



# IN PLAIN ENGLISH

**A TOOLKIT FOR ENGLISH LEARNER ADVOCATES  
IN TEMECULA VALLEY UNIFIED SCHOOL DISTRICT**

## **PURPOSE**

The toolkit for English Learner Advocates in Temecula Valley Unified School District (TVUSD) is a guide that pulls together information about English Learner students and the instructional services that they require. It provides practical information about the school district's duty to serve English Learner students, and mechanisms for students, parents/guardians, or concerned community members to take action to hold the district accountable. The goal is to promote understanding of English Learners' rights and to empower those closest to students to ensure students receive the services they need.

The toolkit is designed to prevent the following issues:

- It is unknown whether a student is an English Learner
- It is unknown whether an English Learner student is receiving instructional services
- It is unknown what services are available for English Learners
- Lack of knowledge of the right to translation
- Lack of knowledge of the right to file a complaint

**SECTION 1** defines English Learners and describes the instructional services that are available for them.

- An English Learner has limited English proficiency, and takes the CELDT each year.
- All English Learners are entitled to English Learner instructional services to help overcome language barriers.
- TVUSD is getting \$4,088,010 this year to serve English Learners, low-income students and foster care students.

**SECTION 2** describes the District English Learner Advisory Committee and school committees for parents/guardians and other community members to provide input on the programs for English Learners.

- TVUSD must maintain a DELAC because it has more than 50 students who are English Learners.
- TVUSD must maintain an ELAC at any school with more than 20 English Learners, or delegate its responsibilities to another school committee.
- Parents/guardians of English Learners must have representation on the ELAC and DELAC.

**SECTION 3** describes the rights of parents/guardians of English Learners.

- If more than 15% of students have the same home language, the district must send written notices to their families in both English and their home language.
- A person who submits a written request for a cumulative file of his or her child has a right to receive the school records within five days.

**SECTION 4** describes complaint procedures. A person may file:

- A Uniform Complaint (UCP)
- A Williams Complaint
- An Office of Civil Rights Complaint

## **SECTIONS**

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## I. What is an English Learner?

The questions addressed in this section are:

1. *What is an English Learner?*
2. *How do I know if a child is an English Learner?*
3. *What is the California English Language Development Test?*
4. *What is the program for English Learners in California?*
5. *What is the program for English Learners in TVUSD?*
6. *How long must districts provide services to English Learners?*
7. *How do I know whether an English Learner is receiving EL services?*
8. *Are these services required for all English Learner students?*
9. *Does an English Learner child have a right to special education? Does a child in special education have a right to English Learner services?*
10. *What happens when an English Learner becomes fluent in English?*
11. *What happens after redesignation?*
12. *Where does the funding come from for English Learners?*

### 1. What is an English Learner?

An English Learner, also called an “EL,” is a student who does not speak English or whose native language is not English and who is not currently able to perform ordinary classroom work in English. This child is entitled to additional classroom support.

### 2. How do I know if a child is an English Learner?

When a student first enrolls in school, the parent or guardian fills out a “Home Language Survey” to tell the school what language is used at home.<sup>1</sup> The usual questions on this form are:

- “What language did your child learn when he/she first began to talk?”
- “Which language does your child most frequently speak at home?”
- “Which language do you (the parents or guardians) most frequently use when speaking with your child?”
- “Which language is most often spoken by adults in the home?”

If the answer to any of these questions is a language other than English, that student will take the California English Language Development Test (the “CELDT”), an English

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<sup>1</sup>5 C.C.R. § 11510(k). Sample HLS form can be found at California Department of Education, available at <<http://www.cde.ca.gov/ta/cr/el/forms.asp>> (last visited Aug. 1, 2014).

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proficiency test. A student who does not pass the CELDT on the first try is designated an English Learner. That student is entitled to language instruction services.

*The Home Language Survey is important! If 15% or more of the student population share the same non-English language, the school and district will be required to translate notices into that language. The Home Language Survey is used to determine whether the school and district meet the 15% requirement.*

### 3. What is the California English Language Development Test (CELDT)?

Federal and state law require that schools give English Learners a test each year to measure English language proficiency. TVUSD uses the CELDT. School districts must administer the CELDT to English Learners once each year until the English Learners are reclassified as fluent English proficient.<sup>2</sup>

The purpose of the CELDT is: (1) to identify students who are English Learners; (2) to determine students' level of English proficiency; (3) to monitor students' progress in learning English each year; and (4) to show whether students have met one of the criteria to be redesignated/reclassified.

*A child who can speak excellent English may still be an English Learner. The CELDT measures English Listening, Reading, Writing **and** Speaking skills.*

### 4. What is the program for English Learners in California?

Often, the program placement is a class called English Language Development (ELD). An English Learner might be in one or more programs. The student could be in:

- **Sheltered English Immersion (SEI):** The student learns the same materials as everyone else, and nearly all classroom instruction is in English, but the curriculum and presentation are designed for children who are learning the English language.<sup>3</sup>
  - a. SEI is a class for students who do not have a good working knowledge of English.
  - b. SEI normally is supposed to last only one year.

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<sup>2</sup> More information on the CELDT is available at California Department of Education, available at <<http://www.cde.ca.gov/ta/tg/el/resources.asp>> (last visited Aug. 1, 2014).

<sup>3</sup> Cal. Educ. Code §§ 305, 306(d).

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- **English Language Development (ELD):** For English Learners who have reasonable fluency in English ELD is sometimes a separate class. According to the State of California, all English Learners must receive ELD.<sup>4</sup>
  - c. Many English Learners take a class called English Language Arts, for everyone, and a class called English Language Development, for English Learners.
- **Bilingual Education:** Bilingual classes aim to increase the level of literacy in a second language and promote academic success in English.

### 5. What is the program for English Learners in TVUSD?

According to the TVUSD Local Control Accountability Plan (LCAP) that the school district approved in 2014, the district will provide the following services:

TVUSD will provide a Library/Homework Center with after-school tutoring for English Learners and redesignated English Learners. TVUSD will provide supervision for student tutors.

TVUSD will hire a Family Engagement Specialist to coordinate with the School Site Council, DELACs, and other programs.

#### Elementary School

English Learners will receive an extra Academic Vocabulary class each week, taught by the English Language Arts (ELA) specialist.

English Learners will receive one class per day in Visual and Performing Arts that will focus on vocabulary development and academic background.

#### Middle School

English Learners who are classified at CELDT levels 3, 4 or 5 receive an English Language Development Academic Vocabulary class.

TVUSD will hire English Learner educational assistants to assist students in obtaining English proficiency.

TVUSD will provide an extended English Language Arts class for students two years below grade level.

#### High/Secondary School

English Learners will receive a supplemental English Language Arts intervention class to provide extra support in math and language arts in a smaller class size setting.

