and ethical aspects of human sexuality. The County Office program shall comply with the requirements of law and administrative regulation and 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.

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.25 - Availability of Condoms)

(cf. 5146 - Married/Pregnant/Parenting Students)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6143 - Courses of Study)

Parent/Guardian Notification and Excuse

At the beginning of each school year, or at the time of a student's enrollment, parents/guardians shall be notified about instruction in comprehensive sexual health education and HIV/AIDS prevention education, as well as research on student health behaviors and risks, planned for the coming year. The notice shall advise parents/guardians: (Education Code 48980, 51938)

1. That written and audiovisual educational materials to be used in comprehensive sexual health and HIV/AIDS prevention education are available for inspection
2. That parents/guardians may request in writing that their child not receive comprehensive sexual health or HIV/AIDS prevention education
3. That parents/guardians have a right to request a copy of Education Code 51930-51938
4. Whether the comprehensive sexual health or HIV/AIDS prevention education will be taught by County Office personnel or outside consultants

If the County Office chooses to use outside consultants or to hold an assembly with guest speakers to teach the comprehensive sexual health or HIV/AIDS prevention education, the notification shall include: (Education Code 51938)

SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION (continued)

- 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

If the arrangements for instruction by outside consultants or guest speakers are made after the beginning of the school year, the County Office shall notify parents/guardians by mail or another commonly used method of notification no fewer than 14 days before the instruction is given. (Education Code 51938)

(cf. 5145.6 - Parental Notifications)

The County Office may administer to students in grades 7-12 anonymous, voluntary, and confidential research and evaluation instruments, including tests and surveys, containing age-appropriate questions about their attitudes or practices relating to sex. Prior to administering such a research and evaluation instrument, parents/guardians shall be provided written notice of the administration. Parents/guardians shall be given an opportunity to review the research instrument and to request in writing that their child not participate. (Education Code 51938)

Upon written request, a parent/guardian may excuse his/her child from participating in comprehensive sexual health or HIV/AIDS prevention education or from participating in questionnaires or surveys regarding health behaviors and risks. Students so excused by their parents/guardians shall be given an alternative educational activity. (Education Code 51240, 51939)

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. (Education Code 51939)

Legal Reference: (see next page)

SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION (continued)

Legal Reference:

EDUCATION CODE

48980 *Notice at beginning of term*

51202 *Instruction in personal and public health and safety*

51240 *Excuse from instruction due to religious beliefs*

51513 *Materials containing questions about beliefs or practices*

51930-51939 *Comprehensive Sexual Health and HIV/AIDS Prevention Education Act*

HEALTH AND SAFETY CODE

1255.7 *Parents surrendering physical custody of a baby*

PENAL CODE

243.4 *Sexual battery*

261.5 *Unlawful sexual intercourse*

271.5 *Parents voluntarily surrendering custody of a baby*

UNITED STATES CODE, TITLE 20

1232h *Protection of Student Rights*

7906 *Sex education*

Management Resources:

CDE PUBLICATIONS

Health Framework for California Public Schools, 2003

WEB SITES

California Department of Education, Sex Education and HIV/STD Instruction:

<http://www.cde.ca.gov/ls/he/se/>

California Department of Health Services: <http://www.dhs.ca.gov>

California Department of Social Services: <http://www.dss.cahwnet.gov>

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Safe Schools Coalition: <http://www.casafeschools.org>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION

Comprehensive Sexual Health Instruction

The Tuolumne County Superintendent of Schools Office sexual health education curriculum shall satisfy the following criteria: (Education Code 51931, 51933)

1. Instruction and materials shall be age appropriate.

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.

2. All factual information presented shall be medically accurate and objective.

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.

3. Instruction shall be made 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 student, as otherwise provided in the Education Code.

(cf. 6174 - Education for English Language Learners)

4. Instruction and materials shall be appropriate for use with students of all races, genders, sexual orientations, ethnic and cultural backgrounds, and students with disabilities.
5. Instruction and materials shall be 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.
6. Instruction and materials shall encourage a student to communicate with his/her parents/guardians about human sexuality.
7. Instruction and materials shall teach respect for marriage and committed relationships.
8. Instruction and materials may not teach or promote religious doctrine.
9. Instruction and materials may not reflect or promote bias against any person on the basis of any category protected by Education Code 220.

SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION (continued)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5145.3 - Nondiscrimination/Harassment)

10. Beginning in grade 7, instruction and materials shall teach that abstinence from sexual intercourse is the only certain way to prevent unintended pregnancy, teach that abstinence from sexual activity is the only certain way to prevent sexually transmitted diseases, and provide information about the value of abstinence while also providing medically accurate information on other methods of preventing pregnancy and sexually transmitted diseases.
11. Beginning in grade 7, instruction and materials shall provide information about sexually transmitted diseases. This instruction shall include how sexually transmitted diseases are and are not transmitted, the effectiveness and safety of all federal Food and Drug Administration (FDA) approved methods of reducing the risk of contracting sexually transmitted diseases, and information on local resources for testing and medical care for sexually transmitted diseases.
12. Beginning in grade 7, instruction and materials shall provide information about the effectiveness and safety of all FDA-approved contraceptive methods in preventing pregnancy, including, but not limited to, emergency contraception.

(cf. 5141.25 - Availability of Condoms)

13. Beginning in grade 7, instruction and materials shall provide students with skills for making and implementing responsible decisions about sexuality.

(cf. 5146 - Married/Pregnant/Parenting Students)

14. Beginning in grade 7, instruction and materials shall provide students with information on the law on surrendering physical custody of a minor child 72 hours or younger, pursuant to Health and Safety Code 1255.7 and Penal Code 271.5.

(cf. 6143 - Courses of Study)

HIV/AIDS Prevention Instruction

HIV/AIDS prevention instruction shall be offered at least once in junior high or middle school and once in high school by instructors trained in the appropriate courses. Instruction shall accurately reflect the latest information and recommendations from the United States Surgeon General, the federal Centers for Disease Control and Prevention, and the National Academy of Sciences and shall include: (Education Code 51934)

1. Information on the nature of HIV/AIDS and its effects on the human body.

SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION (continued)

2. Information on the manner in which HIV is and is not transmitted, including information on activities that present the highest risk of HIV infection.
3. Discussion of methods to reduce the risk of HIV infection, including:
 - a. Emphasis that sexual abstinence, monogamy, the avoidance of multiple sexual partners and abstinence from intravenous drug use are the most effective means for HIV/AIDS prevention.
 - b. Statistics based upon the latest medical information citing the failure and success rates of condoms and other contraceptives in preventing sexually transmitted HIV infection.
 - c. Information on other methods that may reduce the risk of HIV transmission from intravenous drug use.
4. Discussion of the public health issues associated with HIV/AIDS.
5. Information on local resources for HIV testing and medical care.
6. Development of refusal skills to assist students in overcoming peer pressure and using effective decision-making skills to avoid high-risk activities.
7. Discussion about societal views on HIV/AIDS, including stereotypes and myths regarding persons with HIV/AIDS. This instruction shall emphasize compassion for persons living with HIV/AIDS.

In-Service Training and Use of Consultants

The Tuolumne County Superintendent of Schools or designee shall cooperatively plan and conduct in-service training for all County Office personnel who provide HIV/AIDS prevention education, through regional planning, joint powers agreements or contract services. (Education Code 51935)

In developing and providing in-service training, the County Superintendent or designee shall cooperate and collaborate with the teachers who provide HIV/AIDS prevention education and with the California Department of Education. (Education Code 51935)

The County Office shall periodically conduct in-service training to enable district personnel to learn new developments in the scientific understanding of HIV/AIDS. In-service training shall be voluntary for County Office personnel who have demonstrated expertise or received in-service training from the California Department of Education or federal Centers for Disease Control and Prevention. (Education Code 51935)

SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION (continued)

The County Superintendent or designee may contract with outside consultants with expertise in comprehensive sexual health or HIV/AIDS prevention education, including those who have developed multilingual curricula or curricula accessible to persons with disabilities, to deliver the instruction or to provide training for district personnel. (Education Code 51936)

CIVIC EDUCATION

The Tuolumne County Superintendent of Schools Office recognizes that citizen involvement in civic and political institutions is essential to a democratic government and desires to provide a civic education program to help students acquire the knowledge, skills, and principles essential for informed, responsible citizenship.

The County Office's civic education program shall provide students with an understanding of the rights and responsibilities of citizens in American democracy and the workings of federal, state, and local governments. As appropriate, instruction should include an examination of fundamental American documents, including, but not limited to, the Declaration of Independence, the United States Constitution, the Federalist Papers, and other significant writings and speeches.

To develop a sense of political effectiveness, instruction should develop students' understanding of the importance of civic participation in a democratic society. Service learning, extracurricular and cocurricular activities, class and school/program site elections, and observation of local government processes may be used to reinforce classroom instruction by linking civic knowledge to practical experience and encouraging civic involvement.

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

(cf. 6142.4 - Learning Through Community Service)

(cf. 6145 - Extracurricular and Cocurricular Activities)

Instruction also should promote a student's understanding of shared democratic principles and values, such as personal responsibility, justice, equality, respect for others, civic-mindedness, and patriotism, and enable students to make their own commitment to these civic values.

