

**COMMUNITY DAY SCHOOL****A. Purpose and Scope**

The Governing Board recognizes 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 may 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.

**B. General**

The Governing 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 community day school(s) will meet the needs of students in grades K-12, inclusive, who meet one or more of the conditions of subdivision (b) of Education Code Section 48662.

Community day school(s) will include whenever possible the following components:

1. School district cooperation with the county office of education, law enforcement, probation, and human resources agencies who work with “at risk” youth.
2. Low pupil to teacher ratio.
3. Individualize instruction and assessment
4. Maximum collaboration with school district support services resources.

Community Day School(s) will help students develop skills that enable their continued success in educational settings and within the general community. Students will be encouraged to reflect appropriate behavior and conduct themselves in a positive manner.

The Superintendent may allow voluntary enrollment of students into the community day school(s).

**COMMUNITY DAY SCHOOL (Continued)**

Each student in the community day school shall attend classes for not less than 360 minutes of classroom instruction per day, provided by a certificated employee. (Education Code 48663)

For the purposes of calculating the additional funding, the community day school attendance shall be reported in clock hours.

**C. Forms Used And Additional References**

None

**D. Procedures**

Involuntary Transfers:

Students can be transferred involuntary to a community day school based on the following criteria:

1. Pupil is expelled for any reason.
2. Pupil is on probation referred pursuant to Welfare Institutions Code 300 of 602.
3. Pupil is referred by school attendance review process.
4. Pupil is referred by another district process.

The Student Attendance Review Board and the District Discipline Review Board will be responsible for making involuntary transfers into Community Day Schools.

The Student Attendance Review Board and the District Discipline Review Board may make a decision to transfer the pupil involuntarily based on finding that the pupil (a) committed an act enumerated in Section 48900, or (b) has been habitually truant or irregular in attendance from instruction upon which he or she is lawfully required to attend. (Education Code 48432.5).

The student and parent or guardian shall be given written notice that they may request a meeting with the Superintendent's designee prior to an involuntary transfer.

**COMMUNITY DAY SCHOOL (Continued)**

The decision to transfer shall be in writing, stating the facts and reasons for the decision, and sent to the pupil and the pupil's parent or guardian. It shall indicate whether the decision is subject to periodic review and the procedure therefore.

The persons making the final decision for involuntary transfer shall not be members of the staff of the school in which the student is enrolled at the time.

**Voluntary Transfers (K-6):**

On-site Student Attendance and Behavior Review Panels comprised of the principal or designee of the school, the student's teacher(s), and the student's parent/guardian may make voluntary transfers into the community day school.

Referrals from the Community Day Schools will be made by the following processes:

Community Day School Coordinator determines that the student or student's parent has violated the agreement from which they were given the opportunity to attend the community day school. Involuntary transfer students will be referred to the San Joaquin County School or other appropriate placement. Voluntary students K-6 will be transferred back to the home school.

Community Day School Coordinator determines that the student and student's parent have met the criteria from the District Discipline Review Board, the Student Attendance Review Board or the On-site student attendance and behavior review panel. The Community Day School Coordinator refers the student back to the board or panel for possible readmission into regular school programs.

In the 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 IEP team or school site committee.

The minimum school day for community day school students shall be 360 minutes of classroom instruction provided by a certificated employee. Independent study shall not be used as a means of providing any part of this minimum day. (Education Code 48663).

The community day schools may operate more than 360 minutes per day and up to seven days per week.

**COMMUNITY DAY SCHOOL (Continued)**

## Facilities:

To house community day school operations, the district shall do one or more of the following: (Education Code 39141.12).

1. Use available school facilities conforming with Field Act requirements specified in the Code of Regulations, Title 24, Part 2 (Section 101 to 2327a.3), Part Section 089-1 to 70-848), Part 4 (Section 403 to 1313.13) and Part 5 (Section 102 to 1218.8).
2. Apply for emergency portable classrooms pursuant to Education Code 17785-17795.
3. Upon certifying to the State Allocation Board that all reasonable efforts have been made to use facilities that conform with the 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.

As needed, the Board shall provide certifications related to the absence of satisfactory alternative facilities for community day schools. Such 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).

A community day school serving any of grades K-6 shall not be situated on the same site as an elementary, middle, junior high, comprehensive senior high, opportunity or continuation school except when the Board certifies by a two-thirds vote that no satisfactory alternative facilities are available for a community day school on those grades. (Education Code 48661).

A community day school serving any of grades 7-12 shall not be situated on the same site as an elementary, middle, junior high, comprehensive senior high, opportunity, or continuation school except 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).

On or before September 1, 1996, and every three years thereafter, 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 39141.12).

**COMMUNITY DAY SCHOOL (Continued)**

**E. Reports Required**

None

**F. Record Retention**

None

**G. Responsible Administrative Unit**

Educational Services

**H. Approved By**

Assistant Superintendent of Educational Services