

**Bellevue-Santa Fe Charter School**

Governing Board Packet

Thursday, October 27, 2022

4:00p.m.



**Thursday, October 27, 2022  
Governing Board Agenda**

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**Location: Bellevue-Santa Fe Charter School**  
1401 San Luis Bay Drive  
San Luis Obispo, CA 93405  
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**4:00-5:00 p.m. OPEN SESSION**

**1. OPEN SESSION**

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1.01 Pledge of Allegiance

**2. ACTION**

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- 2.01 Consensus on Order of Business
- 2.02 Approval of Minutes – September 22, 2022

**3 PUBLIC INPUT**

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- 3.01 Correspondence
- 3.02 Public Comment

**4. PRESENTATION**

- 4.01 4<sup>th</sup>/5<sup>th</sup> Grade Camp Whittier Presentation

**5. ADMINISTRATOR UPDATES**

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**6. PTO REPORT**

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**7. INFORMATION**

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- 7.01 Reports by Board members
- 7.02 Behavior Expectations Policy
- 7.03 Bullying Policy

**8. DISCUSSION**

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- 8.01 Proof of Residency Policy (1<sup>st</sup> Reading)
- 8.02 Identification and Evaluation of Individuals for Special Education Policy (1<sup>st</sup> Reading)

**9. ACTION**

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- 9.01 Behavior Expectations Policy
- 9.02 Bullying Policy
- 9.03 Identification and Evaluation of Individuals for Special Education Policy

**10. CONSENT AGENDA**

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**11. UPCOMING MEETING PLANNING**

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- 11.01 Develop Agenda
- 11.02 Review assignments and action items
- 11.03 Next scheduled meeting: November 17, 2022

In compliance with the American Disabilities Act, if you need special assistance to participate in a Governing Board meeting, please contact Principal, Julie Turk at 805-595-7169. Notification of at least 48 hours prior to the meeting will assist staff in assuring reasonable accommodations can be made.



**Thursday, September 22, 2022  
Governing Board Draft Minutes**

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**Location: Bellevue-Santa Fe Charter School**  
1401 San Luis Bay Drive  
San Luis Obispo, CA 93405

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**4:30-5:30 p.m. OPEN SESSION**

In attendance: Ellen Pitrowski, JoEd Sennes, Kevin Ashworth, Julie Turk, Cole Cheatwood, Bradley Escobar, Megan Horner

Public: Jen Senor, Jenny Crooks

**1. OPEN SESSION**

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1.01 Pledge of Allegiance

**2. ACTION**

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- 2.01 Consensus on Order of Business
- 2.02 Approval of Minutes – June 1, 2022

Ellen made a motion to approve the minutes. JoEd seconded. All were in favor.

**3 PUBLIC INPUT**

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- 3.01 Correspondence - None received
- 3.02 Public Comment

Jenny Crooks - Shared information about Measure C22, a school bond measure to improve the facilities and safety of the district schools. Bellevue qualifies for funding as part of the measure for security fencing and fieldwork. The bond is important not only for Bellevue but for the school district, which will be the future home of most of our families. The beginning of the school year has been joyful. Thank you to the board and to the staff for their work in starting the year so strongly.

Jen Senor - Interested in knowing how Bellevue is part of Measure C22.

**4. ADMINISTRATOR UPDATES**

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Shared information regarding the food service requirements now that services are no longer provided for us. Planning for the implementation of food services is ongoing. Any families needing help with providing school lunches, snack, or breakfast should contact Julie Turk. School is rolling along really well. Students are happy. Things are feeling good. We have many volunteers helping out. It's been a great start.

**5. PTO REPORT**

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The PTO report is attached.

**6. INFORMATION**

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6.01 Reports by Board members

Kevin - Such a great start to the school year. Our sixth-graders are eager to lead the school. Spirit Days will be starting soon. I want to thank Megan Horner on behalf of the staff for another delicious lunch. I'd like to thank the parents and volunteers who serve on the board. It is not a glamorous job, but it is important for our school. I'd also like to thank our PTO and other volunteers for all they've done for the school already this year. We really appreciate it.

JoEd - Goal-setting is such an important time for teachers and students. It's great to sit down one-on-one with parents to talk about their children. Being able to loop with students is really special. I'd like to thank parents for taking time out of their schedules to come to the conference. Green and White are excited to go to camp in October. It's our first time going to this camp. It's exciting to be outdoors with the kids.

Ellen - I want to thank the school community for such an exciting launch to the school year. Electives are starting soon which is such a special part of our school. I am now an empty nester.

Cole - Glad to be back on the board. Nice to get back into school.

Bradley - Jude is excited to be back. He's excited about camp and Moana (the school play). JoEd and Erica do such an awesome job. Rayne is crushing middle school.

Megan - When your students attend a different school, you realize how special Bellevue is. It's a tiny gem of a school. Our kids that leave for middle school are well prepared for their work in middle school. I'm energized to help out all across the school.

#### 6.02 Enrollment Report

We're at 162 students.

#### 6.03 CAASPP Report

A report of the results from the Spring of 2022 CAASPP Testing was held.

### **7. PUBLIC HEARING**

7.01 Instructional Materials Sufficiency: California Education Code 60119 requires the Governing Board to hold an annual public hearing to determine whether each pupil has sufficient textbooks and instructional materials.

A hearing on Instructional Materials Sufficiency was held.

### **8. DISCUSSION**

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#### 8.01 Governing Board Goals

The board will review the following policies: Bullying, Homework, Behavior Expectations, FERPA, Parental Involvement, Proof of Residency

#### 8.02 Appoint Governing Board Officers

Ellen asked Kevin if he would be the secretary. Cole was nominated for treasurer.

