

ADMINISTRATIVE REGULATIONS

INSTRUCTION

AR 6185(a)

COMMUNITY DAY SCHOOL

Involuntary Transfer

A student may be assigned to a community day school only upon meeting one or more of the following conditions: (Education Code 48662)

1. The student is expelled for any reason.
2. The student is probation-referred pursuant to Welfare and Institutions Code 300 and/or Welfare and Institutions Code 602.

***Note: Welfare and Institutions Code 300 relates to the protection of minors who are being or are at risk of being neglected, exploited, or physically, sexually or emotionally abused; such a person may be adjudged to be a dependent child or the court. Welfare and Institutions Code 602 concerns minors who have violated any state or federal law or any city or county ordinance defining crime other than a curfew based solely on age; such persons may be adjudged to be wards of the court. ***

***Note: Pursuant to Education Code 48662 districts with a school attendance review board (SARB) may refer students through either the SARB or another district-level referral process. ***

3. The student is referred by a school attendance review board (SARB) or other district-level referral process.

The first priority for assignment to a community day school shall be given to students expelled pursuant to Education Code 48915 (d). Second priority shall be given to student expelled for other reasons, and third priority shall be given to students referred according to item #2 or #3 above. These priorities are applicable unless the district has an agreement that the County Superintendent of Schools shall serve any of the above students. (Education Code 48662)

In case of any student who has been identified as eligible for services under the federal individuals with Disabilities Education Act or Section 504 of the federal Rehabilitation Act of 1973, assignment to a community day school shall be first approved by the student's Individualized Education Program (IEP) team of school site committee (e.g., student study team) as required by law.

Note: Education Code 48662 mandates that Boards establishing a community day school adopt policy to provide procedures for the involuntary transfer of students to the school. The CDE recommends that these procedures include due process and notification for students who have been involuntarily transferred. Students transferred pursuant to an expulsion order (item #1 above) will receive due process and notice during the expulsion hearing; see AR 5144.1 - Suspension and Expulsion/Due Process. Students that are probation-referred (item #2 above) will receive due process and notice during the probation proceedings. For those students referred pursuant to a SARB, due process and notice may also be provided during the adopt policy to provide procedures for the involuntary transfer of students to the school. The CDE recommends that these procedures include due process and notification for students who have been involuntarily transferred. Students transferred pursuant to an expulsion order (item #1 above) will receive due process and notice during the expulsion hearing; see AR 5144.1 -Suspension and Expulsion/Due Process. Students that are probation-referred (item #2 above) will receive due process and notice during the probation proceedings. For those students referred pursuant to a SARB, due process and notice may also be provided during the SARB hearing (item #3 above). Thus the following section applies only to those students involuntarily transferred as a result of a district-level referral process (item #3 above).

***Note: The following section should be modified to reflect district practice.

At least 10 calendar days prior to the involuntary transfer of a student as a result of a district-level referral process, the Superintendent or designee shall provide written notice of the transfer to the student's parent/guardian or to the adult student age 18 or older. The notice shall contain a statement of the facts and circumstances upon which the transfer is based, its duration, and the conditions for readmission. The notice shall advise the student's parent/guardian or adult student of the opportunity to inspect and obtain copies of all documents supporting the transfer. In addition, the notice shall also state that the parent/guardian or adult student has five school days to request a meeting with the Superintendent or designee to discuss the transfer.

If the Superintendent designates an individual to represent the district at the meeting, the individual so designated shall not be a member of the staff of the school at which the student is currently enrolled.

At the meeting, the reason for the transfer shall be reviewed with the parent/guardian or adult student and the parent/guardian or adult student may present evidence on the student's behalf.

The Superintendent or designee shall send the parent/guardian or adult student written notice of the decision to transfer or not transfer within three school days of the meeting.

If the parent/guardian or adult student desires to appeal the Superintendent's decision to the Board, he/she shall file written notice of the intent to appeal within five school days of receiving the decision. The Board shall determine whether or not to hear the appeal within 15 calendar days. If the Board desires to hear the appeal, the Board shall decide the appeal within 30 calendar days of receipt of the notice of the appeal. The Board's decision shall be final.

Instruction

Academic programs offered in the community day school shall be comparable to those available to students of a similar age in the school district. (Education Code 48663)

***Note: In addition to revenue limit funding, Education Code 48664 establishes incentive funding for community day schools.

The minimum school day for community day school students shall be 360 minutes of classroom instruction provided by a certificated employee of the district reporting attendance for apportionment purposes. Independent study shall not be used as a means of providing any part of this minimum day. (Education Code 48663.)
(*cf. 6158 - Independent Study*)

Facilities

***Note: The following section reflects some of the requirements regarding facilities for community day schools. As the legal requirements concerning these facilities are complex, district legal counsel should be consulted as appropriate. ***

To house community day school operations, the district shall do one or more of the following: (Education Code 17292.5)

1. Use available school facilities conforming with Field Act requirements
2. Apply for emergency portable classrooms pursuant to Education Code 17085-17096.
3. Upon certifying to the State Allocation Board that all reasonable efforts have been made to use facilities that conform with the Field Act requirements of item #1 above, enter into lease agreements for facilities for which a structural engineer has submitted a report stating that substantial structural hazards do not exist.

