



INTERCOM

Open Enrollment Act (Romero): *Now What Do We Do?*

Emergency regulations implementing the Open Enrollment Act became effective August 2010. Under the Act, students enrolled in one of the 1,000 identified schools have the option to transfer to another school within the district or any other district, if the school has a higher Academic Performance Index (API) and is not on the list. Once enrolled by the school of choice, the student may remain until the highest grade served by that school without the need to reapply even if the school of origin is no longer identified as an Open Enrollment school.

Districts are not required to allow transfers for the 2010-11 year, in terms of accepting students under the Open Enrollment Act, but may do so by waiving the January 1 application deadline. Notifications to parents at an identified school should be prepared according to No Child Left Behind guidelines and disseminated no later than September 15. Those districts that choose to accept students must beware that parents can appeal a decision of rejection through the courts, unlike any other transfer options. Accordingly, districts will need to ensure that a sound policy is in place prior to processing any requests.

A new list of 1,000 schools is forthcoming for the 2011-12 year based on the 2010 API scores. Note that some law firms have the opinion that the current list, which references the 2009 API scores, will also apply for the 2011-

2012 year since notification to parents must be disseminated no later than September 15 — that’s in a few days! Regardless, transfer applications must be received by January 1, unless waived by the district through board action, and processed within 60 days. Priority is to be given to resident enrollments then to siblings of children who already attend the desired school, followed by students transferring from a program improvement school ranked in decile 1 on the API.

Permanent regulations implementing the Act may be acted upon by the State Board of Education in September 2010. Policy guidance from the California School Boards Association should be available on or before November 2010. In the meantime, districts should begin to review their transfer policies and timelines, develop fiscal impact studies and collect enrollment data. In developing fiscal impact studies, districts need to pay particular attention to the need for space, specialized classrooms (computer labs, science labs, etc.) and increased personnel, (administrators, teachers, clerical, security staff, maintenance staff, etc.) should transfers be accepted from here on out. Enrollment data needs to include historical and projected numbers of feeder school students, late enrollees, and transfers through other intra/interdistrict options. A review of

(Continued on page 16)

Inside this issue:

| | | | |
|-----------------------------------|----|--------------------------|----|
| State President’s Message | 2 | Did You Know... | 11 |
| News from CASCWA Sections | 3 | Resource Center | 12 |
| Attendance Management Systems | 6 | Funding Opportunities | 13 |
| Legislative Update from SI&A | 7 | Professional Development | 14 |
| Legal Tidbit: Volunteer Screening | 9 | Calendar of Events | 15 |
| Ask the Experts | 10 | CASCWA Membership | 16 |

State President's Message: Benita Washington

Fresno Unified School District



The State Executive Board held its annual retreat at the Sierra Health Foundation on August 2 and 3, 2010. Special thanks to Debbie Morris, Joe Taylor and Karen Basurto for assisting with the retreat. Way to go Delta Section! Your help was much appreciated.

Special Projects Executive Board Member Tad Kitada facilitated the retreat. What can I say? He did an exceptional job. Serving as a facilitator is truly one of his gifts. I would also like to thank the other Executive Board members for a successful retreat and directing our work in the areas of organizational structure, legislation, professional development, membership and website. This group of individuals dedicated their time, talents, and expertise to continue to promote a strong and respected professional organization, leading it to the next level.

CASCWA annually provides numerous trainings, workshops and conferences that are relevant, timely and informative. Our events provide meaningful networking, mentoring and leadership opportunities for members. In an effort to enhance the professional development needs of our members through technology, CASCWA is please to announce the newly established partnership with Lozano Smith Attorneys at Law to provide relevant Webinars at no cost to members.

I am grateful for my affiliation with this wonderful organization and the opportunities that it has given me to work with top-notch professionals who I can rely on for advice and guidance. I encourage you to attend CASCWA events and attend the webinars offered by CASCWA/Lozano Smith. More importantly, we welcome your involvement in CASCWA. Attending section events and the annual state conference is the best way to meet other members and become more involved in the organization. Details about our events and how to join CASCWA can be found at www.cascwa.org.

Like any other professional group, leadership and membership participation are vital forces that create a dynamic organization. CASCWA finds its treasure from its most vital asset, the members who generate ideas and get them in motion. There is power in numbers and certainly in unity. Membership in the local sections and developing involvement in inactive areas will facilitate the full realization of the CASCWA mission and vision.

Remember, membership is everybody's responsibility. Encourage your friends and colleagues to become members of CASCWA. Our membership benefits include, but are not limited to, access to networking opportunities, Intercom Publications, Ask the Expert, Lozano Smith Webinars, School Innovation & Advocacy Legislative Advocacy, professional development opportunities, and a sense of belonging and camaraderie.

Again, thank you for allowing me the privilege of being CASCWA's State President. Please feel free to contact me or any Executive Board member if you have questions, suggestions or comments so that we can better meet the needs of our membership.

BENITA WASHINGTON, *CASCWA State President*
(559) 457-3351 ♦ bmwashi@fresno.k12.ca.us

STATE EXECUTIVE BOARD

Bill Whitton

President-Elect
(510) 818-4226

wwhitton@nUSD.k12.ca.us

Betty Folsom

Vice President
(951) 538-0941

betty_folsom@jUSD.k12.ca.us

Jerry Hime

Treasurer
(714) 390-2679

gihime@earthlink.net

Maria Hwang de Bravo

Secretary & Intercom Editor
(562) 922-6897

bravo_maria@lacoedu

Debbie Morris

Northern Legislative Rep.
(530) 406-3150

Debbie.Morris@wjuds.org

Dr. Rick Tebbano

Southern Legislative Rep.
(562) 986-6870

rtebbanno@lbschools.net

Tad Kitada

Special Projects
(530) 745-1392

tkitada@placercOE.k12.ca.us

Janet McMurray

Membership
(510) 758-7550

jmcmurray@wccUSD.net

Tom Mangione

Webmaster

tommangione@earthlink.net

Joe Taylor

Immediate Past President
(916) 228-2508

jtaylor@scoe.net

Delta-Sierra Section News

President's Message



I hope you had a restful and relaxing summer vacation. I am excited to be starting my second and final year of presidency for Delta-Sierra. We accomplished many

great things in the 2009-2010 school year, offering several staff development opportunities, particularly, a very successful Vulnerable Child Symposium for our members. This summer, Delta-Sierra provided a week-long Teacher Institute and a two-day Drug Impairment Training for Educational Professionals (DITEP) at the YCOE. We were able to provide quality staff development opportunities to over 120 teachers, nurses, campus security and office staff.