### **9. ACTION**

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#### 9.01 Unaudited Actuals

A discussion of the Unaudited Actuals occurred. Julie made a motion to approve the Unaudited Actuals as presented. Kevin seconded. All were in favor.

#### 9.02 Appoint Governing Board Officers

Julie made a motion to approve Kevin as Secretary and Cole as Treasurer. Ellen seconded. All were in favor.

#### 9.03 Instructional Materials Sufficiency

Ellen made a motion to approve the Instructional Materials Sufficiency. Kevin seconded. All were in favor.

### **10. CONSENT AGENDA**

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#### 10.02 Approval of 4/5- Grade Overnight Field Trip

JoEd shared information regarding Camp Whittier. Megan made a motion to approve the trip to Camp Whittier. JoEd seconded. All were in favor.

### **11. UPCOMING MEETING PLANNING**

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11.01 Develop Agenda - October 27, 2022 / November 17, 2022 / December 15, 2022 (if needed) / January 19, 2023 / February 23, 2023 / March 23, 2023 / April 27, 2023 / May 25, 2022 / May 30, 2023

For agenda add: Behavior Expectations and Bullying (both in Information and Action), Proof of Residency (Discussion Only), Camp Whittier presentation

#### 11.02 Review assignments and action items

#### 11.03 Next scheduled meeting: Thursday, October 27, 2022

MY apologies for not being able to attend tonight's meeting but I had a scheduling conflict, I will return next month.

We had our first PTO meeting on 9/12/22 with a zoom option to attend. We had 6 members use the zoom option and so we will continue to offer this throughout the year. I would like to give a BIG thank you to those who attended. FYI ~ We will be offering a Zoom meeting next month on Monday 10/10 starting at 6pm. The agenda will go out on Friday 10/7. We encourage all members to email us at [PTO@BSFCS.ORG](mailto:PTO@BSFCS.ORG) at least one week prior if they want to have anything added for discussion. A Big Thank you to Jen Senor for being the teacher liaison again this year!! This position is invaluable to the PTO. The exchange of ideas between the PTO and Teachers keeps everyone informed about the needs and wishes of the school.

We have had a wonderful first start to the year. We had Kristen McKiernan and Megan Horner really look forward to doing this once a month and we have had an outpouring of support from members and corporations donating to this monthly. I have to give one more BIG shout out to Jenny Crooks for putting out the call for parent volunteers at the end and beginning of the school year. She was able to get all 12 PTO committee positions filled. This was quite a feat so THANK YOU SO MUCH JENNY CROOKS!! The PTO can't do all the things we do without these amazing volunteers!! Those positions were listed in The Buzz and can be found in parent square.

Our End of the Year Summer send-off raised \$6k and we ended the year with a surplus of about \$20K. We approved our budget at this past PTO meeting and put those surplus dollars back into our committee budgets. Those amounts can be found on the budget in the PTO link on parent square. I am very excited to see the great ideas that these committees have planned to accomplish this year!! It's going to be good stuff!! If you want to get involved or just be informed, we would love to extend an invite to all parents to attend the PTO meetings via Zoom. The Annual fundraiser is underway. The theme is Blue Jeans and Bling. That means wear your comfortable Blue Jeans and dress them up with whatever you fancy. The menu is finally complete with Taste Catering, and we will release it next week. It looks delicious! The PTO would like to formally invite all the certificated, classified and administrator staff to attend with a plus one. The PTO will send you an email next week to get an RSVP count. We are working on using Auctria again as we did last year. It is our goal to fully automate as much we can. This will help us facilitate the donations, auction items, and continue to use it for further fundraisers throughout the year.

We have lots more exciting information coming soon and we will continue to share everything planned as plans come thorough. If you have any questions or concerns, please contact the PTO at the PTO email, or personally email any of the board members: Treasurer - Shena Hinds, VP Genie Kim, Secretary Jenn Rainey, or me Vicki Cheatwood, President. Are emails can be found on the PTO Parent Square Link. All questions and concerns will be kept confidential with the PTO board.

Thank you,  
Vicki Cheatwood ~

# Bellevue-Santa Fe Charter School

## Student Behavior Expectations Draft Policy

BSFCS maintains high expectations for behavior. BSFCS student behavior expectations are shared with families at the beginning of the year. Students receive behavior expectation information through morning Assembly and their classroom teachers. Appropriate behavior is reinforced through staff direction. Our behavior expectations ~~and school parameters~~ are for student safety and our responsibility to promote an optimal learning environment for all students.

SCHOOL GUIDING PRINCIPLE:  
At BSFCS, we believe in respect.

RULES OF STUDENT CONDUCT:

- ❖ Respect for self:
  - Use positive self talk.
  - Appreciate and take care of what you have been given.
  - Try your best.
  - Seek help when needed.
  - Keep items that may be a disruption to your learning or positive play at home.
- ❖ Respect for others:
  - Treat others as they want to be treated.
  - Use kind words and school appropriate topics of conversation.
  - Keep your hands to yourself and engage in safe play.
  - Welcome others to your groups.
  - Listen to others when they speak and take their feelings into consideration.
  - Be helpful.
- ❖ Respect for this place:
  - Be where you are supposed to be (~~see School Parameters below~~) at all times.
  - If you take something out, put it away.
  - If you injure something or someone, work to repair it or the relationship with him/her.
  - Take ownership for your actions and work to make positive growth.
  - Take direction from BSFCS staff and participate in curriculum.
  - Practice positive, safe digital citizenship and appropriate use of technology on campus.
  - Take care of school buildings, grounds and materials.



