Community Day School

Adopted: 01/19/1999 **| Last Revised**: 09/23/2026 **| Last Reviewed**: 09/23/2026

Involuntary Transfer

The Superintendent or designee may assign a student to a district community day school if the student meets one or more of the following conditions:

1. The student is expelled for any reason
2. The student is probation-referred pursuant to Welfare and Institutions Code 300 or 602
3. The student is referred by a school attendance review board (SARB) or other district-level referral process

The Superintendent or designee shall give first priority for assignment to a community day school to students expelled for mandatory expulsion offenses pursuant to Education Code 48915(d). Second priority shall be given to students expelled for other reasons, and third priority shall be given to students referred pursuant to item #2 or #3 above. These priorities are applicable unless there is an agreement that the County Superintendent of Schools will serve any of these students.

When the student to be involuntarily transferred to a community day school is a student with disabilities, as defined 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 determined by the student's individualized education program (IEP) or 504 team, as applicable.

Students who have been involuntarily transferred to a community day school based on an expulsion order, probation referral, SARB referral, or other district-level referral process shall be notified in accordance with the applicable laws and/or district policy. Such process shall include timely written notification of the transfer to the student and the parent/guardian and an opportunity for the student and parent/guardian to meet with the Superintendent or designee to discuss the transfer.

Instruction

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

The minimum school day for a district community day school 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.

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Legal References:

STATE

CALIFORNIA CODE OF REGULATIONS

5 CCR 1068-1074 Alternative schools accountability model; assessments

EDUCATION CODE

17085-17096 Emergency portable facilities

17280-17317 Building approvals

17365-17374 Field Act; fitness for occupancy; liability of board members

1980-1986 County community school

48260-48273 Truants

48660-48666 Community day schools

48900-48926 Suspension and expulsion

52052 Accountability; numerically significant student subgroups

52064.5 Program evaluation; state evaluation rubrics

WELFARE & INSTITUTIONS CODE

300 Minors subject to jurisdiction

602 Minors violating law; ward of court

FEDERAL

UNITED STATES CODE

20 USC 1400-1482 Individuals with Disabilities Education Act

29 USC 794 Rehabilitation Act of 1973; Section 504

CODE OF FEDERAL REGULATIONS

34 CFR 104.35 Evaluation and placement

MANAGEMENT RESOURCES

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATION

Guidelines for Establishing a Community Day School

WEBSITES

CSBA District and County Office of Education Legal Services https://legalservices.csba.org/

California Department of Education http://www.cde.ca.gov/

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