Constitution/Citizenship Day

Each year on or near September 17, in commemoration of Constitution and Citizenship Day, the County Office shall hold an educational program for students in grades K-12 pertaining to the United States Constitution which shall include exercises and instruction in the purpose, meaning, and importance of the Constitution, including the Bill of Rights. (Education Code 37221; P.L. 108-447, Sec. 111)

(cf. 6115 - Ceremonies and Observances)

Legal Reference: (see next page)

CIVIC EDUCATION (continued)

Legal Reference:

EDUCATION CODE

233.5 *Teaching of principles*

33540 *Standards for government and civics instruction*

37221 *Commemorative exercises including anniversary of U.S. Constitution*

48205 *Absence from school for jury duty or precinct board service*

51210 *Courses of study, grades 1-6*

51220 *Courses of study, grades 7-12*

ELECTIONS CODE

12302 *Precinct boards, appointment of students*

UNITED STATES CODE, TITLE 20

6711-6716 *Education for Democracy Act*

UNITED STATES CODE, TITLE 36

101-144 *Patriotic observances*

Management Resources:

CSBA PUBLICATIONS

School Board Leadership: The Role and Function of California's School Boards, 1996

FEDERAL REGISTER

70 Fed. Reg. 9929727 *Constitution Day and Citizenship Day*

AMERICAN BAR ASSOCIATION PUBLICATIONS

Essentials of Law-Related Education, rev. 2003

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

History-Social Science Content Standards

CENTER FOR CIVIC EDUCATION PUBLICATIONS

Education for Democracy: California Civic Education Scope & Sequence, 2003

National Standards for Civics and Government, 1994

NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS (NAEP) PUBLICATIONS

1998 Civics Report Card for the Nation, November 18, 1999

WEB SITES

CSBA: <http://www.csba.org>

American Bar Association, Law-Related Education Projects: <http://www.abanet.org/publiced/lre>

American Political Science Association: <http://www.apsanet.org>

Bill of Rights Institute: <http://www.billofrightsinstitute.org>

California Association of Student Leaders: <http://www.casl1.org>

California Council for the Social Studies: <http://www.ccss.org>

Center for California Studies: <http://www.csus.edu/calst>

Center for Civic Education: <http://www.civiced.org>

Center for Information and Research on Civic Learning and Engagement: <http://www.civicyouth.org>

Center for Youth Citizenship: <http://www.youthcitizenship.org>

Constitutional Rights Foundation: <http://www.crf-usa.org>

National Assessment of Educational Progress (NAEP), Civics Assessment:

<http://nces.ed.gov/nationsreportcard/civics>

National Council for the Social Studies: <http://www.ncss.org>

ENVIRONMENTAL EDUCATION

The Tuolumne County Superintendent of Schools Office recognizes that school/program sites play a crucial role in educating students about the importance of the environment and in preparing them to be stewards of natural resources. The County Board believes that students should value the environment, respect all life forms, understand the basic ecological principles which support the planet, and live an ecologically responsible life-style.

(cf. 6000 - Concepts and Roles)

(cf. 6142.3 - Civic Education)

The County Superintendent or designee shall determine how the County Office's environmental education program will be integrated into the County Office's science curriculum and other subjects and courses in which the concepts may be explicitly and systematically taught.

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6142.93 - Science Instruction)

(cf. 6143 - Courses of Study)

The goal of the County Office's environmental education program shall be to provide students with an understanding of the interactions and interdependence of human societies and natural systems, people's dependence and influence on natural systems, the ways that natural systems change and how people can benefit and influence that change, the fact that there are no boundaries to prevent matter from flowing between systems, and the fact that decisions affecting resources and natural systems are complex and involve many factors.

The County Office's program shall emphasize a coordination of instructional resources with active student participation in onsite resource conservation and management programs and the promotion of service learning partnerships.