## **SCHOOL PARAMETERS:**

Students are only to be in classrooms and non-specified areas when given permission by a supervising BSFCS staff member. During instruction, students may only leave the classroom with BSFCS staff approval. Students are expected to return to class efficiently without disruption.

### Specified Student Areas and Expectations:

8:00: Students hang up backpacks and are to be in staff-supervised areas of the blacktop, field, and/or playground.

8:25-8:30: First bell rings at 8:25. Students put away playground supplies on the ball cart and walk to Morning Assembly (in the MPR or Amphitheater).

8:30: Students report to the MPR. Students arriving after the second bell rings at 8:30 are marked 'Tardy.'

8:45: Students walk to classrooms and line up at their forum door until the forum teacher welcomes them in.

10:30: Students eat snack in the Food Area and clean up their items prior to play. Students are to be in staff-supervised areas of the blacktop, field, and/or playground.

10:45: At the bell, students put away playground supplies on the ball cart and walk to classrooms. Students line up at their forum door until the forum teacher welcomes them in.

12:10: K-3 students bring hot lunch sticks and/or lunch boxes to the Food Area. Students eat and stay in the Food Area until 12:20.

12:20: 4-6 students bring hot lunch sticks and/or lunch boxes to the Food Area. Beginning at 12:20, K-3 students are able to clean up their items and proceed to play. All students are to be in staff-supervised areas of the blacktop, field, and/or playground.

12:50: At the first bell, K-3 students put away playground supplies on the ball cart, get drinks of water, and walk to classrooms. Students line up at their forum door until the forum teacher welcomes them in.

1:00: At the second bell, 4-6 students put away playground supplies on the ball cart, get drinks of water, and walk to classrooms. Students line up at their forum door until the forum teacher welcomes them in. Designated 6th Grade students put away the ball cart in the PEACOCK room.

Dismissal (12:30 on minimum days, 3:00 on regular days): Students are dismissed by BSFCS staff to gather their items and walk directly to the front of the school to calmly wait for pick up under staff supervision on the grass west of the cement wall or directly report to After School Care.

Students who are not awaiting pick up or attending After School Care should be in the direct proximity of their parents/guardians and be calmly moving towards exiting the campus.

## **BEHAVIOR INTERVENTIONS AND CONSEQUENCES**

Behavioral interventions and consequences are designed to help children be successful students and to maintain a safe and stimulating learning environment. School-based interventions and consequences work best when they are clear and specific to the situation, help the student to improve his/her behavior, and are consistently applied with support from parents/guardians for appropriate behavioral outcomes. BSFCS utilizes the associated BSFCS Behavior Flow Chart to demonstrate site-wide interventions and consequential actions for behavioral situations in accordance to California Education Code. Each teacher develops a set of classroom rules and expectations that are in line with the school behavior policy. Teachers facilitate clear communication of classroom rules. Rules are taught, practiced, and reinforced for students.

## **OBLIGATION OF A SCHOOL OF CHOICE**

BSFCS recognizes that our pedagogy and practices may not be the best fit for every learner. Student participation is a requirement to learning through project-based experiences within a thematic, collaborative model. It is our obligation to notify families of student behavior that may indicate the student's need for a more structured ~~an alternative~~ educational model than the one offered at BSFCS.



## Bellevue-Santa Fe Charter School Bullying Policy

Bellevue-Santa Fe Charter School (BSFCS) recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. Employees shall establish student safety as a high priority and shall not tolerate bullying of any student. No student or group of students shall (through physical, written, verbal, or other means) harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel.

In accordance to the California Department of Education's publication, *Bullying at School*, bullying is defined by as follows:

*Bullying behaviors at school are recognized as dangerous and harmful acts that victimize the targeted student and bystanders. Bullying is a pattern of deliberate, negative, hurtful, aggressive acts that works to shift the balance of physical, emotional, or social power. Behavior motivated by bias or hate is similar to bullying and is intended to cause emotional suffering, physical injury, or property damage through intimidation, harassment, bigoted slurs or epithets, force or threat of force, or vandalism. Hateful or biased behavior is motivated in part or in whole by hostility toward a person's real or perceived race, nationality, religion, disability, gender, or sexual orientation. (Education Code sections 200, 220, 233, and 48900.3 describe policies and intent specific to hate-motivated violence. Penal Code sections 422.6, 422.7, 422.75, 422.8, 422.9, 422.95, and 628 define what constitutes hate-motivated crimes.)* (<http://www.cde.ca.gov/ls/ss/se/bullyfaq.asp>)

"Cyberbullying" includes the transmission of communications, posting of harassing messages, direct threats, social cruelty, or other harmful texts, sounds, or images on the Internet, social networking sites, or other digital technologies using a telephone, computer, or any wireless communication device on or off campus. Cyberbullying also includes breaking into or setting up another person's electronic account, and assuming that person's identity in order to damage that person's communications, reputation or friendships. A student may be disciplined for off-campus conduct that is brought to the attention of school officials when the conduct causes, or is likely to cause, a "substantial disruption" of school activities.

Strategies for bullying prevention and intervention shall be developed with involvement of key stakeholders in accordance with law, Board policy, and administrative regulation.

### **Bullying Prevention**

To the extent possible, district and school strategies shall focus on prevention of bullying by establishing clear rules for student conduct and strategies to establish a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate

means, of district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the possible consequences for perpetrators of bullying.

