

CONTINUATION EDUCATION

The Governing Board provides a continuation education program to meet the special needs of students 16 and 17 years old who are not attending a high school or other appropriate educational institution and who are not legally exempted from compulsory school attendance. (Education Code 48400) Continuation education classes shall provide:

1. An opportunity for the student to complete courses required for high school graduation.
2. A program of instruction that emphasizes occupational orientation, or a work-study program that offers intensive guidance services to meet students' special needs.
3. A program designed to meet each student's educational needs, with classroom instruction supplemented by independent study, regional occupational programs, work-study, career counseling, and/or job placement services. (Education Code 48430)

The Board further expects this program to help students develop self-confidence, a sense of responsibility, and tolerance for a variety of viewpoints. Students shall be encouraged to understand and obey laws, to manage money wisely, and to engage in constructive recreational activities.

(cf. 6182 - Opportunity School/Class/Program)

The Superintendent or designee shall develop administrative regulations governing the involuntary transfer of students into the continuation program, including students under the age of 16.

The Board shall evaluate its continuation education program and annually report required information to the Superintendent of Public Instruction.

(cf. 5112.3 - Student Leave of Absence)

Legal Reference: (See next page)

CONTINUATION EDUCATION (continued)

Legal Reference:

EDUCATION CODE

- 48400-48454 Compulsory continuation education in general, especially
- 48401 Weekly minimum attendance requirement
- 48402 Minors not regularly employed
- 48410 Persons exempted from continuation classes
- 48412 Certificate of proficiency; examination fees
- 48413 Enrollment in continuation classes
- 48414 Persons exempted from compulsory continuation education; reenrollment in district
- 48416 Leave of absence for students aged 16 to 18 inclusive
- 48430 Legislative intent; continuation education schools and classes
- 48431 Establishment and maintenance of guidance placement and follow-up program
- 48432 Establishment and maintenance of continuation classes for minors
- 48432.5 Involuntary transfer to continuation school
- 48433 Minimum hours of instruction
- 48434 Hours when classes are maintained
- 48450-48454 Violation
- 48903 Limitations on days of suspension

FAMILY CODE

7000 - 7002

54 Opinions of the California Attorney General, p. 262

CONTINUATION EDUCATION**Minimum Attendance Requirement**

Each student in the continuation education program shall attend classes for not less than four 60-minute hours per week for the regular school term. The requirement may be met by attendance in a continuation education class and/or regional occupational center or program. (Education Code 48400)

If a student subject to compulsory attendance in continuation education classes cannot give satisfactory proof of regular employment, the student shall attend continuation education classes and/or a regional occupational center or program for not less than 15 hours per week. (Education Code 48402)

Students Exempted

Minors may be exempted from compulsory continuation education if they have regular work and present evidence that they attend adult classes at least four full hours a week.

Voluntary Enrollment

With the consent of the Superintendent or designee, any high school student over the age of 16 may enroll in continuation classes in order to receive special attention, such as individualized instruction. (Education Code 48432.5) Students so enrolled may return to the regular high school at the beginning of the following year, or at any time the Superintendent or designee gives consent.

Reenrollment

Any person 16 or 17 years old who left school after obtaining a certificate of proficiency may reenroll in the district without prejudice. If the student leaves a second time, the district may deny reenrollment until the beginning of the next semester. (Education Code 48414)

Involuntary Transfer

A student may be involuntarily transferred to continuation school if the student has committed an act prohibited in the District Rules on Behavior and Discipline, is irregular in attendance or has been declared a habitual truant. If the student has been declared a habitual truant per state law, the intradistrict transfer form shall include the verified truancy section of the SARB referral.

Involuntary transfer to continuation school shall be imposed only when other means fail to bring about improved conduct unless the principal determines that the student's presence causes a danger to persons or property or threatens to disrupt the instructional process.

CONTINUATION EDUCATION (continued)

The principal or designee shall provide written notice to the student or the student's parent/guardian informing them of the opportunity to request a meeting with the designee of the Superintendent prior to the transfer. The designee of the Superintendent shall be a committee composed of the continuation school principal who shall act as chairperson, assisted by the continuation school counselor and the attendance supervisor as members. At the meeting, the student or the student's parent/guardian shall be informed of the specific facts and reasons for the proposed question any evidence and witnesses presented and to present evidence on his/her behalf. The student may have representatives and witnesses present at the meeting.

The decision to transfer shall be in writing, stating the facts and reasons for the decision, and sent to the student and the student's parent/guardian. It shall indicate that the decision is subject to semi-annual review at the written request of the student's parent/guardian at least 30 days prior to the end of each semester.

No person involved in the final decision to make an involuntary transfer shall be a member of the staff of the school in which the student is enrolled at the time that the decision is made.

1. Grounds

A decision to transfer the student involuntarily shall be based on a finding that the student (a) committed an act enumerated in Education Code 48900, or (b) has been habitually truant or irregular in legally required school attendance. High school students under age 16 may be so transferred when they have used up 20 days of suspension at their school of attendance.

(cf. 5113 - Absences and Excuses)

2. Limitation

Involuntary transfer to a continuation school shall be made only when other means fail to bring about student improvement. However, a student may be involuntarily transferred the first time he/she commits an act enumerated in Education Code 48900 if the principal determines that the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48432.5)

3. Duration

The Superintendent or designee shall establish a procedure whereby the Board shall conduct an annual review of involuntary transfers at the request of the students or parents/ guardians.

CONTINUATION EDUCATION (continued)

4. Notice and Hearing

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

At the meeting, the student and/or parent/guardian shall be told specific facts and reasons for the proposed transfer. The student or parent/guardian shall have the opportunity to inspect all documents relied upon, and to present evidence on the student's behalf. The student may designate one or more representatives and witnesses to be present with him/her at the meeting.

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. (Education Code 48432.5)

A written decision to transfer, stating the facts and reasons for the decision, shall be sent to the student and to the parent/guardian. If the decision is subject to annual review, the letter shall explain the procedure involved.