

CSBA Sample

Board Policy

Community Day School

BP 6185

Instruction

Note: Education Code 48660-48666 authorize districts to establish community day schools for expelled students, certain probation-referred students pursuant to Welfare and Institutions Code 300 or 602, and students referred by a school attendance review board or through another formal district process. Pursuant to Education Code 48660, a two-thirds vote of the Governing Board is required for a K-8 district to establish a community day school serving any of grades K-8.

Note: Districts that have established one or more community day schools are mandated to adopt policy regarding involuntary transfers to a community day school, as provided below.

Note: Community day schools established pursuant to Education Code 48660-48666 are intended to supplement the county community schools that operate pursuant to Education Code 1980-1986. Districts that refer students to a county community school may revise the following policy to reflect district practice.

The Governing Board recognizes the need to provide an appropriate alternative educational option for expelled students who are prohibited from attending regular schools in the district, students referred by probation pursuant to Welfare and Institutions Code 300 or 602, and students referred by a school attendance review board or another district-level referral process. The district's community day school program shall be designed to meet the needs of these students and ensure academic progress necessary for their success when returned to a regular school environment.

(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Chronic Absence and Truancy)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

The Superintendent or designee shall collaborate with the County Superintendent of Schools and, as appropriate, other districts within the county to develop, for Board adoption, a plan for providing education services and appropriate placements to all expelled students in the county. (Education Code 48926)

Note: The following list incorporates concepts from Education Code 48660.1, which states the Legislature's intent regarding the operation of community day schools.

The district's community day school program shall be designed to give students substantial

individual help with their problems. To the extent possible, the program shall include:

1. Cooperation with the county office of education, law enforcement, probation, and human services agencies personnel who work with at-risk youth
2. Low student-teacher ratio
3. Individualized instruction and assessment
4. Maximum collaboration with district support service resources, including, but not limited to, school counselors and psychologists, academic counselors, and student discipline personnel

(cf. 0400 - Comprehensive Plans)

(cf. 1020 - Youth Services)

(cf. 6164.2 - Guidance/Counseling Services)

Note: Pursuant to Education Code 48662, boards establishing a community day school are mandated to adopt policy that provides procedures for the involuntary transfer of students to the school. See the accompanying administrative regulation for additional language fulfilling this mandate.

The Superintendent or designee shall establish procedures for the involuntary transfer of students to a community day school in accordance with law. (Education Code 48662)

Note: The following paragraph is optional. Pursuant to Education Code 48666, the Board may establish an attendance policy that permits the community day school to require students to attend school for up to seven days each week.

The Superintendent or designee may require community day school students to attend school for up to seven days each week in a directed program designed to provide students with the skills and attitudes necessary for success when they are returned to a regular school environment. (Education Code 48666)

Note: Pursuant to Education Code 48661, a community day school must not be situated on the same school site as a regular elementary, middle, junior high, comprehensive senior high, opportunity, or continuation school. However, situating a community day school on the same school site as a regular school may be permitted if the district has 2,500 or fewer units of average daily attendance (ADA) or if, regardless of its ADA, the district is organized to serve grades K-8 or desires to establish a community day school that serves only grades K-6. For any such district, the Board must first make the certification specified in the following paragraph.

A community day school shall not be situated on the same site as a regular district elementary, middle, junior high, comprehensive senior high, opportunity, or continuation school, except when allowed by law and when the Board certifies by a two-thirds vote that no satisfactory alternative facilities are available for the community day school. Such Board certification 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)

(cf. 9323.2 - Actions by the Board)

Community day schools shall be operated in safe, well-maintained facilities that meet the requirements of Education Code 17292.5.

Note: The following optional paragraph may be revised to reflect district practice. Pursuant to Education Code 52064.5, the State Board of Education has adopted evaluation rubrics to assist districts in evaluating program strengths, weaknesses, and areas that require improvement for the purpose of updating their local control and accountability plan.

The Superintendent or designee shall regularly report to the Board regarding the academic performance and other outcomes of students enrolled in a community day school.

(cf. 0500 - Accountability)

(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference:

EDUCATION CODE

1980-1986 County community schools

17085-17096 Emergency portable facilities

17280-17316 Field Act, approvals

17365-17374 Field Act, fitness of occupancy

48260-48273 Truants

48660-48666 Community day schools

48900-48926 Suspension or expulsion

52052 Accountability

52064.5 Program evaluation; state evaluation rubrics

WELFARE AND INSTITUTIONS CODE

300 Minors subject to jurisdiction

602 Minors violating laws defining crime; ward of court

CALIFORNIA CODE OF REGULATIONS, TITLE 5

1068-1074 Alternative schools accountability systems

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Rehabilitation Act of 1973, Section 504

CODE OF FEDERAL REGULATIONS, TITLE 34

104.35 Evaluation and placement of students with disabilities

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Guidelines for Establishing a Community Day School

WEB SITES

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

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