BSFCS may provide students with instruction, in the classroom or other educational settings, that promotes effective communication and conflict resolution skills, social skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

School staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies.

Based on an assessment of bullying incidents at school, the Principal or designee may increase supervision and security in areas where bullying most often occurs.

### **Intervention**

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. In addition, the Principal or designee shall develop means of students to report threats or incidents confidentially and anonymously.

School staff who witness bullying shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

As appropriate, the Principal or designee shall notify the parents/guardians of victims and perpetrators. He/she also may involve teachers, school counselors, mental health counselors, Student Support specialists and/or law enforcement.

### **Complaints and Investigation**

Students may submit to a teacher or administrator a verbal or written complaint of conduct they consider to be bullying. Parents/Guardians may utilize the Complaint Policy to report circumstances of bullying. Complaints of bullying shall be investigated and resolved in accordance with site-level Complaint Policy.

When a student is reported to be engaging in bullying off campus, the Principal or designee shall investigate and document the activity and shall identify specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages sent to them that they feel constitute cyberbullying and to notify a teacher, the Principal, or other BSFCS employee so that the matter may be investigated.

If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the Principal or designee also may file a complaint with the Internet site or service to have the material removed.

## **Discipline**

Any student who engages in bullying on school premises, or off campus in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, shall be subject to discipline, which may include suspension or expulsion, in accordance with district policies and regulations.

### Legal References:

#### EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 Comprehensive Safety Plan

35181 Governing board policy on responsibilities of students

35291-35291.5 Rules

48900-48925 Suspension or expulsion

48985 Translation of Notices

#### PENAL CODE

647 Use of camera or other instrument to invade person's privacy; misdemeanor

647.7 Use of camera or other instrument to invade person's privacy; punishment

653.2 Electronic communication devices, threats to safety

#### UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

#### COURT DECISIONS

J.C. v. Beverly Hills Unified School District, (2010) 711 F. Supp.2d 1094

Lavine v. Blaine School District, (2002) 279 F.3d 719

### Management Resources:

#### CSBA Publications

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

#### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public School: Kindergarten Through Grade Twelve, 2008 Bullying at School, 2003

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter: Harassment and Bullying, October 2010

CSBA: <http://www.csba.org> California Cybersafety for Children: <http://www.cybersafety.ca.gov>

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/lr/ss>

Center for Safe and Responsible Internet Use: <http://cyberbully.org>

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

National School Safety Center: <http://www.schoolsafety.us>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

## Bellevue-Santa Fe Charter School Proof of Residency Draft Policy

Prior to enrollment (defined as the first day of school) in Bellevue-Santa Fe Charter School (BSFCS), parents or legal guardians shall provide proof of residency.

### Definition of Residency

Residence is defined as the place in which either the parent or legal guardian resides and in which the student spends the majority of his or her time in accordance to *California Education Codes 48200 – 48208. & 68062* and California Government Code Section 244: “A residence is the place where one remains when not called elsewhere for labor or other special or temporary purpose, and to which he or she returns in seasons of repose.”

A student can have only one residence for the purpose of establishing residency.

### Proof of Residency

All applicants must submit one document reflecting the identical current residence address from each of the following three categories:

All applicants must submit a Residency Declaration form, signed by the parent or legal guardian and two documents reflecting identical current residence address including, but not limited to, any of the following (*Education Code 48204.1*):

1. Property tax payment receipts.
2. Rental property contract, lease, or payment receipts.
3. Utility service contract, statement, or payment receipt.
4. Pay stubs.
5. Voter registration.
6. Correspondence from a government agency.
7. Declaration of residency executed by the parent or legal guardian of a pupil.

1. A completed BSFCS Residency Declaration form, signed by the parent or legal guardian; AND

- ~~2. Provide one of the following:~~
- ~~—— (a) Grant Deed/Mortgage Coupon to property of residence with imprinted parent or guardian name and address; OR~~
  - ~~—— (b) Current Secured Property Tax Bill with imprinted parent or legal guardian name and address indicating homeowner's exemption; OR~~
  - ~~—— (c) Rental/Lease Agreement (original may be required). You will also need to provide the most current month's rental receipt or cancelled check and a Declaration of Residency form from Landlord; AND~~

- ~~3. Provide one of the following:~~
- ~~—— (a) State or Federal Tax Return with current imprinted label with parent or legal guardian name and address filed within the past 12 months with W2 attached;~~
  - ~~—— OR~~
  - ~~—— (b) Payroll check stub with imprinted name and address of parent or legal guardian dated within the last month.~~

~~\*\* Copies of original documents will be made and original returned. Amount of payments and other private information may be redacted. Residence is defined as the physical address of the applicant's primary parent(s)/legal guardian(s). P.O. Box addresses do not qualify.~~

**The deadline for the documents and declaration to be submitted to BSFCS is the last business day in February. A student will not be eligible to participate in the *Annual Public Admissions Lottery* if there is a failure to submit these documents.**

Notes:

- In the event that an applicant is not able to provide one or more of the required documents or is claiming alternative residency conditions, as set forth in *Education Code 48204*, the applicant shall provide reasonable evidence of residency as set forth in *Education Code 48204.1(a)* and may be subject to an unannounced home visit. BSFCS shall review the application and make a final determination of residency.
- ~~If physical custody of a child is split between two parents, in addition to the documents listed above, applicants need to attach a certified copy of the court order identifying each parent's respective award of physical custody.~~



- If any BSFCS employee reasonably believes that the parent or legal guardian of a student has provided false or unreliable evidence of residency, BSFCS shall make reasonable efforts to determine whether the student meets legal residency requirements, which may include, but not be limited to, additional documentation of residency and/or unannounced home visits. **Residency verification is a parent or legal guardian responsibility and falsification of information provided to the school shall result in cancellation of enrollment.**

GB Approved

Bellevue-Santa Fe Charter School  
Governing Board Draft Policy  
Identification and Evaluation of Individuals for Special Education

The Governing Board recognizes its responsibility to actively seek out and evaluate Bellevue-Santa Fe Charter School students who have disabilities in order to provide them with appropriate educational opportunities in accordance with state and federal law.