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

(cf. 3511 - Energy and Water Management)

(cf. 3511.1 - Integrated Waste Management)

(cf. 3514 - Environmental Safety)

(cf. 5030 - Student Wellness)

(cf. 6142.4 - Service Learning/Community Service Classes)

(cf. 6153 - School-Sponsored Trips)

Legal Reference: (see next page)

ENVIRONMENTAL EDUCATION (continued)

Legal Reference:

EDUCATION CODE

8700-8707 *Environmental education*
8720-8723 *Conservation education service*
8760-8773 *Outdoor science, conservation, and forestry*
33541 *Science requirements*
37222 *John Muir; recognition of his contributions*
51210 *Areas of study, grades 1-6*
51220 *Areas of study, grades 7-12*
51795-51797 *School instructional gardens*
60041 *Ecological systems and their protection*

PUBLIC RESOURCES CODE

71300-71305 *Statewide environmental education*

Management Resources:

WEB SITES

California Environmental Protection Agency, Education and the Environment Initiative:
<http://www.calepa.ca.gov/Education/EEI>
California Department of Education, Environmental Education:
<http://www.cde.ca.gov/pd/ca/sc/oeintrod.asp>
California Integrated Waste Management Board, School Waste Management Education and Assistance:
<http://www.ciwmb.ca.gov/Schools>
California Regional Environmental Education Community: <http://www.creec.org>

VISUAL AND PERFORMING ARTS EDUCATION

The Tuolumne County Superintendent of Schools Office believes that visual and performing arts are essential to a well-rounded educational program and should be an integral part of the course of study offered to students at all grade levels. The County Office's arts education program shall provide opportunities for appreciation, creation, and performance of the arts.

(cf. 6143 - Courses of Study)

(cf. 6146.1 - High School Graduation Requirements)

The County Board shall use the Visual and Performing Arts Content Standards for California Public Schools which describe the skills, knowledge, and abilities that students shall be expected to possess at each grade level. The County Office's standards shall meet or exceed state content standards for each of these disciplines.

(cf. 6011 - Academic Standards)

The Tuolumne County Superintendent of Schools or designee shall develop a program for performing and visual arts which is consistent with the state curriculum framework and includes the following strands:

1. Artistic perception: processing, analyzing, and responding to sensory information through the use of language and skills unique to each arts discipline
2. Creative expression: composing, arranging, and performing a work and using a variety of means to communicate meaning and intent in one's own original works
3. Historical and cultural context: understanding the historical contributions and cultural dimensions of an arts discipline
4. Aesthetic valuing: analyzing and critically assessing works of dance, music, theatre, and visual arts
5. Connections, relations, and applications: connecting, comparing, and applying what is learned in one arts discipline to learning in the other arts, other subject areas, and careers

(cf. 6141 - Curriculum Development and Evaluation)

The County Board encourages teachers to incorporate a variety of media and technologies into lessons, presentations, and explorations in each of the arts disciplines.

(cf. 0400 - District Technology Plan)

(cf. 1312.2 - Complaints Concerning Instructional Materials)

(cf. 6161 - Equipment, Books and Materials)

VISUAL AND PERFORMING ARTS EDUCATION (continued)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)
(cf. 6161.11 - Supplementary Instructional Materials)
(cf. 6161.3 - Toxic Art Materials)
(cf. 6162.6 - Use of Copyrighted Materials)
(cf. 6163.1 - Library Media Centers)

The County Superintendent or designee shall provide standards-based professional development designed to increase teachers' knowledge of and ability to teach the arts and to implement instructional materials.

(cf. 4131 - Staff Development)

The County Superintendent or designee shall encourage, as a supplement to teacher instruction, the integration of community arts resources into the educational program. Such resources may include opportunities for students to attend musical and theatrical performances, observe the works of accomplished artists, and work directly with artists-in-residence and volunteers. In addition, the County Superintendent or designee may collaborate with community organizations to share resources and seek grant opportunities.

(cf. 1230 - School-Connected Organizations)
(cf. 1240 - Volunteer Assistance)
(cf. 1260 - Educational Foundation)
(cf. 1700 - Relations between Private Industry and the Schools)
(cf. 3290 - Gifts, Grants and Bequests)
(cf. 6020 - Parent Involvement)
(cf. 6153 - School-Sponsored Trips)

The County Superintendent or designee shall regularly evaluate the implementation of arts education at each grade level and program effectiveness in enabling students to meet academic standards.

(cf. 0500 - Accountability)

Arts and Music Block Grants

Any state funding received through arts and music block grants shall be used only for hiring additional staff, purchasing new materials, books, supplies, and equipment, and/or implementing or increasing staff development opportunities as needed to support standards-aligned arts and music instruction. (SB 77, Item 6110-265-0001, Statutes of 2007)

The County Board shall distribute block grant funds to all district schools on the basis of an equal amount per student or the minimum school site allocation specified in the state budget, whichever is greatest. (SB 77, Item 6110-265-0001, Statutes of 2007)

VISUAL AND PERFORMING ARTS EDUCATION (continued)