Delta-Sierra also has new board members to introduce: President-Elect Amreek Singh (Natomas School District); Treasurer Grace Espindola (past Section president); and Secretary Karen Basurto (Sacramento COE). Two new members-at-large who will be key to the Section's success this year: David Kopperud (California Department of Education) and Erica Peterson (School Innovations & Advocacy).

Events for the 2010-2011 school year include: Truancy Symposium in October with Yolo County District Attorney as a co-sponsor; DITEP for northern California counties in November; and a Teacher Institute in March. We will certainly be busy with our continued efforts to provide quality staff development opportunities and with our recruitment efforts to increase our Section membership.

HECTOR MOLINA,
Section President
Hector.molina@wjusd.org

SAFE SCHOOLS, COMMUNITY & DROPOUT PREVENTION SUMMIT

Gang Intervention/Prevention, Cyber Misconduct & Sexual Predators, Alcohol & Drug Trends/Prevention, Truancy & Dropout Prevention

October 28, 2010

at the Yolo County Office of Education

([\\$50 Registration Fee](#)—Limited to 150 participants)

Building Safe Schools and Developing Healthy Students in Yolo County

Yolo County Office of Education (YCOE) was awarded the Safe Schools/Healthy Students (SS/HS) Initiative in 2009. The SS/HS Initiative is funded by a collaboration of three Federal agencies—the U.S. Departments of Education, Health and Human Services, and Justice—and is designed to prevent violence and substance abuse, and to promote healthy choices among our youth. Most importantly, it helps communities collaborate across systems to build safer and healthier communities for youth.

Programs and services have been implemented at three YCOE alternative schools: Einstein Education Center, Midtown Community School and Dan Jacobs School in Yolo County Juvenile Hall. Superintendent of Schools, Dr. Jorge Ayala, stated, "The SS/HS Initiative provides community support and special student services that will enhance the instructional delivery system of our alternative schools and provide viable options for student success."

YCOE's SS/HS team is led by Alternative Education Director Susan Cassady, SS/HS Project Director Panna Putnam and Program Specialist Ellie Aguilar. The team is made up of teachers, campus supervisors, a diversion counselor, mental health counselors, a probation officer, a project director, a secretary/communication support staff, a teen parent educator and a transition liaison. YCOE partners include: Yolo County Alcohol, Drug, and Mental Health Agency; Yolo Family Resource Center; Woodland Police Department; Yolo County Probation Office; school districts; and community based organizations.

Our goals for this year: 1) Increase safety in YCOE alternative schools and in the surrounding community; 2) Decrease and/or prevent the use of alcohol, tobacco, marijuana, and other drugs; 3) Provide youth with the behavioral, social, and emotional support they need to succeed in school and beyond; 4) Improve access to mental health services, both on campus and in the community; and 5) Improve the parenting skills of teen parents and the social/emotional development of their children, ages 0-5.

For information on how you and your agency can partner with YCOE's SS/HS Initiative, please contact Project Director Panna Putnam at: Panna.Putnam@ycoe.org.

San Joaquin Section News



President's Message

On behalf of the San Joaquin Section, I would like to personally welcome everyone back to the onset of a new school year. I hope you all have had time to relax while enjoying friends, family and some much needed vacation time.

San Joaquin Section had a very exciting 2009–2010 school year. The 2010 State Conference was a great success and I would like to take this opportunity to once again thank all who participated. It was a pleasure working beside such a dedicated and knowledgeable group of professionals as exist in the San Joaquin Section. I very much look forward to serving as the CASCWA San Joaquin Section President in the upcoming 2010–2011 school year. The San Joaquin Section is excited to continue in providing professional development opportunities aimed at increasing the knowledge and skills of our members.

Currently the San Joaquin Section leadership team is comprised of the following individuals:

- John Christiansen – Treasurer, Ceres Unified School District
- Sergio Mendoza – Secretary, Burton Unified School District
- James Tate – Past President, Clovis Unified School District
- Galen Wright – Scholarship Chairman, Retired from Madera Unified
- Greg Bass, Joe Brucia, Mike Robinson, Dennis Wiechmann – Board Advisors

The San Joaquin Section members are planning to meet monthly commencing September 17th. We all look forward to working with San Joaquin Section members and current CASCWA State President, Benita Washington. We know firsthand how committed and capable she is of making the 2010-2011 school year rewarding for us all. To all my CWA colleagues: keep up the hard work helping our students, families, and communities.

DAVID COHEN, *Section President* ♦ DavidCohen@cusd.k12.ca.us

Asking the Tough Question

Use of marijuana among America's youth has been on the decline since the 1990's. This trend has just recently stalled. Cannabis use has remained steady over the last 5 years while perceived risks of regular use have decreased. In addition, the past 5 years show an increase in the use of prescription drugs such as Vicodin and Oxycontin. As students continue experimenting with drugs, Child Welfare and Attendance workers see firsthand the negative consequences in the form of negative behaviors, truancy, credit deficiencies and increased drop-out rates. How do we address these problems in the face of apathetic parents who refuse to face reality?

Many student issues are compounded by drug use. Discipline problems, failing grades and truancy issues can often be directly attributed to well concealed drug addictions. It's our job to address these concerns. For the sake of the child's well being, we sometimes have to simply be direct and ask, "Are you doing drugs?" Some kids are honest. They'll admit with refreshing honesty they are using, making it a lot easier to get them the services they need. Unfortunately, most kids decide their safest option is to deny all allegations.

What's equally frustrating is the parent's refusal to accept the possibility that their kids may be experimenting with drugs. Parents will often say, "My kid doesn't do drugs. I'd know if my son or daughter was doing drugs." Help parents look at the data, presenting it in a sensitive but direct manner. How would a parent know if their child was experimenting with drugs? Wouldn't the red flag indicators of drug use include a student having failing grades, behavior issues, poor attendance and truancy?