The Superintendent ~~Principal~~ or designee shall develop processes to determine when an individual is eligible for special education services and shall establish systematic procedures for special education program identification, screening, referral, assessment, planning, implementation, review and triennial assessment.

The Superintendent ~~Principal~~ or designee shall establish a method whereby parents, guardians, teachers, appropriate professionals, and others may refer an individual for assessment for special education services.

The Superintendent ~~Principal~~ or designee shall notify parents/guardians, in writing, of their rights related to identification, referral, assessment, instructional planning, implementation, and review, including the school's procedures for initiating a referral for assessment to identify individuals who need special education services.

**Bellevue-Santa Fe Charter School  
Administrative Guidelines  
Draft**

## **IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION**

### **Referrals for Special Education Services**

A student shall be referred for special education instruction and services only after the resources of the regular education program have been considered and used where appropriate. (*Education Code 56303*)

All referrals from school staff for special education and related services shall include a brief reason for the referral and description of the regular program resources that were considered and/or modified for use with the student and their effect. (*5 CCR 3021*)

### **Initial Evaluation for Special Education Services**

Before the initial provision of special education and related services to a student with a disability, the school shall conduct a full and individual initial evaluation of the student. (*34 CFR 300.307; Education Code 56320*)

Upon receipt of a referral of any student for special education and related services, a proposed evaluation plan shall be developed within 15 days, not counting days between the student's regular school sessions or terms or days of school vacation in excess of five school days, unless the parent/guardian agrees, in writing, to an extension. If the referral is made within 10 days or less prior to the end of the student's regular school year or term, the proposed evaluation plan shall be developed within 10 days after the beginning of the next regular school year or term. (*Education Code 56043, 56321*)

The proposed evaluation plan shall meet all of the following requirements: (*Education Code 56321*)

1. Be in a language easily understood by the general public
2. Be provided in the native language of the parent/guardian or other mode of communication used by the parent/guardian unless it is clearly not feasible
3. Explain the types of evaluation to be conducted
4. State that no individualized education program (IEP) will result from the evaluation without parent/guardian consent

(*cf. 6159 - Individualized Education Program*)

Prior to conducting an initial evaluation, the school shall provide the parent/guardian with prior written notice in accordance with 34 CFR 300.503. In addition, as part of the evaluation plan, the parent/guardian shall receive written notice that includes all of the following information: (*34 CFR 300.304, 300.504; Education Code 56329*)

1. Upon completion of the administration of tests and other evaluation materials, an IEP team meeting that includes the parent/guardian or his/her representative shall be scheduled pursuant to Education Code 56341. At this meeting, the team shall determine whether or not the student is a student with disabilities, as defined in Education Code 56026, and shall discuss the evaluation, the educational recommendations, and the reasons for the recommendations.
2. When making a determination of eligibility for special education, the school shall not determine that a student is disabled if the primary factor for such determination is lack of appropriate

**Bellevue-Santa Fe Charter School  
Administrative Guidelines  
Draft**

**IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION**

instruction in reading, including the essential components of reading instruction as defined in 20 USC 6368 of the No Child Left Behind Act, lack of appropriate instruction in mathematics, or limited English proficiency.

**Initial Evaluation for Special Education Services (*continued*)**

3. A copy of the evaluation report and the documentation of determination of eligibility shall be given to the parent/guardian.
4. If a parent/guardian disagrees with an evaluation obtained by the school, the parent/guardian has the right to obtain, at public expense, an independent educational evaluation of the student from qualified specialists, in accordance with 34 CFR 300.502. A parent/guardian is entitled to only one such evaluation at public expense each time the school conducts an assessment with which the parent/guardian disagrees.

If the school observed the student in conducting its evaluation, or if its evaluation procedures make it permissible to have in-class observation of a student, an equivalent opportunity shall apply to the independent educational evaluation. This equivalent opportunity shall apply to the student's current placement and setting as well as observation of the school's proposed placement and setting, if any, regardless of whether the independent educational evaluation is initiated before or after the filing of a due process hearing proceeding.

5. The school may initiate a due process hearing pursuant to Education Code 56500-56508 to show that its evaluation is appropriate. If the final decision resulting from the due process hearing is that the evaluation is appropriate, the parent/guardian maintains the right for an independent educational evaluation, but not at public expense.

If the parent/guardian obtains an independent educational evaluation at private expense, the results of the evaluation shall be considered by the school with respect to the provision of a free appropriate public education (FAPE) to the student, and may be presented as evidence at a due process hearing regarding the student. If the school observed the student in conducting its evaluation, or if its evaluation procedures make it permissible to have in-class observation of a student, an equivalent opportunity shall apply to an independent educational evaluation of the student in the student's current educational placement and setting, if any, proposed by the school, regardless of whether the independent educational evaluation is initiated before or after the filing of a due process hearing.

