

## Board Policy

### Instruction

BP 6185 (a)

#### COMMUNITY DAY SCHOOL

\*\*\*Note: Education Code 48916.1 requires the Board to insure that an alternative educational placement is provided for expelled students during the period of the expulsion. Community day schools are intended to supplement the county community schools that have long operated pursuant to Education Code 1980-1986 and which are authorized to accept expelled students at all grade levels pursuant to Education Code 1981 and 1983.5. \*\*\*

\*\*\*Note: The following optional policy and regulation reflect Education Code 48660-48666, which authorize districts to establish one or more community day schools for expelled students, certain probation-referred students, and students referred through a formal district process. A CDE program advisory of March 1996 states that community day school incentive funding claims pursuant to Education Code 48664 shall be fully funded for mandatory expelled students; incentive funding for all other community day school students is subject to a specified cap. \*\*\*

The Governing Board recognized the need to provide an appropriate alternative educational program for expelled students who are prohibited from attending regular schools in the district and for certain students referred by probation or district processes. The district shall operate one or more community day schools designed to meet the needs of these students. The Superintendent or designee shall ensure that any such school is operated in accordance with legal requirements related to enrollment, instructional time and facilities.

\*\*\*Note: In its program advisory, the CDE recommends that the decision to establish community day schools be made in the context of a larger comprehensive plan to serve all expelled students and other at-risk students in the district and county. \*\*\*

The Board perceives the community day school as a flexible component of a comprehensive effort to meet the needs of expelled and other at-risk students throughout the county. The Superintendent or designee shall solicit input from the County Superintendent of Schools and neighboring districts when designing the district community day school and shall collaborate with them in fulfilling countywide needs.

In order to foster positive attitudes and academic progress, the Board recognizes that community day schools must give students substantial individual help with their problems. Community day school staff shall collaborate with district counselors, psychologists, and other support staff and with the county office of education, law enforcement, probation, and human services agency staff who work with at-risk youth. To the extent possible, community day school programs shall provide a low student-teacher ratio as well as individualized instruction and assessment.

\*\*\*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. \*\*\*

The Superintendent or designee shall establish procedures for the involuntary transfer of students to a community day school in accordance with law and administrative regulation.

\*\*\*Note: The following paragraph is optional. Education Code 48666 authorizes the Board to establish attendance policies that permit the community day school to require students to attend school for up to seven days each week as part of the program described below. \*\*\*

#### Legal Reference

##### EDUCATION CODE

1980-1986 County community schools  
17085-17096 Emergence portable facilities  
17280-17316 Field Act, approvals  
17365-17374 Field Act, fitness of occupancy  
48660-48666 Community day schools  
48900-48926 Suspension or expulsion

##### WELFARE AND INSTITUTIONS CODE

300 Minors subject of jurisdiction  
602 Minors violating laws defining crime; ward of court

##### UNITED STATES CODE, TITLE 20

1400-1487 Individuals with Disabilities Education Act

##### UNITED STATES CODE, TITLE 29

794 Rehabilitation Act of 1973, Section 504

#### Management Resources:

##### CDE PROGRAM ADVISORIES

0306.96 Expulsion Policies and Expulsion Placements, SPB: 95/96-04

##### WEB SITES

CDE Educational Options Office:

[Http://www.cde.ca.gov/spbranch/essdiv/edoptshome.html](http://www.cde.ca.gov/spbranch/essdiv/edoptshome.html)