Parents should leave your office with a list of resources that will help them move forward from a position of denial to a position of power. Resource relationships with local agencies and programs that can conduct drug tests or drug use assessments with no more than a phone call. The impact of your questions may help create dialogue between parent and child which will lead to real action. After all, what chance do the kids have when parents refuse to take the necessary steps to get their children help? It's not always comfortable, but as CWA workers, we need to ask.

Southern Section News



President's Message

Greetings from the Southern Section!

After much needed vacation, including furlough days for most school district personnel, the Southern Section Executive Board has planned out its professional development opportunities and awards program for the 2010-2011 school year during its annual retreat. The events can be found on our CASCWA website and are as follow:

- September 29-October 1, 2010: *6th Annual Fall Conference* in Palm Springs. The theme is "Risky Business: Serving At-Risk Kids." Special presentations will be conducted by the Office for Civil Rights and State Model SARB award winners of 2010.
- December 3, 2010: *Annual Legislative Update* to be held at the Los Angeles County Office of Education.
- February 4, 2010: *Phil Kauble Topical Forum* to be held at the Orange County Office of Education.
- February 16, 2011: *Countywide Chronic Truancy Symposium* to be held at the California Endowment Center in Los Angeles.
- June 3, 2011: *Annual Student Scholarship Luncheon* to be held at the Buena Park Holiday Inn. In past years, over \$5,000 in scholarships were awarded to worthy students through the Southern Section.

Hang in there! It will be a tough ride this year, but CASCWA is here for you.

SHERMAN GARNETT, *Section President*
Sherman_Garnett@sbess.k12.ca.us

Click [here](#) for the latest issue of the Southern Section publication, *Connections*, and other Section-related information and events.

6th Annual Fall Conference

"A Risky Business: Serving Students at Risk"

September 29-October 1, 2010

Hyatt Regency Suites

Palm Springs, CA

[Register today!](#)



Homeless Symposium

The Los Angeles County Office of Education is hosting its annual Homeless Symposium on September 24, 2010 in Santa Fe Springs from 8:00 a.m. to 3:00 p.m. This year's symposium will feature: 1) a presentation from students that participated in GodParents Youth Organization's Road To Success summer cross country trip; 2) workshops on housing, health services, and educational services in L.A. County; and 3) keynote speaker Dr. Francisco Reveles, department chair and professor at California State University, Sacramento.

Please encourage parents to attend to obtain information on housing, health, and educational services. Registration fee is \$25, but at no-cost to parents. Reservation and payment must be received by September 17, 2010.

Register online at <http://homeless.lacoe.edu>.

Riverside County's San Jacinto Unified School District drew statewide attention this summer when it unveiled an innovative attendance program intended to boost revenues and student performance.

The district, which has about 9,300 students enrolled in 12 school sites, has improved its daily average attendance from 93.66 percent in 2008-09 to 94.23 percent in 2009-10 and district officials say they believe achieving 96 percent attendance is within reach for the coming school year.

How is the district making such strides?

Connie Polhemus, the District's Community and Student Support Coordinator, explained to the Board of Trustees at an August hearing that one step was getting the Riverside County District Attorney's office more involved in public outreach. In back-to-school night sessions at district elementary schools, law enforcement officials clearly communicated the message that truancy was a serious problem that could lead to sanctions against both students and parents.

But on a more technical basis, the District also showed off a new attendance management system that speeds up analysis of school attendance trends and gives administrators new tools for early intervention and record-keeping.

The system, Attention2Attendance® from Sacramento-based School Innovations & Advocacy, provides schools with a web-based dashboard of information on truancy, student demographics and related data.


It was from the A2A® system that Polhemus was able to share with the District Trustees some striking data, bringing home the need for administrators to make perfect attendance a primary objective:

- In San Jacinto Unified, 21 percent of kindergarteners and 18 percent of first-graders missed at least 10 percent, or 18 days, of the school year, which classifies them as chronically absent. The national average is 10 percent of students in those grades.
- At middle school, 11 to 17 percent of students missed 18 or more days of last school year.
- In the high school, 20 to 29 percent of students were chronically absent.

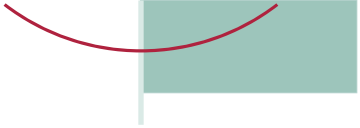
The numbers are critical since the District's new goal of 96 percent attendance in 2010-11 would generate an additional \$1 million in state support for the District.

Even more important, Polhemus told the Riverside Press Enterprise, improvement in attendance directly relates to better student performance, test scores and graduation rates.

"We know that student achievement levels are directly tied to student attendance, as well as our high school dropout rate," Polhemus wrote in an



“Attendance management system offers districts new tool against truancy.”



e-mail to the paper. “We have lots of people paying attention on a daily basis.”

The A2A® service, however, doesn't end with software. There is support staff assigned to each district using the system who provide an independent analysis of the data. Consultants trained to spot spikes in the data keep in close contact with district employees, making sure nothing slips past.

In addition, the system can generate an array of parent notices, escalating frequency as truancy goes from sporadic to excessive – all of which are electronically recorded for easy access and documentation.

Last year, the District started sending truancy and excessive excused absence letters and using an automated phone service to alert parents about absences. The District also offers four-hour makeup Saturday sessions for all grades, as well as rewards for attendance improvement.

To learn more visit: <http://www.sia-us.com/>

CALIFORNIA LEGISLATIVE UPDATE

Special to CASCWA

By Sandra Morales, Legislative Advocate, SI&A

State Budget

The Legislature's Democratic majority unveiled earlier this month a budget plan that includes revenue increases and avoids many of the worst cuts proposed by the Governor. Their proposal would provide schools with as much as \$52 billion support next year—significantly more than the \$48.5 billion offered by the governor.

From a K-12 education perspective, the Democratic proposal is good because it rejects all the Governor's proposed cuts to K-12 education—cuts that total about \$275 per student.