6. If a parent/guardian proposes a publicly financed placement of the student in a nonpublic school, the school shall have an opportunity to observe the proposed placement and the student in the proposed placement, if the student has already been unilaterally placed in the nonpublic school by the parent/guardian. Any such observation shall only be of the student who is the subject of the observation and shall not include the observation or evaluation of any other student in the proposed placement unless that other student's parent/guardian consents to the observation or evaluation. The results of any observation or evaluation of another

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student in violation of Education Code 56329(d) shall be inadmissible in any due process or judicial proceeding regarding FAPE of that other student.

*(cf. 5145.6 - Parental Notifications)*

*(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)*

*(cf. 6164.41 - Children with Disabilities Enrolled by their Parents in Private School)*

**Parent/Guardian Consent for Evaluations**

Upon receiving the proposed evaluation plan, the parent/guardian shall have at least 15 days to decide whether or not to consent to the initial evaluation. The school shall not interpret parent/guardian consent for initial evaluation as consent for initial placement or initial provision of special education services. *(34 CFR 300.300, 34 CFR 300.301; Education Code 56320, 56321)*

Informed parental consent means that the parent/guardian: *(34 CFR 300.9)*

1. Has been fully informed, in his/her native language or other mode of communication, of all information relevant to the activity for which consent is sought
2. Understands and agrees, in writing, to the carrying out of the activity for which his/her consent is sought and the consent describes that activity and lists the records (if any) that will be released and to whom
3. Understands that the granting of consent is voluntary on his/her part and may be revoked at any time
4. Understands that if he/she revokes consent, that revocation is not retroactive (i.e., it does not negate an action that has occurred after the consent was given and before the consent was revoked)

The school shall make reasonable efforts to obtain the informed consent of the parent/guardian for an initial evaluation or reevaluation of a student. The school shall maintain a record of its attempts to obtain consent, including: *(34 CFR 300.300, 300.322; Education Code 56321, 56341.5)*

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

If a parent/guardian refuses to consent to the initial evaluation or fails to respond to a request to provide consent, the school may, but is not required to, pursue an evaluation by utilizing the procedural safeguards, including the mediation and due process procedures pursuant to 20 USC 1415 and 34 CFR 300.506-300.516. *(34 CFR 300.300; Education Code 56321)*

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For a student who is a ward of the state and not residing with his/her parent/guardian, the school may conduct an initial evaluation without obtaining informed consent if any of the following situations exists: *(20 USC 1414; 34 CFR 300.300; Education Code 56321.1)*

1. Despite reasonable efforts to do so, the school cannot discover the whereabouts of the parent/guardian of the student.

**Parent/Guardian Consent for Evaluations *(continued)***

2. The rights of the parent/guardian of the student have been terminated in accordance with California law.
3. The rights of the parent/guardian to make educational decisions have been subrogated by a judge in accordance with California law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the student.  
*(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)*

The school need not obtain parent/guardian consent before reviewing existing data as part of an evaluation or administering a test or other evaluation that is administered to all students, unless consent is required from the parents/guardians of all students. *(34 CFR 300.300; Education Code 56321)*

**Conduct of the Evaluation**

The school shall complete the determination as to whether the student is a student with a disability, conduct the initial evaluation to determine his/her educational needs, and develop an IEP within 60 days of receiving informed parent/guardian consent for the evaluation. *(34 CFR 300.300, 34 CFR 300.301; Education Code 56344)*

The evaluation shall be conducted by qualified personnel who are competent to perform the assessment as determined by the school, county office of education, or special education local plan area (SELPA). *(Education Code 56320, 56322)*

The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for special education and related services. *(34 CFR 300.302)*

In conducting the evaluation, the school shall use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the student. The school shall also use any information provided by the parent/guardian that may assist the school in making the determination as to whether the student is a student with a disability and, if so, the necessary components of his/her IEP when the IEP is developed, including information related to enabling the student to be involved in and to progress in the general education curriculum. *(34 CFR 300.304)*



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The school's evaluation shall not use any single measure or assessment as the sole criterion for determining whether a student is a student with a disability and for determining the appropriate educational program for the student. The assessment shall use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors in addition to physical or developmental factors. *(34 CFR 300.304)*

The school shall also ensure that assessments and other evaluation materials provide relevant information that directly assists persons in determining the student's educational needs and are: *(34 CFR 300.304; Education Code 56320)*

1. Selected and administered so as not to be discriminatory on a racial, cultural, or sexual basis

**Conduct of the Evaluation *(continued)***

2. Provided and administered in the language and form most likely to yield accurate information on what the student knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to so provide or administer
3. Used for the purposes for which the assessments or measures are valid and reliable
4. Administered by trained and knowledgeable personnel
5. Administered in accordance with any instructions provided by the producer of the assessments
6. Tailored to assess specific areas of educational need and not merely designed to provide a single general intelligence quotient
7. If administered to a student with impaired sensory, manual, or speaking skills, selected and administered to best ensure that the results accurately reflect the student's aptitude or achievement level or whatever other factors the test purports to measure

Students shall be assessed in all areas related to the suspected disability including, if appropriate, health and development, vision (including low vision), hearing, motor abilities, language function, general intelligence, academic performance, communicative status, self-help, orientation and mobility skills, career and vocational abilities and interests, and social and emotional status. When appropriate, a developmental history shall be obtained. The school shall ensure that the evaluation is sufficiently comprehensive to identify all of the student's special education and related service needs, whether or not commonly linked to the disability category in which the student has been classified. *(34 CFR 300.304; Education Code 56320)*