Every three years, the Superintendent or designee shall report to the State Allocation Board on the facilities used for the district's community day programs and efforts to place these programs in facilities that conform with the requirements of item #1 above. (Education Code 17292.5)

Location of the School Site

***Note: As amended by AB 1600 (Ch. 646, Statutes of 1999), Education Code 48661 provides that K-8 districts or districts desiring to operate a community day school to serve grades K-6 may situate a community day school on the same site under the conditions specified below. The following paragraphs should be deleted if not applicable to the district. ***

A district organized to serve grades K-8, but no higher grades, may situate a community day school on the same site as an elementary, middle, junior high, comprehensive senior high, opportunity or continuation school when the Board certifies by a two-thirds vote that no satisfactory alternative facilities are available for a community day school in those grades. (Education Code 48661)

(cf. 9323.2- Actions by the Board)

***Note: Pursuant to Education Code 48661, as amended by AB 1600 (Ch. 646, Statutes of 1999), the following paragraph applies only to districts with 2,500 or fewer ADA reported for the most recent second principal apportionment. Other districts should delete this paragraph. ***

A district with 2,500 ADA or less may situate a community day school on the same site as an elementary, middle, junior high, comprehensive senior high, opportunity, or continuation school when the Board certifies by a two-thirds vote that no satisfactory alternative facilities are available for a community day school. (Education Code 48661)

Such Board certifications shall be valid for not more than one school year and may be renewed by a subsequent two-thirds vote of the Board. (Education Code 48661)

Note: Pursuant to Education Code 48916.1, outcome data related to all of the district's expulsions are required as specified in AR 5144.1, and community day school incentive apportionments will be withheld if this data are not reported.

Students

Discipline-Community Day School

In recognition of the fact that very often students who are a disruptive influence in the classroom or school environment are functioning in a manner that fulfills basic needs of their own rather than an intention to be disruptive, Gravenstein Union School District is offering an individualized student plan to change behavior,

A Community Day School is established to provide an additional chance for students who exhibit behaviors that include but not limited to, habitually truant from instruction, irregular in attendance, insubordinate, and/or disorderly while in school. The purpose of the school is to help the student develop acceptable social attitudes and personal goals, and to assist him/her in improving his/her basic skills and other curricular areas so that he/she may be returned to the regular program as soon as possible.

Those students who have identified themselves by exhibiting continued disruptive behavior and have shown little or no response to regular forms of correction shall be considered as candidates for the program. While the Community Day School is designed to be a positive, successful endeavor to rehabilitate student behavior, it should be understood that the student has very few viable alternatives left at this point, other than to modify his/her behavior.

The goal of this school is that each student will be able to improve behavior and self-control to the point that he/she will be successful in his/her education and will discontinue the type of behavior that prevents teachers from teaching.

Placement Procedures — By District Level Referral

- A. The student placed him/herself under consideration for entry into the school by displaying persistent or severe behavior, in spite of corrective measures taken by his/her teachers and the administration.
- B. Referral procedures are initiated by the student's teachers and/or the administrative staff. Each written referral is supported by anecdotal documentation.
- C. The referral committee recommendation is taken to the Superintendent for approval.
- D. The Community Day School will be explained to the student and parents.
- E. The student's behavior will be outlined to present a case history and a profile of the type of behavior being demonstrated. The teachers and the administrator will set guidelines for the desired behavioral changes they feel are necessary in order for the student to be successful in regular classes, note the student's strengths and list interventions that have been used or proposed.

- F. The administrative staff will assign the student to the Community Day School when, based on submitted information and recommendations, it is deemed to be a beneficial alternative for the student. Final placement must be authorized by the Superintendent or designee.
- G. A written notice will be entered in the student's record giving name, dates of entry into the class, and the name of the person who held the enrollment conference with the parents. The reason for the assignment will be include in this notice.

PROGRAM GUIDELINES

The length of an individualized program will be a minimum of one quarter of the year unless stipulated otherwise.

The student will be placed in a self-contained classroom (or combination) for a minimum of 360 minutes.

The student will spend most of the academic portion of his/her daily schedule on math, reading, and written expression and other standards based curricular areas for their correct grade level.

The counseling portion of time will be spent determining previous improper behavior and the student's strengths/assets to develop and/or enhance the underlying reason for it, and acceptable types of behavior.

Instruction will be (for the most part) individualized.