Unfortunately, the state budget appears to be a long way from resolution. Both the Senate and Assembly Democrats continue to say they will reject the cuts to K-12 education proposed by the Governor, while he continues to insist that these reductions are necessary. We remain cautiously optimistic that some of those cuts will be rejected and that the final budget for schools will not be worse than the Governor's May Revision but hopefully be better.

Education Jobs Funding

Congress approved legislation to provide \$10 billion in funding to states to restore teacher and other school positions in an effort to stimulate the economy. It is expected to provide about \$1.2 billion for California or 16,500 jobs.

According to the US Department of Education, the funds may be used "to pay the salaries and benefits of teachers, school administrators, and other essential staff. The funds can be used to recall or rehire former employees, retain existing employees, and hire new employees to ensure that students receive vital educational and related services. These funds may not be used for general administrative expenses,

overhead, or other support services by school districts."

State Senate leader Darrell Steinberg is jointly sponsoring urgency legislation (SB 847) with Assembly Speaker John Perez that would appropriate the funds as soon as possible and not allow those dollars to get tied up in the budget impasse. Expectations are that SB 847 will move to the governor by the end of the week.

SB 847 would appropriate about \$1.2 billion from the Federal Trust Fund to the California Department of Education and calls for that money to be shared among the state's LEAs on the basis of total revenue limit funding received in 2010-11; the 90% preliminary allocation that must go out within 14 days of enactment, will go out proportional to 2009-10 total revenue limit funding. Basic Aid districts will not be disadvantaged under this formula as CDE will make appropriate adjustments in distribution—approximately \$200 per student.

State Board of Education

Open Enrollment

The emergency regulations were approved by the State Board, along with the list of the 1,000 schools that must notify their parents of the open enrollment option.

The intent of the California Legislature and its author, Senator Gloria Romero, D-Los Angeles, was to provide an option for all parents with students attending schools that have been identified as low achieving to relocate to a higher performing school within the district of residence and/or any district outside of the resident district. That could mean attendance at any higher performing school within the State of California.

Schools on the list of 1,000 identified schools must provide a notice to parents by this September 15th of the open enrollment option.

(Continued on page 8)

(Continued from page 7)

Legislation

The following bills have been sent to the Governor for his approval. He has until September 30th to sign or veto these bills.

AB 1854 (Ammiano) — This bill requires school districts to make reasonable efforts and to accept reasonable evidence to determine whether a pupil meets residency requirements for school attendance within the district; and, specifies certain types of documents that shall be considered reasonable evidence.

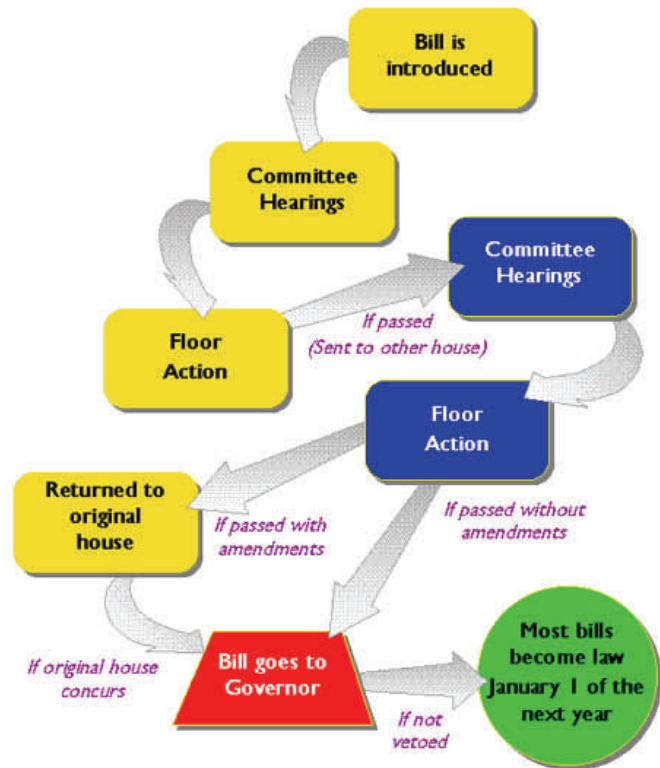
AB 1933 (Brownley) — This bill requires a local educational agency to allow a child in foster care to remain in his or her school of origin for the duration of the court's jurisdiction.

AB 2444 (Furutani) — This bill precludes a pupil, who is enrolled in a school pursuant to interdistrict transfer provisions under current law, from having to reapply for an interdistrict transfer and requires that a district allow a pupil to continue to attend the school in which he or she is enrolled, except as specified in terms and conditions for reapplication or revocation agreed to by the district of residence and district of enrollment; also prohibits a district from rescinding transfer permits for pupils entering grades 11 or 12.

SB 1357 (Steinberg) — This bill would require the state's education department to add quarterly pupil attendance rates to the mix of data collected on students. The bill would require that California Longitudinal Pupil Achievement Data System be capable of issuing to local educational agencies periodic reports on district, school, class, and individual pupil rates of absence and chronic absentees, as defined.

The following bills are still moving through the process but we expect them to arrive at the Governor's desk for his approval.

SB 1317 (Leno) — This bill creates a misdemeanor when a parent or guardian of a pupil of six years of age or older has failed to reasonably supervise and encourage the pupil's school attendance and the pupil



has become a chronic truant. Further, this bill deems any pupil a "chronic truant" when he or she is absent from school without valid excuse for 10 percent or more of the schooldays in one school year, from the date of enrollment to the current date.

SB 1381 (Simitian) — This bill proposes to phase in the required birth date for kids entering kindergarten over three years time by moving the date by which a child must turn five years old one month at a time, starting with November 1st in the 2012-13 school year. Currently, kindergarteners need to have turned age 5 by December 2nd, but SB 1381 would change that date in 2012-13 to November 1st. By 2014-15, incoming kindergarteners would need to be five by September 1st.