However, the County Board may allocate block grant funds for County-wide expenditures that support program purposes on behalf of all County Office schools. If the County Board elects to do so, it shall adopt a resolution at a public meeting which specifies how the funds will be allocated among schools and for County-wide purposes and the reasons for those allocations. Prior to the public meeting, the County Board shall inform school site councils, schoolwide advisory groups, or school support groups, as applicable, of the content of the proposed resolution and of the time and location where the resolution is proposed to be adopted. (SB 77, Item 6110-265-0001, Statutes of 2007)

(cf. 1220 - Citizen Advisory Committees)

(cf. 9320 - Meetings and Notices)

Legal Reference: (see next page)

VISUAL AND PERFORMING ARTS EDUCATION (continued)

Legal Reference:

EDUCATION CODE

8820-8830 *Arts Work Visual and Performing Arts Educational Program*

8950-8957 *California summer school of the arts*

32060-32066 *Toxic art supplies*

35330 *Field trips*

51210 *Course of study, grades 1-6*

51220 *Course of study, grades 7-12*

51225.3 *Graduation requirements*

58800-58805 *Specialized secondary programs*

60200-60206 *Instructional materials, elementary schools*

60400-60411 *Instructional materials, high schools*

99200-99206 *Subject matter projects*

UNCODIFIED STATUTE

SB 77, Ch. 171, *Statutes of 2007, Item 6110-265-0001 Arts and music block grant*

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Leadership: Curriculum Development, 1996

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Visual and Performing Arts Framework for California Public Schools: Kindergarten through Grade 12, 2004

Visual and Performing Arts Content Standards, January 2001

Arts Education Program Toolkit: A Visual and Performing Arts Program Assessment Process, 2001

WEB SITES:

CSBA: <http://www.csba.org>

Arts Education Partnership: <http://aep-arts.org>

California Alliance for Arts Education: <http://www.artsed411.org>

California Arts Council: <http://www.cac.ca.gov>

California Art Education Association: <http://www.caea-arteducation.org>

California Association for Music Education: <http://www.calmusiced.com>

California Dance Education Association: <http://www.cdeadance.org>

California Department of Education, Visual and Performing Arts: <http://www.cde.ca.gov/ci/vp>

California Educational Theatre Association: http://www.cetoweb.org/ceta_pages

The California Arts Project: <http://csmp.ucop.edu/tcap>

PHYSICAL EDUCATION

The Tuolumne County Superintendent of Schools Office recognizes the positive benefits of physical activity on student health and academic achievement. The County Board desires to provide a physical education program that supports an adequate amount of moderate to vigorous physical activity, builds interest and proficiency in movement skills, and encourages students' lifelong fitness through physical activity. Besides promoting high levels of personal achievement and a positive self-image, physical education activities should teach students how to cooperate in the achievement of common goals.

(cf. 5030 - Student Wellness)
(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 6142.8 - Comprehensive Health Education)
(cf. 6145.2 - Athletic Competition)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.11 - Alternative Credits Toward Graduation)

The County Board shall approve the components of the physical education program. The County Office's program shall be aligned with state model content standards and curriculum frameworks for physical education and shall provide a developmentally appropriate sequence of instruction including, at appropriate grade levels, the effects of physical activity upon dynamic health, and the mechanics of body movement.

(cf. 6011 - Academic Standards)
(cf. 6143 - Courses of Study)

The County Office's program shall provide equal opportunities for participation in physical education instruction regardless of gender.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

An appropriate alternative activity or exemption from the physical education class shall be provided for a student with disabilities in accordance with his/her individualized education program or Section 504 accommodation plan.

(cf. 6159 - Individualized Education Program)
(cf. 6164.6 - Identification and Education Under Section 504)

Physical education staff shall appropriately adjust the amount or type of physical exercise required of students during air pollution episodes, hot weather, or other inclement conditions or as needed to accommodate individual student health needs.

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

The County Office's physical education program shall be provided by appropriately credentialed teachers. Continuing professional development shall be offered to physical education teachers and to classroom teachers serving as instructors of physical education in order to enhance the quality of instruction and the variety of activities offered.

PHYSICAL EDUCATION (continued)

(cf. 4112.2 - Certification)

(cf. 4131 - Staff Development)

(cf. 4222 - Teacher Aides/Paraprofessionals)

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. (Education Code 60800)

The County Superintendent or designee shall report the aggregate results of the physical fitness testing in the annual school accountability report card required by Education Code 33126 and 35256. (Education Code 60800)

(cf. 0510 - School Accountability Report Card)

Temporary Exemptions

The County Superintendent or designee may grant a temporary exemption from physical education under either of the following conditions: (Education Code 51241)

1. The student is ill or injured and a modified program to meet his/her needs cannot be provided.
2. The student is enrolled for one-half time or less.