English Learners and redesignated English Learners will have counselors for academic and social support. These counselors will help students with college readiness, personal development and career development.

TVUSD will provide parent workshops based on the needs of the community.

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<sup>4</sup> CDE CalEdFacts, available at <<http://www.cde.ca.gov/ds/sd/cb/cefelfacts.asp>> (last visited Aug. 1, 2014).

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### 6. How long must districts provide services to English Learners?

At least until the English Learner is redesignated as fluent/proficient in English.

*School districts are required to continue to provide additional and appropriate educational services to English Learners until they have demonstrated English-language skills comparable to that of the district's average native English-language speakers and have recouped any academic deficits that may have been incurred in other areas of the core curriculum while they were English Learners.<sup>5</sup>*

TVUSD must monitor students for two years after redesignation.

### 7. How do I know whether an English Learner is receiving EL services?

English Learners have a right to receive language instruction to help them learn English and understand their other classes, like science, math, history, and language arts. Check the report card. TVUSD schools often identify English Learner classes with one or more of these labels.

“Lang Arts ELD1” or,  
“Advisement ELL”

Also, within 30 days of the beginning of each school year, the parents of English Learners must receive a notice from the district. The notice must say:

whether the student is an English Learner, and,  
if the student is an English Learner, the notice must describe the English Learner program for that student.

A sample of the notice that English Learner parents must receive is attached as Appendix C.

Ask a teacher for clarification. There are two official parent-teacher conferences each year in TVUSD, with one at the beginning of each semester. Additionally, parents or guardians may contact the teachers to set up additional one-on-one meetings at any point during the year.

### 8. Are these services required for all English Learner students?

Yes. Every English Learner in TVUSD should be in an English Learner instructional service. According to one state reporting mechanism, CALPADS, TVUSD reported 31 English Learners not receiving language instructional services in 2010-11, 6 in 2011-12 and 3 in 2012-13. In *D.J. et al v. State of California et al*, a state court judge ruled that the state must take some action in response to these reports. The judge found that in the face of

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<sup>5</sup> 5 C.C.R. § 11302.

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credible evidence that English Learners are being denied necessary instructional services, the state must take action to ensure English Learners are receiving the services to which they are entitled.

*Any teacher with one or more English Learner students in the classroom is required to have an English Learner authorization.<sup>6</sup>*

*Curious about a teacher's certification? Look it up on this website:  
<http://www.ctc.ca.gov/lookup.html>*

### **9. Does an English Learner child have a right to special education? Does a child in special education have a right to English Learner services?**

Yes and yes.

Parents or guardians have the right to request an assessment for eligibility for special education regardless of whether the student is an English Learner.<sup>7</sup> English Learner students have a right to special education if they qualify.

### **10. What happens when an English Learner becomes fluent in English?**

The student is redesignated/Reclassified Fluent English Proficient (RFEP).

That student will no longer be classified as an English Learner.

English Learners in Temecula Valley Unified School District may be redesignated when the following happens:

- The student gets a 325 or higher on the California Standards Test (CST) in English Language Arts
  - d. For students in grades 6-12, keep at least a 2.5 grade point average.
  - e. If the student is in the 10th, 11th, or 12th grade, pass both the English Language Arts and Mathematics sections on the California High School Exit Exam (CAHSEE).
- The student gets an overall Early Advanced or Advanced score on the CELDT.
  - f. For students in kindergarten or first grade, get at least an Intermediate on the Listening and Speaking sections of the CELDT.
  - g. For students in grades 2-12, get at least an Intermediate on the Listening, Speaking, Reading and Writing sections of the CELDT.

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<sup>6</sup> Cal. Educ. Code § 44253.1; California Department of Education, *available at* <http://www.cde.ca.gov/sp/el/er/elteachersfaq.asp> (last visited Aug. 1, 2014).

<sup>7</sup> 20 U.S.C. § 1414; Cal. Educ. Code § 56320.



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- The District has sought parent input.
  - h. The district may call the parent. The parent may request a face-to-face interview.
- The teacher has provided input.

Temecula Valley redesignation requirements can be found in the English Learner Master Plan on the TVUSD website at [http://www.tvusd.k12.ca.us/EL\\_master\\_plan](http://www.tvusd.k12.ca.us/EL_master_plan).<sup>8</sup>

## 11. What happens after redesignation?

TVUSD must monitor students for two years after redesignation. The district must assess the student's progress in learning to read, write and speak English, and the student's achievement in classes such as math, reading or language arts, and science.<sup>9</sup>

## 12. Where does the funding come from for English Learners?

Title III is federal money provided to TVUSD "to improve the education of limited English proficient children."<sup>10</sup>

The Local Control Funding Formula is state funding formula that directs more resources to English Learners, low-income, and foster students. By July 2014, TVUSD had to adopt a written plan, known as the Local Control and Accountability Plan (LCAP), describing how it will use funds to improve student outcomes.<sup>11</sup>

You can access the plan from the TVUSD website at:  
[http://www.tvusd.k12.ca.us/lcap\\_intro](http://www.tvusd.k12.ca.us/lcap_intro)

The estimated increase in supplemental funding for low-income, English Learners, and foster care students for TVUSD for the 2014-15 school year is \$4,088,010.<sup>12</sup>

More information on how the LCFF works can be found in Appendix D.

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<sup>8</sup> TVUSD Master Plan for English Learners, *available at* <http://tvusd.ca.schoolloop.com/file/1220579368681/1218998852657/5493262107522020766.pdf> (last visited Aug. 29, 2014).

<sup>9</sup> 20 U.S.C. § 6841.

<sup>10</sup> 20 U.S.C. § 6825.

<sup>11</sup> CDE, LCFF FAQ, *available at* <http://www.cde.ca.gov/fg/aa/lc/lcfffaq.asp> (last visited Aug. 1, 2014).

<sup>12</sup> TVUSD Local Control Accountability Plan, § 3c, *available at* <http://tvusd.ca.schoolloop.com/file/1383372864864/1314534238598/1177133139288005013.pdf> (last visited Aug. 29, 2014).

## II. ELAC and DELAC

The questions addressed in this section are:

1. *What is the ELAC/DELAC?*
2. *When must a school have an ELAC/DELAC?*
3. *What do the committees do?*
4. *Does the Local Control Funding Formula eliminate the need for the ELAC/DELAC?*
5. *Who can be a part of the ELAC/DELAC?*
6. *Do ELAC/DELAC representatives have to be elected?*
7. *Who can attend ELAC/DELAC meetings?*
8. *How do I find out when a meeting will take place?*
9. *Who do I contact at TVUSD for questions?*
10. *What responsibilities do the school and district have to the committees?*

### 1. What is the ELAC/DELAC?

The ELAC (school-level English Learner Advisory Committee) and DELAC (district-level English Learner Advisory Committee) are advisory committees to help develop programs and services for English Learners. Parents and others can join the ELAC or DELAC to voice their opinions and concerns about the services that English Learner children are receiving.

