

INTERCOM

MARCH 2009

Official Publication of the California Association of Supervisors of Child Welfare & Attendance

Amendments to the American with Disability Act & Section 504 of the Rehabilitation Act

CASCWA INTERVIEWS MR.
SHERMAN GARNETT, CWA, SAN
BERNARDINO COUNTY OFFICE
OF EDUCATION AND CASCWA'S
STATE PRESIDENT

Remedies to Declining Graduation Rates

Global Oversight Analysis Linking System (GOALS)



IN THIS EDITION OF THE INTERCOM:

2009 LAKE TAHOE

STATE CONFERENCE INFORMATION

- President's Reports
- Conference Registration Form
- Tips on Attending Conference
- ADA/504 WEBINAR
- DART Newman Crows Landing USD
- Phil Kauble Topical Forum Flyer 4/3/2009
- Kindergarten Early Registration

- State Model SARB Recognition
- Response to Intervention RTI
- Guidance on Collecting Data
- CASCWA's Project Preservation
- Yolo County Truancy Abatement
- Program
- Budget/Failure of NCLB
- 1958 vs. 2009

This edition of the Intercom is dedicated to CASCWA Legend-John Burton

STATE PRESIDENT'S MESSAGE SHERMAN GARNETT

San Bernardino County Office of Education

Greetings:

Yes, I know that most of you are sweating the budget issues for this year and for the 2009-2010 school year. However, I am letting you know that you are truly appreciated by CASCWA and me for your efforts in dealing positively with the multitude of issues related to educating today's school age children.



I can honestly state to you that our plates will be overflowing with issues to solve and rectify without the previous support systems in place. Yes, our children will suffer but your yeoman's efforts will ease the pain. We must take the old adage of "working smarter and not harder" to full force.

CASCWA will be fighting for you. We will keep you informed of the latest issues and provide as much resources as possible to assist you. Keep CASCWA in mind by visiting our web site, utilize the "Ask an Expert" section", and attend local no cost/low cost CASCWA sponsored trainings.

In closing, I encourage each of you, as it is fiscally possible, to attend our state conference that is to be held on April 22-24 in beautiful South Lake Tahoe. We anticipate a slightly smaller turn out than last year due to the current economic issues. However, I assure you the conference will go forward.

Check the CASCWA web site for additional funding resources to cover the registration fees for the conference. We have been blessed with many fine presenters for the upcoming conference which you will enjoy.

Take care and keep doing what is best for our kids!

CASCWA STATE EXECUTIVE BOARD 2008 - 2009

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CASCWA'S MISSION STATEMENT

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 students, families and schools.

BAY SECTION PRESIDENT'S REPORT - Frank Valadez Gilroy Unified School District fvaladez@gusd.k12.ca.us



Most of us are involved in professions where we have the responsibility of helping others and we work conscientiously to that end. In our personal lives, we often have a similar task, be it financially, emotionally or physically. But where does taking care of ourselves fall into the larger scheme of things? We know we should! If we do not heed the advice of others in this regard, we will eventually limit our ability to provide for others.

CASCWA has become a family of professionals, all inclusive, attempting to improve the lives of others. Our focus has been on how to do that best. However, at least from my humble perspective, there is a need to take a different road, at least temporarily. It is time to address the basic needs of our members. The economic crisis threatens our professions, our livelihood and our organization. We cannot provide for our loved ones nor service our youth and families if we

lose our jobs or our positions are eliminated. Bay Section cannot, of course, change the financial woes of districts and agencies. But, we must make an attempt to help each other. The question is, "How?" And, it is a question for you to answer. What can Bay Section do to help you?

As president of Bay Section I am asking for your suggestions. Our board is ready to act upon hearing from you.

Wishing you and your loved ones well,

Frank Valadez fvaladez@gusd.k12.us.ca

DELTA-SIERRA SECTION PRESIDENT'S REPORT - Grace Espindola Sutter C.O.E. (530) 822-2418 grace@sutter.k12.ca.us

This has been an incredible school year and an exceptional year for CASCWA's Delta-Sierra Section. This year will come to fruition when our Delta-Sierra Section host the 2009 CASCWA State Conference in Lake Tahoe, California. I am amazed at the workshops and presenters being featured at this incredible event. I would like to take the time to say "Thank You" to each member of our conference planning team for the phenomenal efforts that they have put forth to make this conference meaningful to all attendees. Delta-Sierra Section extends our gratitude to David Kopperud and the entire "State SARB" for their accomplishments that will be unveiled on the first day of our State Conference.