This bill provides that children displaced as a result of the birthday changes shall be admitted to a transitional kindergarten program maintained by the school district, defined as the first year of a two-year kindergarten program using a modified kindergarten curriculum. This bill also establishes that transitional kindergarten is eligible for ADA. ☞

Legal Tidbit: Volunteer Screening

By Robert W. Jacobsen, General Counsel, Norwalk-La Mirada Unified School District



The passage of Assembly Bill (AB) 1025, as modified by AB 346, has generated much

discussion among districts as to the screening of volunteers. Such screening may include background checks, fingerprinting, tuberculosis testing, and basic skills proficiency. For the occasional volunteer, screening is largely permissive and reflects a local balancing between encouraging adults to give of their time in support of school operations and maintaining safe and secure school campuses.

What follows is a summary of how the Education Code may limit local discretion in the use of volunteers.

Education Code 35021 prohibits districts from assigning volunteer aides to assist certificated staff in performing teaching or administrative responsibilities in place of regularly authorized classified employees who have been laid off.

Education Code 35021 also prohibits districts from assigning registered sex offenders as volunteer aides to assist teachers in the performance of their duties, supervise students during lunch, breakfast, or other nutritional period, or to serve as a nonteaching aide to perform non-instructional tasks.

Education Codes 45347 and 45349 provide that volunteer, instructional aides providing supervision or instruction are

subject to all of the burdens of the classified service. Some of those burdens include undergoing tuberculosis testing (Education Code 49406) and showing evidence of basic skills proficiency (Education Code 45344.5).

Education Code 45122.1 prohibits districts from employing or retaining persons in the classified service who have been convicted of a violent or serious felony.

Lastly, Education Code 49024, effective July 1, 2010, provides that before persons may volunteer to supervise, direct, or coach pupil activity programs sponsored by school districts, volunteers must obtain Activity Supervisor Clearance Certificates from the Commission on Teacher Credentialing unless districts require volunteers to clear Department of Justice and Federal Bureau of Investigation criminal background checks prior to beginning volunteer activities. Volunteers may receive temporary certificates while their application is pending.

Pupil activity programs include, but are not limited to, scholastic programs, interscholastic programs, and extracurricular activities sponsored by a school district or school booster club, including, but not limited to, cheer team, drill team, dance team, and marching band. Volunteers supervising breakfast, lunch, or other nutritional periods, nonteaching volunteer aides under the immediate supervision of certificated personnel including parents/guardians volunteering in a classroom or on a field trip or community members providing non-instructional services are exempt. ☞

MODEL SARB RECOGNITION PROGRAM

The Model School Attendance Review Board (SARB) Recognition Program identifies outstanding results-based school attendance improvement programs that provide comprehensive services to high-risk youth with school attendance or school behavior problems.

To consider a program as a potential Model SARB, each application will be evaluated by State SARB members to determine if the program meets the criteria in the following ten content areas:

1. SARB Chairperson Leadership
2. Population Served by SARB Program
3. Prevention, Early Identification, and Interventions Prior to SARB Referral
4. SARB Collaboration
5. Inventory of Community Resources
6. Goals and Objectives
7. Program Design & Content/Organizational Structure
8. Measuring and Reporting Outcomes
9. Interpersonal Communication
10. Three Letters of Support

There has been discussion that an alternate application process will be available for former Model SARB programs. Check the CDE website at www.cde.gov for updates!

Ask the Experts...

What's wrong with this analysis? An Oppositional Defiant Disorder (ODD) student has already accumulated 10 days of suspension for defying his teacher and cursing her, now does so again - perhaps this time with a little shin-kicking for emphasis. A manifestation determination must be held prior to imposing another day of suspension. Since this is the kind of behavior in which ODD children engage for a living, the student will not be able to be suspended for a single day more for the entire school year regardless of how frequently this kind of behavior occurs. The misbehavior will always be found to be causally related to the handicap by definition.

First of all, is the student served by an IEP or a 504 plan? The analysis above seems to be using Special Education language. The student may be considered to be 504, but is not automatically served under 504 unless the team has made this determination using the three questions. Also, there is no guarantee that even though it appears the manifestation will show the student's behavior is related to his handicapping condition, that this will be the case. The school needs to take a step back, run the manifestation, then draw conclusions. All that said, suspension is not a good intervention knowing that ODD is the handicapping condition. Unless the student is a danger to himself or others, accommodations need to be made to support his presence in school. —*Dr. Victor Thompson, Los Angeles County Office of Education*

If an elementary school student is fairly regularly picked up by his/her parent before the end of the school day, can the student be considered truant, or would the student's absence from class be excused?

Education Code 48260(a) provides that “any pupil subject to compulsory full-time education who is absent from school without valid excuse three full days in one school year or tardy or absent for more than any 30-minute period during the schoolday without a valid excuse on three occasions in one school year, or any combination thereof, is a truant...” Accordingly, if your school/district determines that the student is being taken out of school at least thirty minutes early without a valid excuse, the student can be considered a truant. This requires that a conference be held with the parent to discuss the issue. —*Dr. Dennis Wiechmann, Sanger Unified School District*

What are the laws that address educational placement

of a student just released from juvenile hall for possession of a gun? Can she/he be placed in Community Day School (CDS) with the rationale that the student is considered to be high risk?

Placement at a CDS school can be appropriate if the student's probation officer agrees. If no agreement can be reached, the student may be placed at the CDS school if he/she is behind in credits or has exhibited a history of disciplinary issues at the previous school. You have no legal grounds to not place the student in a comprehensive setting if the he/she is on target for graduation and has no disciplinary issues at the previous setting. —*Sherman Garnett, San Bernardino County Office of Education*

Can a student who is being home schooled participate in his/her local high school athletic program?

Per the California Interscholastic Federation (CIF) Constitution and Bylaw 305, “Students who are not enrolled in programs under the jurisdiction of a member school's governing body are not eligible to participate in CIF competition. Such programs would include, but not be limited to, home schooling or home study wherein parent(s)/guardian(s)/caregiver, or other persons, are responsible for instruction and evaluation.” So, why can't home-schooled students participate in CIF interscholastic competition? The answer: All students participating in CIF interscholastic competition are certified by the principal of the school to be eligible under all applicable standards. Students must meet minimum standards of academic eligibility, minimum credits per semester and must be making adequate progress towards graduation. Programs outside the purview of a school governing board and local school administration are unable to provide the necessary certification to ensure that all students met minimal academic requirements.