### 2. When must a school have an ELAC/DELAC?

When a school has more than 20 students who are English Learners, the school has to have an ELAC. The only TVUSD schools that did **not** meet this cutoff in 2013-14 were Jackson Elementary School, Nelson Independent Study High School, Temecula Valley Charter School, and Temecula Valley Preparatory School.

When a district has more than 50 students who are English Learners, the district has to have a DELAC. TVUSD meets this threshold.

An ELAC or DELAC committee doesn't always have to exist, and its duties may be delegated to other committees.<sup>13</sup> The school or district may allocate a percentage of seats on an existing committee (e.g. School Site Council) for English Learner parents instead.

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<sup>13</sup> Cal. Educ. Code § 52176.

### 3. What do the committees do?

#### *The DELAC*

- a. Helps develop a district master plan for English Learners. Assesses district wide needs on a school-by-school basis.
- b. Sets goals and objectives for English Learners. Develops a plan to ensure compliance with teacher and teacher aide requirements.
- c. Helps administer the annual language census.
  - i. The language census is an annual collection of data on students with non-English language backgrounds, including data on English Learner enrollment, English Learner instructional services, and English Learner staff.
- d. Reviews and comments on the school district's reclassification procedures.
- e. Reviews and comments on certain written notifications sent out to parents and guardians.<sup>14</sup>

#### *The ELAC*

Advises the School Site Council in the development of the Single-School Plan for English Learners.  
Conducts a school needs assessment.  
Helps with the language census.  
Informs parents of the importance of daily attendance.

### 4. Does the Local Control Funding Formula eliminate the need for the ELAC and DELAC?

No. The district and its schools still must still follow the rules requiring that ELACs and DELACs exist as long as the district or schools have enough English Learners.<sup>15</sup>

### 5. Who can be a part of the ELAC/DELAC?

Anyone can attend ELAC or DELAC meetings.<sup>16</sup>

#### *Requirements for DELAC Elections:*

- Each school's English Learner Advisory Committee (ELAC) gets to elect at least

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<sup>14</sup> 5 C.C.R. § 11308.

<sup>15</sup> Although the LCFF creates its own English Learner parent advisory committees, these requirements do not supersede the requirements to create ELACs and DELACs. Cal. Educ. Code § 52063(a)(3); Cal. Educ. Code § 52176(a)-(b).

<sup>16</sup> Cal. Educ. Code § 52176(a); TVUSD Master Plan I-EL3, p. 56, *available at* <http://tvusd.ca.schoolloop.com/file/1220579368681/1218998852657/5493262107522020766.pdf>, (last visited Aug. 29, 2014).

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one of its members to be a representative on the DELAC.

- Parents or guardians of English Learners have to be the majority of the committee.

### *Requirements for ELAC Elections:*

- Parents of English Learners should comprise at least the same percentage of the ELAC membership as the percentage of English Learners in the school. For example, if 25% of the students in a school are English Learners, then parents or guardians of English Learners should be at least 25% of the ELAC membership.
- Parents or guardians, school staff, and community members can also be members of the ELAC.

## **6. Do ELAC/DELAC representatives have to be elected?**

TVUSD's master plan says that parent members of ELACs are to be elected. The master plan requires that all parents and guardians of English Learners be given the opportunity to vote in the parent members' election of ELACs.<sup>17</sup>

In TVUSD, each ELAC is given the opportunity to select at least one of two members to be sent to the DELAC. If the ELAC does not do so, the School Site Council selects DELAC representatives. The Superintendent is also allowed to appoint additional DELAC members.

## **7. Who can attend ELAC/DELAC meetings?**

Everybody can attend these meetings. ELAC/DELAC meetings are open to the public.

Any member of the public must be allowed to speak at ELAC/DELAC meetings about ELAC/DELAC business.

## **8. How do I find out when a meeting will take place?**

A notice of a meeting has to be posted at the school, or another appropriate place that is publicly accessible, at least 72 hours before the meeting. The notice must list the specific date, time, and location of the meeting and have an agenda that lists what will be discussed.

If the committee did not give the necessary 72-hour notice, the committee should re-vote on the item at the next meeting after allowing the public to comment.<sup>18</sup>

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<sup>17</sup> TVUSD Master Plan I-EL2, p. 54, *available at* <http://tvusd.ca.schoolloop.com/file/1220579368681/1218998852657/5493262107522020766.pdf>, (last visited Aug. 29, 2014).

<sup>18</sup> Cal. Educ. Code § 35147(c).

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Any individual can request the committee to re-consider the item at the next meeting.

In TVUSD, the DELAC meeting notice should be posted at [http://www.tvusd.k12.ca.us/delac\\_elac](http://www.tvusd.k12.ca.us/delac_elac). Click on DELAC Meeting Calendar.  
For ELAC meetings and locations, contact the school.

Below is a list of the schools that had ELACs for the 2013-14 school year.

### 2013-14 TVUSD Site ELACs

Site	ELAC?	Point Person
Chaparral High School	YES	Site Rep: Theresa Hemsath Parent Rep: Ronald Mazurek
Great Oak High School	YES	Site Rep: Maria Castillo Parent Rep: Art Starbuck
Temecula Valley High School	YES	Site Rep: Sofia Hernandez
Bella Vista Middle School	NO	Delegated to SSC Representative
James L. Day Middle School	YES	Site Rep: Jon Cole
Erle Stanley Gardner Middle School	YES	Site Rep: Juan Santos or Kim Evans
Margarita Middle School	YES	Site Rep: Jesus Aguilera Parent Rep: Cristina Trejo
Temecula Middle School	NO	Delegated to SSC Representative: Ricardo Salcedo
Vail Ranch Middle School	NO	Delegated to SSC Representative
Alamos Elementary School	YES	Site Rep: Jamie Vaughn
Abby Reinke Elementary School	NO	Delegated to SSC Representative
Ysabel Barnett Elementary School	NO	Delegated to SSC Representative
Crowne Hill Elementary School	YES	Site Rep: Elena Gelinas

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French Valley Elementary School	YES	Site Rep: Wendy Strang
Susan La Vorgna Elementary School	YES	Site Rep: Tammy Iverson Parent Rep: Claudia Velosa
Nicolas Valley Elementary School	YES	Site Rep: Ana Flores Parent Rep: Cristina Leyva
Paloma Elementary School	YES	Site Rep: Sandra Meyers

*The TVUSD DELAC usually meets here:*

LOCATION: District Conference Center – Rooms A-C

- 31350 Rancho Vista Road, Temecula, CA 92592
- (951) 676-2661

TIME: 5:00 PM to 6:00 PM

Childcare is provided in Room D. Translation can be provided.