Two-Year Exemptions

With a student's consent, the County Superintendent or designee may exempt the student from any two years of physical education courses during grades 10-12 provided that the student has satisfactorily met any five of the six standards of the state's physical fitness test in grade 9. (Education Code 51241)

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.

Permanent Exemptions

The County Superintendent or designee may grant a permanent exemption from physical education to a student under any of the following conditions: (Education Code 51241)

1. The student is age 16 years or older and has been enrolled in grade 10 for one or more academic years.
2. The student is enrolled as a postgraduate student.

PHYSICAL EDUCATION (continued)

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. (Education Code 51222)
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. (Education Code 52316)
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. (Education Code 51242)

(cf. 6145.2 - Athletic Competition)

Legal Reference: (see next page)

PHYSICAL EDUCATION (continued)

Legal Reference:

EDUCATION CODE

33126 *School accountability report card*
33350-33354 *CDE responsibilities re: physical education*
35256 *School accountability report card*
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 or permanent exemption from physical education*
51242 *Exemption from physical education for athletic program participants*
52316 *Excuse from attending physical education classes*

60800 *Physical performance test*

CODE OF REGULATIONS, TITLE 5

1040-1048 *Physical performance test*
3051.5 *Adapted physical education for individuals with exceptional needs*
10060 *Criteria for high school physical education programs*

UNITED STATES CODE, TITLE 29

794 *Rehabilitation Act of 1973, Section 504*

UNITED STATES CODE, TITLE 42

1751 *Note Local wellness policy*

ATTORNEY GENERAL OPINIONS

53 *Ops.Cal.Atty.Gen.* 230 (1970)

Management Resources:

CSBA PUBLICATIONS

Physical Education and California Schools, Policy Brief, rev. October 2007
Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2007
Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. April 2006

CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES

0418.89 *Physical Education, April 18, 1989*

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Physical Education Model Content Standards for California Public Schools: Kindergarten Through Grade 12, January 2005

Physical Education Framework for California Public Schools: Kindergarten Through Grade 12, 1996

CALIFORNIA DEPARTMENT OF HEALTH SERVICES PUBLICATIONS

School Idea and Resource Mini Kit, 2000

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

School Health Index for Physical Activity and Healthy Eating: A Self-Assessment and Planning Guide for Elementary and Middle/High Schools, 2000

NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION PUBLICATIONS

Fit, Healthy and Ready to Learn, 2000

Management Resources continued: (see next page)

PHYSICAL EDUCATION (continued)

Management Resources: (continued)

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, Physical Fitness Testing: <http://www.cde.ca.gov/ta/tg/pf>

California Department of Health Services, School Health Connections:

<http://www.dhs.ca.gov/ps/cdic/shc/default.htm>

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

Educational Data System, California physical fitness: <http://www.eddata.com/projects/current/cpf>

FITNESSGRAM[®], Cooper Institute: <http://www.fitnessgram.net>

Healthy People 2010: <http://www.healthypeople.gov>

National Association for Sports and Physical Education: <http://www.aahperd.org/naspe>

National Association of State Boards of Education (NASBE): <http://www.nasbe.org>

National School Boards Association: <http://www.nsba.org>

The California Endowment: <http://www.calendow.org>

PHYSICAL EDUCATION**Instructional Time**

Instruction in physical education shall be provided for a total period of time of not less than 200 minutes each 10 school/program site days for students in grades 1-6 and not less than 400 minutes each 10 school/program site days for students in grades 7-12. (Education Code 51210, 51222)

Students in grades 10-12 who have been granted a two-year exemption pursuant to Education Code 51241(b) shall be offered a variety of elective physical education courses of not less than 400 minutes each 10 school/program site days. (Education Code 51222)

Students in grades 10-12 who have been granted a two-year or permanent exemption from physical education pursuant to Education Code 51241(b)(1) or (c) 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. (Education Code 51241)

Students in a regional occupational program or center who are exempted from physical education pursuant to Education Code 52316 shall have a minimum school/program site day of 180 minutes. (Education Code 52316)

Physical Fitness Testing

During the month of February, March, April, or May, students in grades 5, 7, and 9 shall be administered the physical fitness test designated by the State Board of Education. (Education Code 60800)

(cf. 6162.5 - Student Assessment)

The Tuolumne County Superintendent of Schools 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. (5 CCR 1043)

On or before November 1 of each school/program site year, the County Superintendent may designate an employee to serve as the County Office's physical fitness test coordinator and so notify the test contractor. The test coordinator shall serve as the liaison between the County Office and California Department of Education for all matters related to the physical fitness test. His/her duties shall be those specified in 5 CCR 1043.4, including, but not limited to, overseeing the administration of the test and the collection and return of all test data to the test contractor. (5 CCR 1043.4)