Can a student attend school partially for such classes as PE, music or electives?

There is no "partial enrollment." When a parent decides to home school his/her child, the parent is responsible for providing all the curriculum and instruction. There are organizations out there that can support families who home school their children; you can suggest to the parent to seek out help from those organizations.

To search specific codes and sections, visit California Law website at <http://www.leginfo.ca.gov/calaw.html>.

Did you know...

Mobile Dental Facilities

Contributed by Marie Nieto-Grant, Program Manager Dental Health, Los Angeles County Office of Education (LACOE)

For the past few years, school districts throughout the State of California have been approached by outside dental vendors to establish a mobile or portable dental clinic at their school sites. For most schools and school districts, talking and negotiating with such providers is new. Many school districts may need guidance in order to make an informed decision regarding the delivery of school-site and school-based dental services. In an effort to provide technical assistance for school district administrators, the California Dental Association (CDA) created and developed guidelines for school-based dental services. The [CDA](#) website includes the following documents: sample [Cover Letter](#) for District Superintendents and Charter School Principals; Fact Sheet-Mobile/Portable Dental Care Providers-[Things to Consider](#); [Guidelines](#) for School Districts for School-Based Dental Services; and a sample [Memorandum of Understanding](#). This information kit is not intended to lead schools/districts to a particular decision; rather, it is intended to give decision-makers some tools and ideas to help make the best choice for a particular situation.

For more information about mobile dental care providers and what CDA is doing regarding this issue, call 800.CDA.SMILE, ext. 5305.

Definition of Hate Violence

Contributed by Robert W. Jacobsen, General Counsel, Norwalk-La Mirada Unified School District

Education Code 48900.3 provides a basis for suspension or expulsion when a student caused, attempted to cause, or threatened to cause, or participated in an act of hate violence. Hate violence occurs when a person by force or threat of force willfully injures, intimidates, interferes with, oppresses, or threatens a person or their property which impedes the victim's free exercise or enjoyment of the rights and benefits of a public education at least partly because of an actual or perceived characteristics of the victim, such as race, gender, religion or sexual orientation.

PERTUSSIS (WHOOPIING COUGH)

Contributed by Susan Chaides, Consultant for School Health Programs, LACOE

Pertussis (whooping cough) is a highly contagious bacterial illness spread by coughs and sneezes. People sick with pertussis have severe coughing attacks that can last for months. As of August 17, 2010, California has had 3,076 confirmed, probable and suspect cases of pertussis reported in 2010. This is a 7-fold increase from the number of reported cases during the same time period in 2009 when 434 cases were reported. If current trends continue, it is likely that California will see more cases of pertussis than it has seen in over 50 years and highest rate of disease in 47 years.

Vaccination is the best defense against whooping cough. However, the immunity from vaccines wears off over time and pertussis booster vaccine rates in adolescents and adults continue to be low. As a result, pertussis continues to circulate widely in California, resulting in hospitalizations and eight reported deaths of young infants who are too young to get their shots.

In response to the high levels of disease and death from pertussis in California during 2010, the California Department of Public Health (CDPH) is recommending that all Californians make sure that they are immunized against pertussis, especially if they are in contact with infants. Children need five doses of DTaP vaccine by kindergarten (ages 4-6) and a Tdap booster vaccine by age 11. All teens and adults are also recommended to receive Tdap boosters.

Resource Center

Worried about your student's digital lives? No cost curriculum to help!

Your students are rapid text-messengers, digital movie producers and published web authors. They're hooked on social media, video games, and finding powerful new ways to express themselves. But they may also be abusing their digital powers to harass their classmates or cheat in school.

The world has changed but the need to teach codes of conduct hasn't. In this new digital world, do you have the curriculum to guide your students toward becoming safe, smart, and responsible?

Common Sense Media does – and it's **FREE** to schools.

Our pioneering, Digital Literacy and Citizenship Curriculum for grades 6-8 has everything you need to teach the fundamentals of digital citizenship and literacy. Our lessons will teach your students about the 21st century ABCs of privacy, safety, critical thinking, and appropriate behavior in our connected culture.

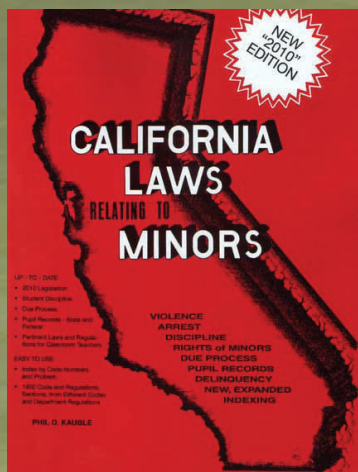
This e-rate compliant curriculum is:

- **Completely FREE** to schools thanks to generous philanthropic support from the John D. and Catherine T. MacArthur Foundation, the William and Flora Hewlett Foundation, and the Sherwood Foundation
- **Research-based** and developed in partnership with renowned developmental psychologist and educator Howard Gardner of the Harvard University School of Education.
- **Written from the point of view of your students** and loaded with real student stories told through case studies and compelling videos
- **A whole-community solution** that has both classroom activities and a full complement of parent engagement materials
- **Currently available for grades 6-8** with K-12 resources coming soon
- **E-Rate compliant** and aligned to ISTE and AALS standards



Help your students learn to make the most of the opportunities – and avoid the unintended consequences – of online life with Common Sense Media's new curriculum, "Digital Literacy and Citizenship in a Connected Culture."

Get started at Common Sense Media by visiting www.common sense media.org/educators



CALIFORNIA LAWS RELATING TO MINORS

A must-have reference guide, authored by Phil Kauble, for anyone who deals with schools and/or juveniles. Topics include attendance, discipline, rights of minors, due process, pupil records, delinquency, special education, and much, much more. Nearly 900 pages contain references to more than 1,400 code sections. Order your new 2010 edition today!

Every purchase of this guide goes into helping a student at-risk reach his/her goal. CASCWA recognizes Phil Kauble, Bill Gehr and Legal Books Distributing for their generous contributions to student scholarships.