As part of the initial evaluation and any reevaluation, the IEP team and other qualified professionals shall, if appropriate, review existing evaluation data on the student, including evaluations and information provided by the parents/guardians; current classroom-based local or state assessments

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and classroom-based observations; and observations by teachers and related services providers. On the basis of that review and input from the student's parent/guardian, the team shall identify what additional data, if any, are needed to determine: *(34 CFR 300.305; Education Code 56381)*

1. Whether the student is a student with a disability, or in the case of a reevaluation, whether the student continues to have a disability, and the educational needs of the student
2. The present levels of academic achievement and related developmental needs of the student
3. Whether the student needs, or continues to need, special education and related services
4. Whether any additions or modifications to the special education and related services are needed to enable the student to meet the measurable annual goals set out in his/her IEP and to participate, as appropriate, in the general education curriculum

**Conduct of the Evaluation (*continued*)**

If a student leaves this school or has transferred from another school in the same school year, the school shall coordinate with the student's prior or subsequent school as necessary and as expeditiously as possible to ensure prompt completion of full evaluations. *(34 CFR 300.304)*

**Eligibility Determination**

Upon completion of the administration of assessments and other evaluation measures, a group of qualified professionals and the parent/guardian shall determine whether the student is a student with a disability and, if so, his/her educational needs. In interpreting the data, the group shall draw information from a variety of sources, including aptitude and achievement tests, parent/guardian input, and teacher recommendations, as well as information about the student's physical condition, social or cultural background, and adaptive behavior. The group shall ensure that the information obtained from these sources is documented and carefully considered. *(34 CFR 300.306)*

The personnel who evaluate the student shall prepare a written report of the results of each evaluation. The report shall include, but not be limited to, the following: *(Education Code 56327)*

1. Whether the student may need special education and related services
2. The basis for making the determination
3. The relevant behavior noted during the observation of the student in an appropriate setting
4. The relationship of that behavior to the student's academic and social functioning
5. The educationally relevant health, developmental, and medical findings, if any

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6. For students with learning disabilities, whether there is such a discrepancy between achievement and ability that it cannot be corrected without special education and related services
7. A determination concerning the effects of environmental, cultural, or economic disadvantage, where appropriate
8. The need for specialized services, materials, and equipment for students with low incidence disabilities, consistent with Education Code 56136

When making a determination of eligibility for special education and related services, the school shall not determine that a student is disabled if the primary factor for such determination is a lack of appropriate instruction in reading, including the essential components of reading instruction pursuant to 20 USC 6368 of the No Child Left Behind Act, lack of instruction in mathematics, limited English proficiency, or that the student does not otherwise meet the eligibility criteria. *(34 CFR 300.306; Education Code 56329)*

**Eligibility Determination (*continued*)**

If a determination is made that a student has a disability and needs special education and related services, an IEP shall be developed within a total time not to exceed 60 days, not counting days between the student's regular school sessions or terms or days of school vacation in excess of five school days, from the date of the receipt of the parent/guardian's consent for evaluation, unless the parent/guardian agrees, in writing, to an extension. *(34 CFR 300.306; Education Code 56043)*

**Independent Educational Evaluation**

The parents/guardians of a student with a disability have the right to obtain an independent educational evaluation at public expense under the same criteria that the school uses for a school-initiated evaluation. An independent educational evaluation is an evaluation conducted by a qualified examiner who is not employed by the district. Public expense means the school either pays for the full cost of the independent educational evaluation or ensures that the evaluation is otherwise provided at no cost to the parent/guardian. *(34 CFR 300.502; Education Code 56329)*

The parent/guardian is entitled to only one independent educational evaluation at public expense each time the school conducts an evaluation with which the parent/guardian disagrees. *(34 CFR 300.502; Education Code 56329)*

If a parent/guardian has requested an independent educational evaluation, the school may ask for a reason that he/she objects to the school's evaluation. However, the parent/guardian is not required to provide the reason to the school. *(34 CFR 300.502)*

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Upon receiving the request for an independent educational evaluation, the school shall, without unnecessary delay, either: *(34 CFR 300.502)*

1. File a due process complaint to request a hearing to show that its evaluation is appropriate
2. Ensure that an independent evaluation is provided at public expense, unless the school can later demonstrate at a hearing that the evaluation obtained by the parent/guardian did not satisfy the school's criteria

If a due process hearing decision determines that the school's evaluation is appropriate, then the parent/guardian may obtain an independent evaluation but not at public expense. *(34 CFR 300.502)*

The results of an independent evaluation obtained by the parent/guardian, whether at public or private expense, shall be considered by the school if it meets school criteria in any decision made with respect to FAPE and may be presented as evidence at a hearing on a due process complaint. *(34 CFR 300.502)*

**Reevaluation**

A reevaluation shall be conducted when the school determines that the educational or related service needs of the student, including improved academic achievement and functional performance, warrant a reevaluation or if the student's parent/guardian or teacher requests reevaluation. Such reevaluations shall occur every three years, unless the parent/guardian and school agree in writing that a reevaluation is unnecessary. A reevaluation may not occur more than once a year, unless the parent/guardian and the school agree otherwise. *(34 CFR 300.303; Education Code 56043, 56381)*

The school shall ensure that any reevaluations of the student are conducted in accordance with the evaluation procedures pursuant to 34 CFR 300.304-300.311. *(34 CFR 300.303)*