Students shall be provided with their individual results after completing the physical performance testing. The test results may be provided in writing or orally as the student completes the testing. (Education Code 60800; 5 CCR 1043.10)

PHYSICAL EDUCATION (continued)

Each student's scores on the physical performance test shall be included in his/her cumulative record. (5 CCR 1044)

(cf. 5125 - Student Records)

Testing Variations

All students may be administered the state's physical fitness test with the following test variations: (5 CCR 1047)

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

All students may have the following test variations if they are regularly used in the classroom: (5 CCR 1047)

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. (Education Code 60800; 5 CCR 1047)

Students with disabilities may be provided the following accommodations if specified in their individualized education program (IEP) or Section 504 plan: (5 CCR 1047)

1. Administration of the test at the most beneficial time of day to the student after consultation with the test contractor
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 IEP or Section 504 plan for the physical fitness test

(cf. 6159 - Individualized Education Program)

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

PHYSICAL EDUCATION (continued)

Identified English learners may be allowed the following additional test variations if regularly used in the classroom: (5 CCR 1048)

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

COMPREHENSIVE HEALTH EDUCATION

The Tuolumne County Superintendent of Schools Office believes that health education should foster the knowledge, skills, and behaviors that students need in order to lead healthy, productive lives. The County Office's health education program shall teach personal responsibility for one's own lifelong health, respect for and promotion of the health of others, the process of growth and development, and informed use of health-related information, products, and services.

Goals for the County Office health education program shall be designed to promote student wellness and shall be developed in accordance with County Office policy. Such goals shall include, but not be limited to, goals for nutrition education and physical activity.

(cf. 5030 - Student Wellness)

(cf. 6011 - Academic Standards)

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Education)

(cf. 6142.7 - Physical Education)

Legal Reference: (see next page)

COMPREHENSIVE HEALTH EDUCATION (continued)

Legal Reference:

EDUCATION CODE

- 8850.5 *Family relationships and parenting education*
 - 35183.5 *Sun protection*
 - 49413 *First aid training*
 - 49430-49436 *Pupil Nutrition, Health and Achievement Act of 2001*
 - 49490-49493 *School breakfast and lunch programs*
 - 49500-49505 *School meals*
 - 51202 *Instruction in personal and public health and safety*
 - 51203 *Instruction on alcohol, narcotics and dangerous drugs*
 - 51210 *Areas of study*
 - 51220.5 *Parenting skills; areas of instruction*
 - 51260-51269 *Drug education*
 - 51265 *Gang violence and drug and alcohol abuse prevention inservice*
 - 51513 *Personal beliefs*
 - 51890-51891 *Comprehensive health education programs*
 - 51913 *District health education plan*
 - 51920 *Inservice training, health education*
 - 51930-51939 *Comprehensive sexual health and HIV/AIDS prevention education*
- #### CALIFORNIA CODE OF REGULATIONS, TITLE 5
- 11800-11801 *District health education plan*

Management Resources:

CSBA PUBLICATIONS

Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. 2005

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Framework for California Public Schools: Kindergarten Through Grade Twelve, 2003

CALIFORNIA DEPARTMENT OF HEALTH PUBLICATIONS

Jump Start Teens, 1997

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, Health Education: <http://www.cde.ca.gov/ci/he>

California Department of Health, School Health Connections:

<http://www.mch.dhs.ca.gov/programs/shc/shc.htm>

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Project LEAN (Leaders Encouraging Activity and Nutrition):

<http://www.californiaprojectlean.org>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

National Hearing Conservation Association: <http://www.hearingconservation.org>

COMPREHENSIVE HEALTH EDUCATION

Content of Instruction

The Tuolumne County Superintendent of Schools Office health education program shall include instruction to aid students in making decisions in matters of personal, family and community health, including the following topics: (Education Code 51890)

1. The use of health care services and products

(cf. 1020 - Youth Services)
(cf. 5141.6 - Student Health and Social Services)

2. Mental and emotional health and development

3. Use and misuse of drugs, including tobacco and alcohol

(cf. 3513.3 - Tobacco-Free Schools)
(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5131.63 - Steroids)

4. Family health and child development, including the legal and financial aspects and responsibilities of marriage and parenthood

(cf. 5146 - Married/Pregnant/Parenting Students)

5. Oral health, vision, and hearing

6. Nutrition, which may include related topics such as obesity and diabetes prevention

(cf. 5030 - Student Wellness)

7. Exercise, rest, and posture

(cf. 6142.7 - Physical Education)

8. Diseases and disorders, including sickle cell anemia and related genetic diseases and disorders

(cf. 5141.22 - Infectious Diseases)

9. Environmental health and safety

10. Community health

COMPREHENSIVE HEALTH EDUCATION (continued)

Exemption from Health Instruction

Upon written request from a parent/guardian, a student shall be excused from any part of the school/program health instruction that conflicts with his/her religious training and beliefs, including personal moral convictions. (Education Code 51240)

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Education)

Students so excused shall be given an alternative educational activity.

