

Valenzuela Lawsuit Information

February, 2006 lawsuit alleged that the State failed to provide students, especially those living in poverty, with an equal and reasonable opportunity to pass the CAHSEE

AB347-Requires school districts, charter schools, and county superintendents that participate in a specified categorical funding program—The Intensive Instruction and Service Program—to offer services to students who did not pass the CAHSEE by the end of grade 12.

Establishes oversight and monitoring responsibilities for county superintendents.

WHO IS AFFECTED BY AB347?

1. Over 600 LEAs, 51 County Superintendents, 134 direct-funded charter schools. were approved for funding for the CAHSEE Intensive Intervention and Services Program in 2007-2008. These are the districts in our county who were funded:
 - Yuba County Office of Education
 - Camptonville Academy
 - Marysville Joint Unified
 - Plumas Lake Elementary
 - Wheatland Elementary
 - Wheatland Union High

KEY ELEMENTS:

Eligibility for services:

- Students who did not pass the CAHSEE by the end of grade 12, beginning with the class of 2006.
- Students are entitled to services for two consecutive academic years following grade 12.

Basis for Funding Allocation:

- Students in grade 12 that have not passed the CAHSEE
- Students in grade 11 that have not passed the CAHSEE if funds are not exhausted.

Notification Requirements:

- Notify students of eligibility for services and the right to file a complaint regarding those services by sending a letter to the last known address.
- Notify students BEFORE the end of the school term in sufficient time to register for services.
- Notify students EACH TERM for two academic years after grade 12.
- Post notice of eligibility for services at district office, school sites, and on district Internet website.
- In 07-08, LEAs must notify eligible students in Classes of 2006 and 2007; Class of 2008 notified before end of June, 2008

Funding Uses:

- Individual or small group instruction
- Hiring of additional teachers
- Purchasing, scoring, and review diagnostic assessments
- Counseling
- Designing instruction to meet specific needs of pupils
- Appropriate teacher training
- Instruction in English Language Arts or Math or both
- Services provided by a public or non public entity

Services must:

- Be provided until student passes CAHSEE, or a maximum of 2 consecutive academic years of service after grade 12
- Be based on diagnostic assessments and prior results of the CAHSEE
- Be provided to English Learners to improve English proficiency, as needed, to pass the CAHSEE
- Employ strategies that are most likely to result in students passing the CAHSEE

Uniform Complaint Procedure Revised

- Use revised Williams UCP policy and classroom notice at all LEA
- Schools serving students in grades 10-12 to resolve complaints related to the opportunity to receive intensive instruction and services.
- Immediately forward complaints related to Intensive Instruction and Services to the official designated at the LEA to receive complaints
- Submit a quarterly report of summarized data on the nature and resolution of complaints to the governing board and county superintendent.

Supplemental Counseling Program:

- If the LEA participates in the Middle and High School Supplemental Counseling Program, provide information to pupils in grade 12 about the availability of intensive instruction and services.
- Submit data annually to Superintendent of Public Instruction and County Superintendent regarding: Intensive Instruction & Services Program; Middle and High School Supplemental Counseling Program.

Monitoring by County Superintendent:

- Verify that all participating LEAs notified eligible students
- Verify that students who elect to receive services are served
- Contract with another county superintendent to monitor county-operated programs.
- Include verification information in quarterly reports to local district and county boards for Williams schools in Deciles 1-3 serving students in grades 10-12 and in annual report due in November, 2008.

Verification Protocol

- Orientation meetings with districts-February/March
- Documentation review –March/April
- Quarterly and annual reporting for Williams schools in Deciles 1-3 serving students in grades 10-12.
 - *Quarterly (April and July 2008)
 - *Annually (November, 2008)

- Optional Letter of Findings to non-Williams LEAs

2008-09 Williams Visits

- Visits begin in 2008-09
- Coordinate Valenzuela verification visits with Williams and QEIA monitoring and oversight
- CCSESA will offer Spring 2008 training for county offices.