Before entering kindergarten or first grade, children with disabilities who are in a preschool program shall be reevaluated to determine if they still need special education and services. IEP teams shall identify a means of monitoring the continued success of children who are determined to be eligible for less-intensive special education programs to ensure that gains made are not lost by a rapid removal of individualized programs and supports for these children. *(Education Code 56445)*

**Parent/Guardian Revocation of Consent for Continued Provision of Services**

If at any time subsequent to the initial provision of services, the student's parent/guardian revokes consent, in writing, for the continued provision of special education services, the Superintendent or designee shall provide prior written notice within a reasonable time before ceasing to provide services to the student. The school shall not request a due process hearing or pursue mediation in order to require an agreement or ruling that services be provided to the student. *(34 CFR 300.300, 300.503)*

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Prior to the discontinuation of services, the Superintendent ~~Principal~~ or designee may offer to meet with the parents/guardians to discuss concerns for the student's education. However, this meeting shall be voluntary on the part of the parent/guardian and shall not delay the implementation of the parent/guardian's request for discontinuation of services. In addition, the Superintendent or designee shall send a letter to the parent/guardian confirming the parent/guardian's decision to discontinue all services.

Once the school has ceased providing special education services in response to the parent/guardian's revocation of consent, the student shall be classified as a general education student.

Guideline approved: \_\_\_\_\_

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San Luis Obispo, California

**BELLEVEUE-SANTA FE CHARTER SCHOOL Governing Board Calendar 2022-23**

<p align="center">AUGUST 2022</p>	<p align="center">SEPTEMBER 22, 2022</p> <p><u>Open Session:</u> 4:30  <u>Information:</u>          CAASPP Report          Public Hearing:          Instructional Materials Sufficiency  <u>Discussion:</u>          Governing Board Goals          Appoint GB Officers  <u>Action:</u>          2021-22 Unaudited Actuals Report          Appoint GB Officers          Instructional Materials Sufficiency  <u>Consent Agenda:</u>          Approval of 4<sup>th</sup>/5<sup>th</sup> Grade Overnight Fieldtrip</p>	<p align="center">OCTOBER 27, 2022</p> <p><u>Open Session:</u> 4:00  <u>Presentation:</u>          4<sup>th</sup>/5<sup>th</sup> grade Camp Whittier presentation  <u>Information:</u>          Behavior Expectations Policy          Bullying Policy  <u>Discussion:</u>          Proof of Residency (1<sup>st</sup> reading)          Identification and Evaluation of Individuals for Special Education Policy (1<sup>st</sup> reading)  <u>Action:</u>          Behavior Expectations Policy          Bullying Policy          Identification and Evaluation of Individuals for Special Education Policy (1<sup>st</sup> reading)</p>	<p align="center">NOVEMBER 17, 2022</p> <p><u>Open Session:</u> 4:00  <u>Discussion:</u>          First Interim Budget Report          Proof of Residency (2<sup>nd</sup> reading)  <u>Action:</u>          First Interim Budget Report          Proof of Residency (2<sup>nd</sup> reading)</p>
<p align="center">DECEMBER 15, 2022</p> <p>if needed</p>	<p align="center">JANUARY 19, 2023</p> <p><u>Open Session:</u> 4:00  <u>LCAP Town Hall:</u> 4:30  <u>Information:</u>          Statement of Economic Interest  <u>Discussion:</u>          2023-24 Instructional Calendar (1<sup>st</sup> reading)          School Accountability Report Card (SARC)          School Safety Plan  <u>Action:</u>          2023-24 Instructional Calendar (1st reading)          School Accountability Report Card (SARC)          School Safety Plan  <u>Consent Agenda:</u>          Approval of 6<sup>th</sup> Grade Overnight Fieldtrip</p>	<p align="center">FEBRUARY 23, 2023</p> <p><u>Special Governing Board meeting:</u>          Annual Gov. Board/Staff joint meeting  <u>Open Session:</u> 4:00  <u>Information:</u>          Supplement to 2022/23 LCAP Annual Update          Update to LCAP Budget Overview          Curriculum and Instruction:          • Mid-year Report  <u>Discussion:</u>          2<sup>nd</sup> Interim Budget Report  <u>Action:</u>          2<sup>nd</sup> Interim Budget Report  <u>Consent Agenda:</u>          Annual Financial Audit</p>	<p align="center">MARCH 23, 2023</p> <p><u>Open Session:</u> 4:00  <u>Information:</u>          State Budget Projections  <u>Discussion:</u>          GB Election Process  <u>Action:</u>          GB Election Process</p>
<p align="center">APRIL 27, 2023</p> <p><u>Open Session:</u> 4:00  <u>Information:</u>          Governing Board Candidate Statements  <u>Discussion:</u>  <u>Action:</u></p>	<p align="center">MAY 25, 2023</p> <p><u>Closed Session:</u> 4:00  <u>Open Session:</u> 4:15  <u>Public Hearing:</u>          2022-2023 Proposed Budget and Local Control Accountability Plan (LCAP)  <u>Discussion:</u>          2023-2024 Budget          Review Governing Board Goals          2023-24 Personnel Handbook  <u>Action:</u>          GB Election – ratify results          2023-24 Personnel Handbook</p>	<p align="center">May 30, 2023</p> <p><u>Open Session:</u> 4:00  <u>Presentations:</u>          6<sup>th</sup> Grade Student Service Projects  <u>Information:</u>          Curriculum and Instruction:          • Year End Report  <u>Discussion:</u>          2023-2024 Budget Adoption          2023-2024 LCAP Adoption          ELOP  <u>Action:</u>          2022-2023 Budget Adoption          2022-23 LCAP Adoption          ELOP</p>	