### **9. Who do I contact at the TVUSD for questions?**

Look on the school's website to see if contact information for the English Learner coordinator or ELAC representative is posted. If not, contact the school principal.

For the DELAC, contact the chairperson of the DELAC. Ricardo Salcedo is the DELAC chairperson for 2014-15. His contact information is [rsalcedo@tvusd.k12.ca.us](mailto:rsalcedo@tvusd.k12.ca.us).

### **10. What responsibility does the school and district have to the committees?**

Schools and school districts must provide appropriate training for ELAC/DELAC members. They may also pay for costs that members incur to attend any training (e.g. child care, translation services, meals, and other reasonable expenses).<sup>19</sup>

The district also needs to provide a facility for the committees to hold regular meetings.

The district must present a Local Control and Accountability Plan to its English learner parent advisory committee, which is usually the DELAC.<sup>20</sup>

If members of the committee submit comments about the plan to the Superintendent, the Superintendent must respond in writing.

## OTHER WAYS TO GET INVOLVED

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<sup>19</sup> 5 C.C.R. § 11308(d).

<sup>20</sup> Cal. Educ. Code § 52062(a)(2).

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Volunteer at the school.

Become involved in a local community-based organization.

Participate in an ELAC or DELAC.

Attend a TVUSD School Board Meeting.

### *Qualifications to run for School Board:*

- At least 18 years old;
- A citizen of California;
- A resident of the school district;
- A registered voter; and
- Not otherwise disqualified
- School district employees (e.g., administrators, staff, faculty) are not eligible to be school board members unless they first resign from their employment with the district.<sup>21</sup>

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<sup>21</sup> Cal. Educ. Code § 35107(b)(1).

### III. Parents' Rights

The questions addressed in this section are:

1. *Do parents have a right to translation?*
2. *Access to student information*
  - a. *What is a cumulative file?*
  - b. *Who can request a cumulative file?*
  - c. *How to request a student's cumulative file.*
  - d. *How soon will the school provide the cumulative file?*
  - e. *Does the cumulative file cost money?*
3. *Program Improvement*
  - a. *What is Program Improvement?*
  - b. *How do I know if a school is in Program Improvement?*
4. *Filing a Complaint*
  - a. *Uniform Complaint Procedure*
  - b. *Williams Complaints*
  - c. *Office of Civil Rights Complaints*

Parents and guardians have the right to observe their child's classroom, to meet with their child's teacher(s) or the principal, and to volunteer for the school.

#### 1. Do parents have a right to translation?

Parents and guardians should have meaningful access.

A school district must take "reasonable steps" to make sure that parents and guardians of students are properly notified in English and in their home language, if enough students share the same home language, of opportunities available to them.<sup>22</sup> Some school districts have hired full-time translators or provide translated versions of all school district documents in languages other than English.<sup>23</sup>

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<sup>22</sup> Cal. Educ. Code § 51101.1.

<sup>23</sup> The San Francisco Unified School District is comprised of nearly thirty-percent (30%) English Learner students. The school district reportedly has a translation department with two Spanish translators and two Cantonese translators. *Lost Without Translation: Language Barriers Faced by Limited-English Proficient Parents with Children in San Francisco Unified School District*, Chinese for Affirmative-Action, Center for Asian American Advocacy, p. 3-4, November 2006, , available at < <http://www.caasf.org/wp-content/uploads/PDFs/Lost%20Without%20Translation%20%5BCAA%5D.pdf>> (last visited Sept. 5, 2014).



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**Documents:** If 15% or more of all the students enrolled in one school have the same home language, the school must translate documents, such as report cards and letters, into that language.<sup>24</sup>

*The number of students with the same home language is counted by using the Home Language Survey.*

Some Board Policies and Administrative Regulations are available in Spanish on the TVUSD Board Policy website.<sup>25</sup>

According to data for the 2013-14 school year in TVUSD, the following schools were required to provide written translation in Spanish, because more than 15% of the students had a home language of Spanish:

Rancho Vista High  
Vail Elementary  
Temecula Elementary  
James L. Day Middle

This may change each year, depending on the school's enrollment. To check whether a school must translate documents this year, check <http://data1.cde.ca.gov/dataquest/dataquest.asp>

Under "Select Level," choose "School"

Under "Select Subject" choose "English Learners"

Click "Submit"

Select the current year and type in the school name

*Hint: if you cannot find the school, type only the first few letters of the school name*

Select the correct school if necessary

Make sure "Language Group Data to Determine 15 percent and Above Translation Needs" is checked

Click "Submit"

The total number of English Learners is listed at the bottom far right of the chart, under "Total."

Documents sent home from these schools must be written in English and Spanish Parents or guardians may respond to the documents in either English or Spanish.<sup>26</sup>

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<sup>24</sup> Cal. Educ. Code § 48985(a).

<sup>25</sup> *Board Policies*, TVUSD website, available at <<http://www.tvusd.k12.ca.us/boardpolicies>>, (last visited Aug. 28, 2014).

<sup>26</sup> Cal. Educ. Code § 48985(a).

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**Interpretation:** If a substantial number of students have a home language other than English, the school district is encouraged to establish a parent center with employees who can communicate with parents and guardians.<sup>27</sup>

The TVUSD Board Policy says, “Whenever an employee learns that a student’s parent/guardian is for any reason unable to understand the District’s printed notifications, the principal or designee shall work with the parent/guardian to establish other appropriate means of communication.”<sup>28</sup>

At Board Meetings: CDE guidelines state, “[p]arents or community members who speak languages other than English should have full access to and understanding of the education process. In order to present public comments at the State Board of Education or local school board meetings, they are entitled to an interpreter.”<sup>29</sup> If you would like to make a public comment at a school board meeting and have been denied an interpreter, you may file a Uniform Complaint.

According to TVUSD:

“In addition to written translation, the department also provides limited oral interpretation services for evening school board meetings and for school site meetings during regular business hours.”

If you believe the district is not taking reasonable steps to provide meaningful access for parents and students, including interpretation and written translation, consider filing a Uniform Complaint or a complaint with the Department of Justice (DOJ) Office of Civil Rights.<sup>30</sup>

## ACCESS TO STUDENT INFORMATION

### What is a cumulative file?

A cumulative file is a file containing a student’s school files and educational history. It should include any existing disciplinary records, attendance records, test scores, reports cards, notes by teachers, and an Individualized Education Plan for students with disabilities.

### Who can request a cumulative file?

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<sup>27</sup> Cal. Educ. Code § 51101.1(c).

<sup>28</sup> TVUSD Board Policy 5145.6(a).

