

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: (EC 48662)

- 1) The student is expelled for any reason.
- 2) The student is probation-referred pursuant to Welfare and Institutions Code 300 and 602.
- 3) The student is referred by a District-level referral process.

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

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.

Instructional Time: 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.

Facilities: To house community day school operations, the District shall do one or more of the following: (EC 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 3 (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. (EC 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 in those grades. (EC 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. (EC 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. (EC 39141.12)