Regulation 6185: Community Day School

Original Adopted Date: 2/14/2024

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: (Education Code 48662)

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. (Education Code 48662)

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. (20 USC 1415; 34 CFR 104.35)

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 his/her 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. (Education Code 48663)

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. (Education Code 48663)

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.

State	Description
5 CCR 1068-1074	Alternative schools accountability model; assessments
Ed. Code 17085-17096	Emergency portable facilities
Ed. Code 17280-17317	Building approvals
Ed. Code 17365-17374	Field Act; fitness for occupancy; liability of board members
Ed. Code 1980-1986	County community school
Ed. Code 48260-48273	Truants
Ed. Code 48660-48666	Community day schools
Ed. Code 48900-48926	Suspension and expulsion
Ed. Code 52052	Accountability; numerically significant student subgroups
Ed. Code 52064.5	Program evaluation; state evaluation rubrics
W&I Code 300	Minors subject to jurisdiction
W&I Code 602	Minors violating law; ward of court

Federal	Description
20 USC 1400-1482	Individuals with Disabilities Education Act
29 USC 794	Rehabilitation Act of 1973; Section 504
34 CFR 104.35	Evaluation and placement

Management Resources	Description
California Department of Education Publication	Guidelines for Establishing a Community Day School
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Education

Cross References

Code	Description
0400	Comprehensive Plans
0500	Accountability
5113	Absences And Excuses
5113	Absences And Excuses
5113.1	Chronic Absence And Truancy
5113.1	Chronic Absence And Truancy
5116.2	Involuntary Student Transfers
5144	Discipline

5144	Discipline
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities)
6112	School Day
6112	School Day
6152	Class Assignment
6158	Independent Study
6158	Independent Study
6159	Individualized Education Program
6159	Individualized Education Program
6162.51	State Academic Achievement Tests
6162.51	State Academic Achievement Tests
6164.2	Guidance/Counseling Services
6164.5	Student Success Teams
6164.5	Student Success Teams
6164.6	Identification And Education Under Section 504
6164.6	Identification And Education Under Section 504
6184	Continuation Education
6184	Continuation Education
6190	Evaluation Of The Instructional Program
9323.2	Actions By The Board
9323.2-E(1)	Actions By The Board
9323.2-E(2)	Actions By The Board