<sup>29</sup> *Quality Indicators for Translation and Interpretation in Kindergarten Through Grade Twelve Educational Settings: Guidelines and Resources for Educators*, California Department of Education, p. 10-11, 2006, available at <<http://www.cde.ca.gov/sp/el/er/documents/qualityindicators.pdf>> (last visited August 28, 2014).

<sup>30</sup> 67 F.R. § 41455 (2002).

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Parents or eligible students have the right to inspect and review the student's education records. Parents or eligible students can request that a school correct records that are inaccurate or misleading.<sup>31</sup>

### **How to request a student's cumulative file:**

For TVUSD schools, contact the school to obtain the cumulative file.<sup>32</sup>

Parents or guardians can take a cumulative file request form, or any written paper on which they request the cumulative file, to the front desk of the school. They should note the date and time they left it and the name of the person that accepted the request. A sample cumulative file request form is in Appendix E. You do not have to use the form in the Appendix to request the cumulative file.

Any challenge to school records must be submitted in writing to:

TVUSD Child Welfare & Attendance Office  
31350 Rancho Vista Road  
Temecula, CA 92592

If the student is enrolled in special education, fax the request to the Special Education Department at (951) 695-7113.

### **How soon will the school provide the cumulative file?**

The school district must provide the records within five (5) business days of the request.<sup>33</sup>

### **Does the cumulative file cost money?**

Low-income requestors have a right to receive copies of school records free of charge. For requestors who are not low-income, the district may charge to make copies of pupils' records, but may not charge to search or retrieve those records. If the request is limited to one or two copies of the transcripts of a former student, or one or two copies of verification of enrollment, the district may not charge for that.<sup>34</sup>

### **If the school will not provide the cumulative file:**

Follow-up with the school five days after submitting the first request.

If there is still no response, consider filing a Uniform Complaint with the district.

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<sup>31</sup> If the school does not amend the record as requested, the school must offer the parent or student a hearing on the matter. 34 C.F.R. § 99.20(c).

<sup>32</sup> *Public Record Requests*, TVUSD website, available at <[http://www.tvusd.k12.ca.us/foi\\_form](http://www.tvusd.k12.ca.us/foi_form)> (last visited Aug. 28, 2014).

<sup>33</sup> Cal. Educ. Code §§ 56504, 49069.

<sup>34</sup> *Id.*; Cal. Educ. Code § 49065.

## PROGRAM IMPROVEMENT

### What is Program Improvement?

Schools that do not make adequate yearly progress (AYP), a statewide accountability system with academic achievement goals for students, under No Child Left Behind for two consecutive years are designated for program improvement.

### How do I know if a school is in Program Improvement?

Under the federal No Child Left Behind, school districts are required to give students who attend schools identified for corrective action the option to transfer to another school served by the district.<sup>35</sup>

You can also look it up here:

<http://data1.cde.ca.gov/dataquest/dataquest.asp>

Under "Select Level," choose "School"

Under "Select Subject" choose "Program Improvement"

Click "Submit"

Select the current year and type in the school name

*Hint: if you cannot find the school, type only the first few letters of the school name*

Select the correct school if necessary

Select the year for the report you are interested in

Click "Submit"

Whether or not the school is in PI will appear after "PI Status"

## FILING A COMPLAINT

Individuals can file:

- (1) The Uniform Complaint (UCP), or a
- (2) *Williams* Complaint, or an
- (3) Office of Civil Rights (OCR) Complaint

Any individual may file a complaint against the district for failing to comply with state and federal legal standards.<sup>36</sup> The Uniform Complaint Procedure is the process for filing a written statement that alleges discrimination or a violation of a federal or state law in a school district. A copy of the UCP form is in Appendix A.

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<sup>35</sup> 34 C.F.R. § 200.44.

<sup>36</sup> If a person ever wanted to file a lawsuit, the first step should usually be the Uniform Complaint Procedure (with few exceptions).

## Toolkit

If the complaint is about textbooks, teachers, or facilities, anyone can file a *Williams* complaint. Some information about the *Williams* complaint process is in Appendix B.

If the complaint is about discrimination on the basis of race, color, national origin, sex, disability or age, a person can also file an Office of Civil Rights (OCR) complaint with the federal government.

## Uniform Complaint Procedures (UCP)

### Filing a Uniform Complaint in Temecula Valley Unified School District (TVUSD)

Though the instructions below are about filing a complaint with TVUSD, many districts have similar policies.

- **Step 1:** Filing the Uniform Complaint with the school district.
  - See sample form in Appendix A. Complaint forms are typically available on the School District's website.
- **Step 2:** The District's Investigation & Mediation (sometimes within 30 days)
- **Step 3:** The Decision (must be within 60 days)
- **Step 4:** Appealing a Decision (must be within 15 days)

### Step 1: File the Complaint

Fill out a complaint form. The UCP form should be submitted by mail or in person to Assistant Superintendent for Human Resources Development, 31350 Rancho Vista Road, Temecula, CA 92592. Make sure to keep a copy.

If there is no complaint form available, write the complaint on any other paper. It is preferable to use the official UCP form whenever possible.

*Within 60 days of the date a complaint is submitted, the district must provide a written decision.*

### Step 2: The District's Mediation & Investigation

#### **Mediation:**

Within the first few days of receiving the complaint, a "compliance officer" (someone from within the district whose job is to ensure the district follows federal and state laws) may ask if the person who filed the complaint would like to mediate (attempt to resolve) the complaint. Mediation is not mandatory.

## Toolkit

*The use of mediation does not extend the district's 60-day timeline for investigating and resolving the complaint unless the complainant agrees in writing to an extension of time for the district.<sup>37</sup>*

If the district is unable to resolve the complaint through mediation or if a mediation offer is declined, the district will proceed with investigating the complaint.

### **Investigation:**

The compliance officer may request an “investigative meeting” after receiving the complaint. This is an opportunity to review the complaint orally and provide the compliance officer with any more evidence to support the complaint.

Refusal to cooperate in the investigation or obstructing the district from obtaining evidence regarding the complaint may result in dismissal of the complaint due to lack of evidence.

### **Step 3: The Decision**

Within 60 days of receiving the complaint, the school district must send a written decision with the following information:

- (i) Findings of fact based on the evidence gathered.
- (ii) Conclusions of law.
- (iii) The decision about the complaint.
- (iv) The rationale for such a decision.
- (v) Corrective actions, if any are warranted.
- (vi) Notice of the right to appeal the decision to the California Department of Education.
- (vii) How to appeal to the California Department of Education.

Some districts, including TVUSD, send a report of the compliance officer's written investigation and decision within 30 days. If the report is unsatisfactory, the person who filed the complaint should appeal to the TVUSD Board of Education (within 5 days of the response from the compliance officer) by submitting the complaint directly to the Board in order to receive a written Final Decision.