Funding Opportunities

The following funding opportunities were selected from the Los Angeles County Office of Education's "Money Monday" updates...

The Crail-Johnson Foundation

<http://www.crail-johnson.org/current.htm>

The mission of The Crail-Johnson Foundation is to promote the well being of children in need, through the effective application of human and financial resources. CJF's commitment is to be an advocate for children and to act as an agent for positive change. CJF endeavors to provide for immediate improvement in children's quality of life, as well as to provide opportunities for a future life of quality. Grants range from \$5,000 to \$30,000.

Due: Letters of inquiry are accepted October through December each year.

The Fender Music Foundation

<http://www.fendermusicfoundation.org/grants/index.cfm>

The Fender Music Foundation accepts information from grant candidates through its Grant Candidate Form. Qualifying applicants are established, ongoing and sustainable music programs in the United States, which provide music instruction for people of any age who would not otherwise have the opportunity to make music. Almost all of the grants we award are traditional instruments and the equipment necessary to play them, ranging in value from \$500 to \$5,000.

Due: Open

Get Ingrained Grants Program

<http://www.getingrained.com/>

Arnold®, Brownberry® and Oroweat® Breads are now seeking submissions for the inaugural Get Ingrained™ Grants Program, an initiative that will award two \$15,000 grants to people or organizations committed to bettering the health of their communities. As part of our mission to improve wellness for all and nourish the things that matter most, we hope these funds will help empower like-minded individuals and the organizations they support to nurture healthy, nutritious lifestyles nationwide.

Due: October 4, 2010

Nat'l Gardening Association's 2010 Healthy Sprouts Awards Presented by Subaru

<http://www.kidsgardening.com/grants/healthysprouts.asp>

To be eligible for the 2010 Healthy Sprouts Awards, your school or organization must plan to garden in 2011 with at least 15 children between the ages of 3 and 18. This year awards will go to 30 schools or organizations. Each program will receive: a \$500 gift certificate to the Gardening with Kids catalog and online store for basic youth gardening supplies and supporting educational materials; NGA's Eat a Rainbow Kit, chock full of engaging taste education and nutrition lessons; and a literature package.

Due: October 1, 2010

US Soccer Foundation

<http://www.ussoccerfoundation.org/site/c.ipIQKXOvFoG/b.5482645/k.C652/Grants.htm>

Since 1995, the Foundation has awarded grants to more than 600 organizations in all 50 states. The Grants support projects throughout the U.S. that focus on keeping children in vulnerable communities active, healthy and safe from the dangers of the streets. The Foundation awards grants to help pay for field development, uniforms, player equipment, travel costs, facility rental, registration costs, and training for players, coaches and referees. Grant Application opens October 1, 2010.

Due: October 29, 2010, 5:00 PM, Eastern Time

The Union Bank of California Foundation

http://www.uboc.com/about/main/0,,2485_3917,00.html

The Union Bank of California Foundation awards funds primarily in the areas of affordable housing, community economic development, and education. It also considers grant requests for culture/arts, health and human services, environment, and emergency services. Ideally, grants are targeted to nonprofits serving low-income and minority communities.

Due: Open

PROFESSIONAL DEVELOPMENT OPPORTUNITIES

ANNOUNCING A
LOZANO SMITH/CASCWA
WEBINAR

STUDENT CELL PHONES:
Use 'Em and Lose 'Em?

September 9, 2010 ■ 3:30 pm to 4:30 pm



CASCWA

Visit www.cascwa.com for a link to
online registration.

Student cell phones, along with the disruptions to the education environment that they can cause, are a given in today's technological age. These issues are becoming more prevalent and more complicated with the proliferation of smart phone technology. In partnership with the California Association of Supervisors of Child Welfare and Attendance (CASCWA), this LOZANO SMITH Student Practice Group Webinar covers the lawful limits of student cell phone searches and confiscation. Additionally, elements of pragmatic and useful cell phone policies, as well as the methods of crafting and adopting such policies, are addressed.

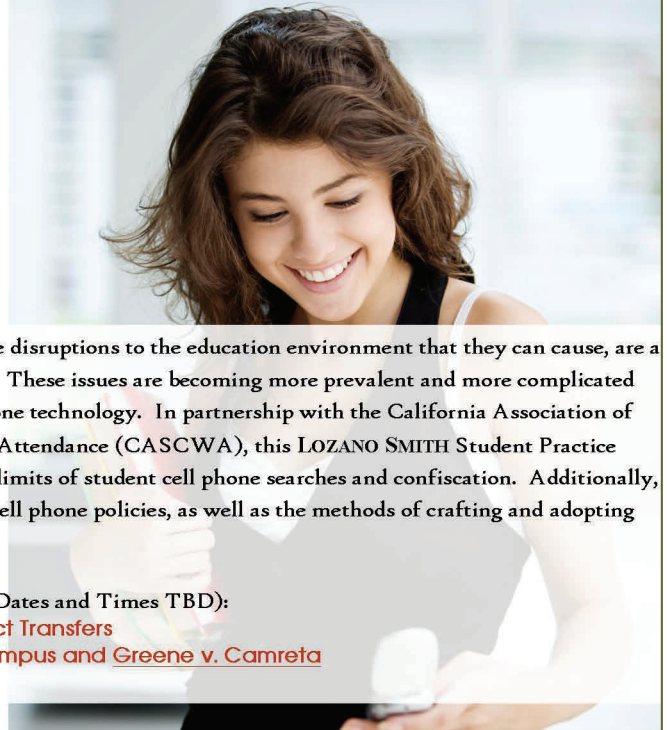
Additional Upcoming Webinars (Dates and Times TBD):

Romero Bill/Open Enrollment Act Transfers

Law Enforcement Access to Campus and *Greene v. Camreta*

Student Discipline 101

Partnering with CASCWA for Excellence in Education.



association of california
school administrators

The Pupil Services Academy and the Special Education Academy address what administrators need to know to be successful at all levels and areas of responsibility. A consistent focus will be on leadership, communication, prevention and intervention. The academy, which has been designed to meet the standards for CCTC Professional Clear Administrative Services Credential non-university programs, integrates within the presentation the principles of organization and cultural environment, dynamics of strategic issues management, ethical and reflective leadership, analysis and development of public policy, and management of information systems and human and fiscal resources.