TEACHER GUIDELINES

The Community Day School teacher must have a warm, fair but firm attitude toward students with problems. The teacher must be capable of exercising the professional judgment necessary to build and to provide an individualized program of instruction. Sensitivity to the needs and background of the pupils enrolled in the class is of primary importance.

To effectively accomplish the objectives of the Community Day School the teachers shall:

1. Be teacher-counselor of all students enrolled in the school.
2. Meet with the student's teachers and school administrative staff for information to determine the pupil's needs and to develop an individualized program.
3. Plan lessons for immediate success and awareness of the purpose for long-term goals.
4. Plan lessons and activities that will develop habits such as punctuality, dependability, and resourcefulness that will aid him/her when he/she returns to the regular school setting.
5. Provide pupils with a stimulating variety of learning experiences within the Community Day School.
6. Maintain anecdotal records on each child.
7. Maintain lines of communication with:

- a. School administrators
- b. Family - frequently confer with parents to apprise them of attendance and progress, and solicit their help in planning a course that will aid the pupil's adjustment.
- c. Regular classroom teachers of the student.

COMMUNITY DAY SCHOOL EXIT PROCEDURES FOR LONG-TERM STUDENTS

An exiting committee composed of students, parent, the principal, the Community Day School teacher and regular education teacher if possible, shall determine the placement of each student at the end of the nine-week period or earlier, if necessary.

Upon completion of a successful nine weeks in Community Day School, the student may return to a full-day classroom program if the team believes this is the best placement for the student, and will be subject to follow-up supervision. During the follow-up period, the student will be considered on a probationary status with the principal checking on his/her progress.

Pupils placed in Community Day School forfeit all privileges in attending the other schools social events such as dances, athletic events, assemblies, any graduation activities, or the graduation ceremony. However, there may be activities for graduation from the Community Day School.

Pupils will work on a regular academic program on an individual basis. Materials and assignments will be provided by the pupil's regular classroom teachers, as much as possible.

Beginning with the second semester of the school year, any eighth grade student still in Community Day School will not be allowed to participate nor attend any graduation activities.

REFERRAL FORM

Your child has shown a pattern of unacceptable behavior in our school setting. The child has not responded to verbal warning, written warning, counseling, appropriate and corrective means of discipline, and parent contact by the teacher. Following this course of action, the child has been referred to the office and still exhibits unmanageable conduct. As other forms of correction have been exhausted, we are considering Community Day School placement for your child.

Please attend the conference as indicated below to discuss this placement.

Student _____

Conference date and time _____

Principal

Date

COMMUNITY DAY SCHOOL

As the parents of _____, we will assist the behavior correction program being offered by insuring that the importance of student cooperation is stressed at home.

I recognize that failure on my child's part to meet specified requirements will result in suspension from school and the beginning of possible expulsion proceedings.

I hereby acknowledge that I have received a copy of the structure and procedures of the Community Day School at Gravenstein Union School District, and that an opportunity was provided for clarification of questions.

Student _____

Parent Signature _____

Date: _____

COMMUNITY DAY SCHOOL

RELEASE FORM

_____ was released from
Community Day School today, _____
Date

This student has exhibited acceptable behavior during his/her placement in the
community Day School and has been exited from this class.

First Period Teacher: Use the above date to update your records, sign form and return to
student. All other teachers please sign and date indicating you are aware student is now in
regular program.

1st Period _____ Date _____

2nd Period _____ Date _____

3rd Period _____ Date _____

4th Period _____ Date _____

5th Period _____ Date _____

6th Period _____ Date _____

7th Period _____ Date _____

Community Day School Teacher _____ Date _____

To be completed by Community Day School Teacher:

Present Math Grade _____

Present Language Arts Grade _____

COMMUNITY DAY SCHOOL
REFERRAL FORM 1

COMMUNITY DAY SCHOOL PLACEMENT

Student _____

Date _____

Referring Teacher _____

Behavior Patterns Observed:

Teacher Corrections Used and Response:

Specific Areas Needing Correction:

Assessment of Academic Ability:

Suggestions or Comments:

Please attach all available detention notices, referral notices, and anecdotal records.

Please note strengths as well as problem areas.

COMMUNITY DAY SCHOOL

REFERRAL TO COMMUNITY DAY SCHOOL

Name _____ Grade _____ Date _____

Date of Birth _____ Home Phone _____

DOCUMENTATION

Discipline Referrals _____ Days Absent _____

Reason for Community Day School Referral:

Attach all available referrals and anecdotal records.

Parental Statement – Please complete the following:

I have read the above information and after discussion with the Community Day School Referral Committee, I do _____ - _____ do not agree with the placement of _____ to the Community Day School.

Parent Signature

Date

Community Day School Teacher's Signature

Date

Administrator's Signature

Date

Student's Signature

Date

Referring Teacher's Signature

Date