### **Step 5: Appeal**

A person can appeal to the California Department of Education if he or she is unsatisfied with the district's decision. He or she can also appeal if there is some other procedural defect in the investigation (for example, if the decision does not include findings of fact and conclusions of law). Appeals must be filed within 15 days of receiving the district's decision.<sup>38</sup>

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<sup>37</sup> 5 C.C.R. § 4631(a).

<sup>38</sup> 5 C.C.R. § 4632.

## Toolkit

An appeal may also be filed if there was no decision from the district within 60 days.

### Filing an appeal:

- Write a letter to the California Department of Education describing the reasons for appealing the district's decision and whether the facts of the decision were incorrect or the law was incorrectly applied.
- Include the following:
  - A copy of the complaint originally filed
  - A copy of the decision of the district
- Send it to:
  - State of California
  - Department of Education
  - 1430 N Street
  - Sacramento, CA 95814

## Williams Complaints<sup>39</sup>

*Williams* Complaints are complaints about textbooks, teachers, and facilities. A person can file a *Williams* complaint with a school if:

- There are not enough books to use in class and to take home, or the books are in poor condition, missing pages, or so damaged that they cannot be read, or
- The condition of a school building or facility poses a threat to the health and safety of students or staff (for example, if the heater is broken, or if the school is infested with rats), or
- A restroom is not fully operational, well maintained and cleaned, stocked with supplies, and open during school hours, including when students are not in class; or an insufficient number of restrooms are open while students are in classes, or
- There is no permanent teacher assigned to a class within the first 20 working days of the semester, or the teacher is not qualified to teach the class.<sup>40</sup>

The principal or the district must provide a solution within 30 working days of receiving the complaint. A written response, if requested by the complainant, is due within 45 working days.

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<sup>39</sup> For more info, please visit [www.decentschools.org](http://www.decentschools.org) and [www.aclusocal.org](http://www.aclusocal.org).

<sup>40</sup> Cal. Educ. Code § 35186 and § 4680.

## Toolkit

### How to File a *Williams* Complaint

- Find a complaint form, available at [http://www.decentschools.org/settlement/Williams\\_Complaint\\_Form.pdf](http://www.decentschools.org/settlement/Williams_Complaint_Form.pdf)
- By law, a NOTICE should be posted in each classroom describing these rights and where to find complaint forms.

According to the TVUSD Master Plan, a complaint form can be obtained at the school office or district office, as well as on online.

- Fill out the form. You may file an anonymous complaint, but you will not receive a written response.
- Turn in the complaint form to the principal or where the form tells you to file it.

### *Williams* FAQs

- May anyone file a complaint?
  - Yes. Any person or organization may file a complaint.
- Do I have to put my name on my complaint?
  - No. However, if you want the principal or district official to report to you how the problem was fixed, you must include your name and contact information.
- Do I have to use a particular form to file a complaint?
  - No. Your school must have complaint forms available, but you may use any form you want.
  - You can call the toll-free phone number below and request one.
- Should I make and keep a copy of my complaint?
  - Yes.
- Who can I contact if I want more information or would like help filing a complaint or an appeal?
  - Email [williamsinfo@aclu-sc.org](mailto:williamsinfo@aclu-sc.org) or call toll-free 1-877-532-2533.
    - Email is best.

### Office for Civil Rights Complaints

The Office for Civil Rights (OCR) is a federal agency that enforces federal civil rights laws that forbid discrimination on the basis of race, color, national origin, sex, disability and age.

Complaints must be filed within 180 calendar days of the alleged discrimination, unless the Office of Civil Rights agrees to extend the time of filing. If you have gone through an “institutional grievance process” (ex: Uniform Complaint or *Williams* Complaint) you must file the OCR complaint within 60 days of completion of the “institutional grievance process.”



## Toolkit

### Filing a complaint with the Office of Civil Rights


You may mail (or email) a letter or use the Office of Civil Right's Discrimination Complaint Form online at <http://www2.ed.gov/about/offices/list/ocr/complaintintro.html> to file your complaint.

Include at least the following in your complaint:

- Your name, address, and a telephone number (not required) where you can be reached during the day.
- Information about the people, or class of people affected by the discriminatory act(s).  
**Names of people affected are not required.**
- The name and location of the school or district.
- A detailed description of the discriminatory act.

# Toolkit

## Appendix A: TVUSD Complaint Form



ADMINISTRATIVE REGULATION  
EXHIBIT

E 1312.3 (a)

**DISTRICT COMPLAINT FORM**

Address your complaint to Henry Voras, the Assistant Superintendent.

Your\* contact information will allow the district to communicate with you about your complaint to get additional information for their investigation.

You may list names and/or the titles of the people in your complaint

Be sure to include any details you feel are relevant in your complaint

TO: Henry Voras, Assistant Superintendent  
Human Resources Development  
31350 Rancho Vista Road  
Temecula, CA, 92592

FROM: Name(s): Jane Doe  
Address: 121 River Run Road, Temecula CA 92592  
Tel. No.(s): 555-123-4567

Name of person(s) against whom complaint is made: \_\_\_\_\_

Nature of complaint. Describe in your own words, the grounds of your complaint, including all names, dates and places necessary for a complete understanding of your complaint. (You may use an extra sheet of your own paper to describe your complaint more fully if you so desire).

31350 Rancho Vista Road, Temecula, CA 92592 (951) 676-2661

*\*People may jointly file a complaint. In that case list each person and only one address.*

**DISTRICT COMPLAINT FORM**

(Continued)

**E 1312.3 (b)**

**If no, then skip the next three questions**

Has the complaint been discussed with the employee, his/her school principal or supervisor?

☐ Yes

☐ No

To whom have you spoken? Name(s):

\_\_\_\_\_  
\_\_\_\_\_

When? Date(s):

\_\_\_\_\_  
\_\_\_\_\_

What was the result of each discussion?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Describe the solution you wish to district to take.**

Remedies sought:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I (we) understand that the compliance officer may request from me (us) further information about complaint; and, if the information is available, I (we) shall present it upon request.

I (we) also understand that if this complaint is against an employee, a copy of this complaint will be given by the compliance officer to the person(s) against whom this complaint is being made and that he/she (they) will be given the opportunity to respond in writing to this complaint and that I (we) will receive a copy of such response.

I (we) also understand that if a hearing is held on this complaint by the Board thereof, such hearing will be held in closed session.

Executed this 20th day of May, 2014

Signature(s)

Jane Doe

**It is important that you\* sign and date your complaint in order to receive a response.**

# DISTRICT COMPLAINT FORM

**TO:**

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**FROM:**

**Name(s):**

---

**Address:**

---

**Tel. No.(s):**

---

Name of person(s) against whom complaint is made:

---

---

---

Nature of complaint. Describe in your own words, the grounds of your complaint, including all names, dates and places necessary for a complete understanding of your complaint. (You may use an extra sheet of your own paper to describe your complaint more fully if you so desire).