Both academies include 70 hours of professional development over seven weekend sessions beginning Sessions are held Friday evenings from 5-9 p.m. and Saturdays from 9 a.m.-3:30 p.m. Enrollment is limited to the first 30 registrants.

To download the registration form, visit www.acsa.org.

SPECIAL EDUCATION ACADEMY

Sessions begin: October 1-2, 2010 in Sacramento, CA

October 15-16, 2010 in Alhambra, CA

Specific themes include: ♦ Historical and statewide perspective of special education ♦ Assessment procedural safeguards, Special Education terminology and the IEP ♦ Preparation for mediation and due process hearings ♦ Placement/ service issues, 7 procedural safeguards related to discipline ♦ Transition from school to career/drop-out prevention ♦ Curriculum and instruction for special education students ♦ Behavior and discipline issues ♦ State and federal laws affecting special education ♦ Advocacy for students with disabilities ♦ Current issues ♦ Funding ♦ Multi-agency coordination ♦ Human resources/credentialing issues ♦ Educational reform inclusive of special education ♦ Accountability and evaluation

PUPIL SERVICES ACADEMY

Session begins: October 15-16, 2010 in Ontario, CA

Specific themes include: ♦ Standard due process ♦ Standard records ♦ State and federal laws affecting standards ♦ Section 504 issues ♦ Advocacy standards ♦ Alternative programs ♦ Enrollment processes ♦ Special education issues ♦ Transition from school to career ♦ Human resources/credentialing ♦ Program assessment ♦ Multi-agency coordination/SARB ♦ Current issues

SCHEDULE OF EVENTS

The Key to Dropout Prevention
 “How to Implement a Freshman Transition Course”
 October 26, 2010
 Fontana, CA
 October 28, 2010
 Milpitas/Silicon Valley, CA
www.aiworkshops.com

California Association of School Counselors
 10th Annual Conference
 October 29-30, 2010
 Montebello, CA
www.schoolcounselor-ca.org

ACSA Leadership Summit
 “Moving Our Mission Forward”
 November 4-6, 2010
 San Diego, CA
www.acsa.org

Drug Impairment Training for Educational Professionals
 September 23-24, 2010
 November 15-16, 2010
 Stockton, CA
www.csjoa.com

California League of Middle/High Schools
 Southern Conference
 December 2-4, 2010
 San Diego, CA
www.leagueofschools.org

October 2010

| SUN | MON | TUE | WED | THU | FRI | SAT |
|-----|-----|-----|-----|-----|-----|-----|
| | | | | | 1 | 2 |
| 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 24 | 25 | 26 | 27 | 28 | 29 | 30 |
| 31 | | | | | | |

November 2010

| SUN | MON | TUE | WED | THU | FRI | SAT |
|-----|-----|-----|-----|-----|-----|-----|
| | 1 | 2 | 3 | 4 | 5 | 6 |
| 7 | 8 | 9 | 10 | 11 | 12 | 13 |
| 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| 21 | 22 | 23 | 24 | 25 | 26 | 27 |
| 28 | 29 | 30 | | | | |

December 2010

| SUN | MON | TUE | WED | THU | FRI | SAT |
|-----|-----|-----|-----|-----|-----|-----|
| | | | 1 | 2 | 3 | 4 |
| 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| 26 | 27 | 28 | 29 | 30 | 31 | |



CASCWA STATE CONFERENCE

*“Creative Student Interventions:
Make it a Priority!”*

April 20-22, 2011

Sir Francis Drake Hotel
San Francisco, CA

CASCWA Mission

CASCWA is an organization comprised of school and community professionals who are dedicated to improving school climate, safety, and increasing school attendance. We create a network of professional support, mentors and educators, and we influence relevant legislation and advocate for the needs of the students, families, and schools.

Open Enrollment

(Continued from page 1)

the Collective Bargaining Agreement might be wise, as well.

The commenting period for this legislation ends on September 14th. We are strongly encouraging districts to comment on the following items:

- There are currently 11 schools with API scores over 800 on the list. Schools with an API score of 800 or more should not be on the list, especially since those identified are considered “low achieving.”
- Continuation schools should also not be included on the list. Under Open Enrollment, students could ask to return to a comprehensive school site which may be inappropriate since the alternative placement may have been the result of the student’s failure to thrive/succeed at a comprehensive school in the first place.
- There needs to be language that addresses students pending expulsions or other disciplinary actions, but in particular, those under expulsion orders .
- There has to be specific language regarding the trigger for qualifying for a transfer under Open Enrollment. For example...What if a student at an identified school was placed there due to safety reasons, or is there on a permit, or even

JOIN CASCWA!

- CASCWA is the only state organization that focuses on the specific needs of the Supervisors of Child Welfare and Attendance personnel.
- CASCWA offers the opportunity for like-minded professionals to develop a personal support network, particularly in these trying times.
- CASCWA offers the opportunity for professional growth through meetings, workshops and conferences.
- CASCWA is becoming more involved in the legislative process, by monitoring and advising on existing legislation being presented.
- Annual dues: Active - \$50, Retired - \$20, Student - \$20

www.cascwa.org/membershipPrint.php

through a parent employment residency transfer, from another school district? Can that student request a transfer?

- The regulations have to allow districts to establish a window of time when applications are accepted and processed. The current language states that districts have 60 days upon receipt of an application to respond. This means that districts could potentially start responding on a daily basis to requests in November which could go against other provisions in the regulations.
- Is there enough to address transfers for students needing special education services?

There are probably other issues that need to be addressed, but without

your comments, we may be left with...a mess, or something close to it. Comments may be submitted to Debra Thacker, Regulations Coordinator, Legal Division, California Department of Education via fax at 916-319-0155 or to regcomments@cde.ca.gov by 5:00 p.m. on September 14, 2010. Note that all written comments received by CDE staff during the public comment period are subject to disclosure under the Public Records Act. ☞

Stay tuned for the December issue of the Intercom...

The only way to keep healthy is eat what you don't want, drink what you don't like, and do what you'd rather not.

- Mark Twain