READING/LANGUAGE ARTS INSTRUCTION

The Tuolumne County Superintendent of Schools Office recognizes that reading and other language arts constitute the basic foundation for learning in other areas of study. Students should develop an appreciation for literature and for reading as a means to acquire knowledge. They also should develop oral and written language skills that enable them to effectively communicate with others.

(cf. 6143 - Courses of Study)

The County Office desires to offer a comprehensive, balanced reading/language arts program that ensures all students have the skills necessary to read fluently and for meaning. The program shall integrate reading, writing, speaking, and listening activities in order to build effective communication skills.

For each grade level, the County Office shall adopt academic standards in reading, speaking, and writing, including spelling and grammar, that meet or exceed state standards. The County Office program also shall be aligned with the state framework for reading/language arts instruction.

(cf. 6011 - Academic Standards)

Teachers are encouraged to use a variety of instructional strategies to accommodate the needs of beginning readers and the varying abilities of more advanced readers.

The Tuolumne County Superintendent of Schools or designee shall provide professional development opportunities to ensure that instructional staff is knowledgeable about how students develop language skills, is able to analyze students' developing literacy, and is able to draw from a variety of instructional strategies and materials.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

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

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

(cf. 6161.11 - Supplementary Instructional Materials)

(cf. 6162.7 - Use of Technology in Instruction)

(cf. 6163.1 - Library Media Centers)

READING/LANGUAGE ARTS INSTRUCTION (continued)

Grades 7-12

The County Office recognizes that reading/language arts instruction is an integral component of the curriculum at all grade levels. Continuous progress in fluency and comprehension shall be the goal of reading/language arts instruction in grades 7-12.

The program in these grades shall promote reading for subject matter comprehension, developing understanding of progressively more advanced reading material, analyzing and discussing a variety of reading materials, increasing the frequency of reading, developing more complex writing skills with attention to composition and vocabulary, and developing other communications skills.

When students in these grades do not have fully developed reading/language arts skills, the County Superintendent or designee shall make resources available to assist them in reaching a reading level sufficient to meet the demands of grade-level material. Staff at all grade levels and in every subject shall take responsibility for supporting and expanding students' literacy skills.

Legal Reference: (see next page)

READING/LANGUAGE ARTS INSTRUCTION (continued)

Legal Reference:

EDUCATION CODE

41505-41508 Pupil Retention Block Grant
41530-41532 Professional Development Block Grant
44277 Professional growth requirements; professional development in reading
44755-44757.5 Teacher reading instruction development program, K-3 (AB 466 trainings)
44830 Employment of certificated persons
44831 Certification qualifications
51210 Areas of study, grades 1 through 6
51220 Areas of study, grades 7 through 12
51700-51702 Reading First
53000-53006 Comprehensive reading leadership program
60119 Sufficiency of textbooks and instructional materials
60200.4 Fundamental skills
60350-60352 Core reading program instructional materials
60605 State-adopted content and performance standards in core curricular areas
99220-99221 California Reading Professional Development Institutes
99230-99242 Mathematics and Reading Professional Development Program (AB 466 trainings)

REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS

53025-53032 Intensive reading program for grades K-4

CODE OF REGULATIONS, TITLE 5

9535 Purchase of nonadopted core reading program instructional materials
11980-11986 Mathematics and Reading Professional Development Program (AB 466 trainings)

UNITED STATES CODE, TITLE 20

6361-6368 Reading First Program
6371-6376 Early Reading First Program
6381-6381k Even Start Family Literacy Program
6383 Improving literacy through school libraries

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Governance: Student Learning and Achievement
Every Student Can Read, Every Student Will Read, Report of the CSBA Reading Task Force, May 1995

CDE PUBLICATIONS

Every Child a Reader, 1995
English-Language Arts Framework for California Public Schools
English-Language Arts Content Standards for California Public Schools, Kindergarten Through Grade Twelve

Recommended Literature: Kindergarten Through Grade Twelve

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Guidance for the Reading First Program, April 2002

WEB SITES

CSBA: <http://www.csba.org>
California Department of Education, Reading/Language Arts: <http://www.cde.ca.gov/pd/ca/rl>
U.S. Department of Education: <http://www.ed.gov>