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**DISTRICT COMPLAINT FORM****E 1312.3 (b)**

Toolkit

(Continued)

Has the complaint been discussed with the employee, his/her school principal or supervisor?

☐

Yes

☐

No

To whom have you spoken? Name(s):

---

---

When? Date(s):

---

---

What was the result of each discussion?

---

---

---

Remedies sought:

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I (we) understand that the compliance officer may request from me (us) further information about complaint; and, if the information is available, I (we) shall present it upon request.

I (we) also understand that if this complaint is against an employee, a copy of this complaint will be given by the compliance officer to the person(s) against whom this complaint is being made and that he/she (they) will be given the opportunity to respond in writing to this complaint and that I (we) will receive a copy of such response.

I (we) also understand that if a hearing is held on this complaint by the Board thereof, such hearing will be held in closed session.

Executed this \_\_\_\_\_ day of \_\_\_\_\_

Signature(s) \_\_\_\_\_

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## Appendix B: Williams Complaint Form Toolkit

### **WILLIAMS COMPLAINT FORM**

(Uniform Complaint Procedures for California Education Code Section 35186 Complaints)

Anyone may use this form to file a complaint regarding one or more of the following problems: (1) insufficient instructional materials; (2) an unsafe or unhealthy school facility condition; (3) a teacher vacancy or misassignment, and/or (4) a restroom that is closed, not fully operational, or not cleaned, maintained, or stocked regularly. After completing this form, file it with the School Principal. If the Principal does not have sufficient authority to fix the problem, he or she will forward this form to the appropriate school district official for resolution.

► **Do you want to receive a written response describing how the problem was fixed?**

- ☐ Yes, I request a written response.

Name: \_\_\_\_\_ Address: \_\_\_\_\_

City, State, and Zip Code: \_\_\_\_\_ Phone Number (optional): \_\_\_\_\_

- ☐ No, I do not request a written response. I am filing this complaint anonymously.

► **I request immediate action to correct the following problem(s):** *Please check all that apply and provide supporting details (attach additional pages if needed).*

**I. Textbooks and Instructional Materials:**

- ☐ A student does not have required textbooks or instructional materials to use in class.  
☐ A student does not have textbooks or instructional materials to use at home or after school.  
☐ Textbooks or instructional materials are in poor or unusable condition, are missing pages, or are unreadable due to damage.  
☐ Because of a shortage of textbooks or materials, a student was given photocopied sheets from only a portion of a textbook or instructional materials.

**Description of the problem:** *include (1) the names of the textbook(s)/materials that are missing or damaged, (2) the course/grade level and (3) the teacher's name.* \_\_\_\_\_  
\_\_\_\_\_

**II. Teacher Vacancy or Misassignment:**

- ☐ A class has not been assigned a permanent teacher within the first 20 working days of the semester.  
☐ A teacher is assigned to teach a class for which the teacher lacks the appropriate subject matter credential or authorization.  
☐ A teacher is assigned to teach a class in which more than 20% of the students are English learners and the teacher lacks the proper credentials or training to teach English learners.

**Description of the problem:** *include (1) the course or grade level and (2) the teacher's full name.* \_\_\_\_\_  
\_\_\_\_\_

**III. School Building and Facility Conditions:**

- ☐ A school building, building system, or part of the school grounds is in a condition that poses a threat to the health and safety of students, teachers, or school employees (for example, the heating, ventilation, fire sprinkler, or AC system doesn't work; the school is infested with rats or other pests; windows are broken or exterior gates will not lock and pose a security risk; or a damaged building or structure creates a potential health or safety hazard).

**Description of the problem:** *include (1) the condition, (2) where it is located, and (3) how it poses a threat to health or safety.* \_\_\_\_\_  
\_\_\_\_\_

**IV. Restrooms:**

- ☐ A restroom is not fully operational, maintained and cleaned regularly, and stocked at all times with toilet paper, soap, and paper towels or functional hand dryers.  
☐ The school is not keeping all restrooms open during school hours when pupils are not in classes.  
☐ The school is not keeping a sufficient number of restrooms open during school hours when pupils are in classes.

**Description of the problem:** *include location of the restroom.* \_\_\_\_\_  
\_\_\_\_\_

► **IMPORTANT:** I am mailing / hand-delivering (circle one) this form on \_\_\_\_\_ (date) to

Principal \_\_\_\_\_ (name) at \_\_\_\_\_ (school name & address).

**Please make and keep a copy of this completed form for your records.**

For more information, visit [www.decentsschools.org](http://www.decentsschools.org) or call toll-free 1-877-532-2533. Form updated Feb. 25, 2008.

**Appendix C: Sample of English Learner Notice to Parents**

**[District Name]**  
**ANNUAL PARENT NOTIFICATION LETTER**  
**Federal Title III and State Requirements**

To the parent(s)/guardian(s) of: \_\_\_\_\_ School: \_\_\_\_\_  
 Date: \_\_\_\_\_

Student ID #: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Grade: \_\_\_\_\_ Primary  
 language: \_\_\_\_\_

**Dear Parent(s) or Guardian(s):** Each year, we are required by law to notify you of your child's proficiency level in English. We must also provide you with the school's recommendation for program placement and describe all available program options. This letter also explains how we decide when a student is ready to exit the English learner program. (20 *United States Code* sections 7012 and 6312[g][1][A]; California *Education Code*, Section 48985; and Title 5 of the *California Code of Regulations*, Section 11309[a][b][1])

Your child's current English proficiency level is \_\_\_\_\_, according to the most recent California English Language Development Test (CELDT) results.

Based on these results, your child has been identified as an:

- ☐ **English learner (EL) with less than reasonable fluency in English** and assigned to the Structured English Immersion Program.
- ☐ **English learner (EL) with reasonable fluency in English** and assigned to the English Language Mainstream Program.

Check if applicable:

- ☐ **Individualized Education Program (IEP) on file**  
 A description of how your child's recommended program placement will meet the objectives of the IEP is attached.

**Academic Achievement Results**

Skill Area	California Standards Tests	Other measure	Performance Level
English Language Arts			
Mathematics			
History-Social Science			
Science			

**[Note to districts:** Customize this table according to measures used in your district.]

**Program Placement Options for English Learners**

The chart below shows all program placement options. (A more detailed description follows.) To request that your child be placed in an Alternative Program in which much of the instruction is provided in your child's primary language, you must apply for a "Parental Exception Waiver."

English Language Proficiency Levels	Program Placement
-------------------------------------	-------------------

## Toolkit

Advanced	Reasonable fluency***	English Language Mainstream *** or an Alternative Program with an approved Parental Exception Waiver
Early Advanced		
Intermediate		
Early Intermediate	Less than reasonable fluency***	Structured English Immersion*** or an Alternative Program with an approved Parental Exception Waiver
Beginning		
		Other Instructional Setting based on IEP

[\*\*\*Districts determine what levels constitute “reasonable fluency” and “less than reasonable fluency”.]



# ANNUAL PARENT NOTIFICATION LETTER

## Federal Title III and State Requirements

### Description of Program Placement Options and Goals for English Learners

All programs include English Language Development (ELD) and teaching strategies differentiated for each student's level of English language proficiency. These strategies are used to help each student reach proficiency in speaking, reading and writing English, and succeed academically in all core subjects.

**Structured English Immersion (SEI):** Students who score at **less than reasonable fluency** are placed in an SEI program and are taught overwhelmingly in English. Some assistance may be provided in the primary language. Students are taught ELD and other core subjects by authorized teachers using district-adopted textbooks and supplementary materials. Instruction is based on ELD and grade-level content standards.

**English Language Mainstream (ELM):** Students who score at **reasonable fluency** in English are placed in an ELM program. They are taught ELD and other core subjects by authorized teachers using district-adopted textbooks and supplementary materials. Instruction is based on ELD and grade-level content standards. Students receive any additional instruction needed for them to be reclassified as fluent English proficient.

**Alternative Program (ALT):** Students with an approved "Parental Exception Waiver"\*\*\*\* are taught core subjects in their primary language. They receive instruction in ELD in English. Teachers must receive special training to work in such a program. They use district-adopted textbooks and supplementary instructional materials. Instruction is based on ELD and grade-level content standards. Students receive any additional instruction needed for them to be reclassified as fluent English proficient. **(District inserts full description of their alternative program(s) and process to obtain a Parental Exception Waiver.)**

**NOTE:** At any time during the school year, you may have your child moved into the English Language Mainstream Program.

**Parents/Guardians have the right to request a "Parental Exception Waiver" for an alternative program.**

California law gives parents the right to request that their child be placed in an Alternative Program. To do so, you must visit your child's school to apply for a "Parental Exception Waiver" each year. Your child must meet **one** of the following requirements: a) knows English and performs academically at least at fifth grade level; b) is ten years of age or older; or c) is a student under ten years of age who has been in an English language classroom for 30 calendar days, and has special needs.

### Reclassification (Exit) Criteria

## Toolkit

The goal of the English learner program is for students to become fully proficient in English and to master state standards for academic achievement as rapidly as possible. This district's reclassification criteria are listed below:

Required Criteria (California Education Code Section 313[d])	LEA Criteria [District inserts local board-approved reclassification criteria]
English Language Proficiency Assessment (CELDT)	
Comparison of Performance in Basic Skills	
Parental Opinion and Consultation	
Teacher Evaluation	
	<b>Optional:</b> Other district multiple measures

### Graduation Rate

[For unified or secondary school districts, insert the expected rate of graduation for students in this program.

District graduation rate displayed on the Adequate Yearly Progress report, available in Dataquest.

<http://dq.cde.ca.gov/dataquest/>

\*\*\*\*\*

Please telephone the school at [Insert telephone number.] if you would like to schedule a parent conference to discuss your child's options for program placement.

## Appendix D: On LCFF

### HOW THE LCFF WORKS:

- Base Grant:
  - a. The LCFF provides “base” grants to school districts based on the number of students at each grade level.
  - b. *The TVUSD base grant amount, which will be phased in over 8 years, is \$213,355,808. The district currently receives a transition-funding amount of \$168,159,389.*
- Supplemental Grant:
  - a. The LCFF provides an additional 20% of the base rate for English Learner, low-income, and foster youth (EL/LI/FY) students.
  - b. *The TVUSD supplemental grant amount, which will be phased in over 8 years, is \$10,049,059.*
- Concentration Grant:
  - a. If a district enrolls more than 55% of students who are English Learners, low income, or foster youth, the district receives even more money.
  - b. *The TVUSD is not currently slated to receive a concentration grant because the percentage of EL/LI/FY students is 23.55%, less than the 55% threshold.*

### **How does the Local Control and Accountability Plan (LCAP) address parental and community involvement?**

According to the LCAP, TVUSD will give parents the chance to get more involved in the district. There will be more parent/student workshops for College Readiness. The district said it would provide \$15,500 each year for parent workshops. The district said it would hire a Family Engagement Specialist in 2014-2015 to coordinate the district and school English Learner Advisory Committees (DELACs and ELACs). The district said it would allocate \$86,798 for salary and benefits for this position.

The LCAP is designed to be a way for people to hold the school district accountable. The LCAP must document how the district is spending money to improve students' education.

Anyone interested in more details on the TVUSD Local Control and Accountability Plan can find the finalized plan online: [http://www.tvusd.k12.ca.us/lcap\\_intro](http://www.tvusd.k12.ca.us/lcap_intro).

## Toolkit

### Appendix E: Cumulative File Request Form

Sent Via: \_\_\_\_\_ Principal/Designee's Initials: \_\_\_\_\_  
☐ Fax to (     ) \_\_\_\_\_ Date Received: \_\_\_\_\_  
☐ U.S. Mail  
☐ Hand Delivered

#### REQUEST FOR RECORDS

Date:   /   /

Principal: \_\_\_\_\_ School: \_\_\_\_\_

Address: \_\_\_\_\_

**Re:     Request for Records**

Student Name: \_\_\_\_\_ D.O.B.:   /   /  
☐ Special Education Student

Dear Sir or Madam:

In order to help me better understand my child's educational progress and how to help him/her in school, I am writing to request a copy of all school records for (student name) \_\_\_\_\_ including, but not limited to, the cumulative file and **ALL**:

- Individualized Education Programs ("IEPs")/504 Plans;
- Disciplinary Records, including, but not limited to, suspension and expulsion notices and referrals to a counselor or other school official;
- Attendance Records;
- Standardized Test Scores;
- Reports;
- Assessments and protocols;
- Grades/Progress Reports;
- Notes by teachers or other staff members;
- Memoranda.

As you are aware, the law requires that the records be provided within five (5) business days of the request. See Cal. Educ. Code §§ 56504, 56043(n) (special education students) and 49069 (all students); see also FERPA, 20 U.S.C. § 1232(g) and 34 C.F.R. § 99.10 (discussing access to records generally).

Please ☐ Fax to (     ) \_\_\_\_\_ or ☐ Mail or ☐ Arrange for pickup on \_\_\_\_/\_\_\_\_/\_\_\_\_ a copy of these records to my attention. Thank you in advance for your prompt action regarding this request. If you have any questions, please feel free to call me at (     ) \_\_\_\_\_.

Sincerely,

\_\_\_\_\_  
Signature of Parent/Legal Guardian

\_\_\_\_\_  
Print Name/Relationship to Student