At a time when districts are making reductions that in the long term could negatively impact ADA, it is great to know that the "Model SARB Program" and the new "SARB Handbook" will be presented to all of our conference attendees for the purpose of maximizing ADA. CWA offices throughout the state are always targeting truancy, reducing dropouts and keeping the kids healthy. We know that this year's conference will deliver and provide proven current strategies.

Our conference theme is – **Moving the Mountain-Intention to Impact** – and yes we can and together we can. As we face limited budgets and Delta-Sierra asks you or your agency to consider attending our State Conference, we are offering a great EARLY registration promotion – see our flyer on our website www.cascwa.org.

I am also pleased to report that Joe Taylor's brain child, "Project Preservation" is going well. Recently, the Delta-Sierra and Bay Section came together with several of our finest "Lifetime CASCWA Members" to preserve our organization's history and renew friendships. This event was video-taped and will be viewed at the up-coming State Conference. Similar efforts are on-going in the San Joaquin Section and the Southern Section.

As your president, it is my commitment to do my best and represent our CASCWA mission to the fullest and to serve our children. I urge you to register early for our State Conference and look forward to meeting and working with you. Warmest regards, Grace Espindola

SAN JOAQUIN SECTION PRESIDENT'S REPORT - JOHN LUIS Newman-Crows Landing Unified School District jluis@nclusd.k12.ca.us

It is my pleasure to be serving as San Joaquin's Section President. I am fortunate to be working with some of the most influential and experienced professionals in the business. We are all looking forward to Tahoe and meeting with others that are also in the "kid business".

The Section will be hosting a workshop on May 22nd at the Madera Golf Course. The workshop will be led by Tom Byars and will examine strategies to efficiently intervene in bullying at the school site. We hope to see you there.



Intelligence plus character--that is the goal of true education.

-Martin Luther King, Jr.

SOUTHERN SECTION PRESIDENT'S REPORT-DR. VICTOR C. THOMPSON

Director, Division of Student Support Services – L.A.C.O.E. (562) 922-6233 <u>thompson victor@lacoe.edu</u>



Aloha and Greetings to CASCWA Members from the Southern Section! Our section is pleased with the recent LACOE Legislative Update and Board Meeting held on Friday, December 5, 2008. We are pleased to announce our second 2009 Phil Kauble Topical Forum will take place on April 3, 2009, in Calexico, hosted by the Calexico Unified School District. The title of the forum is, "Truancy - Friend or Foe." A panel of experts will be sharing strategies on combating student truancy. I would like to personally thank Mark Michels, Jessie Cherri and Ken Lorge for their efforts in the recent videotaping of our Southern Section Legends at the Holiday Inn in Anaheim which was part of the entire CASCWA "Project Preservation. Over the next few months, Southern Section will be active with our efforts with the State Conference and with our annual "Lillie Wilson Scholarship Program. If

you are a CASCWA Southern Section member, please go to our website at www.cascwa.org for information on the scholarship program. The program is chaired by Ms. Pat James, Lynwood USD. We are looking forward to the rest of the school year and hope to see you at the Phil Kauble Topical forum and at the State Conference.





MR. JOHN BURTON











This edition of the CASCWA Intercom is dedicated to Mr. John Burton. John Burton is a CASCWA Legend. He has spent decades as an educational leader in the field of Child Welfare and Attendance and as an active member of CASCWA. John is a "Past State President" and a "Past Southern Section President."

You may know John as an annual presenter at our state conferences. You may also know John as a true mentor to all of our CASCWA members. John's career included service in the Fontana Unified School District, the Los Angeles County

Office of Education and the San Bernardino County Office of Education. John was one of the first educators to go paperless, generate a website accessible to everyone in the state and remained a true child advocate throughout his career. John is also active in the "Juvenile Justice Association.

John is currently tackling the challenge of cancer. As with everything in his life, John is actively following his doctor's advice and is experiencing tremendous support from others. John has asked that each of you keep him in your prayers and thoughts. He has also asked that you reflect on this page and your personal needs. He wishes for all of our members to take the time to make certain they are getting annual physicals which could result in early detection should a problem exist. John has been a true friend to this editor for over twenty-years and we look forward to working with John for decades to come.



CASCWA INTERVIEWS MR. SHERMAN GARNETT SAN BERNARDINO COUNTY OFFICE OF EDUCATION 2008-09 STATE CASCWA PRESIDENT

CASCWA has a history of incredible The challenges leadership. faced by educators in 2009 are phenomenal. Intercom's editor chose to go directly to our State President for this edition's interview. Sherman Garnett has been exceptional as our "State President." He is to be commended for his workshops, visibility and expertise, as he travels throughout a county larger than several states. He is recognized statewide and he is respected by his In his final months as CASCWA peers. president, Sherman has the responsibility of leading our organization in directions that will carry on for years to come. Enjoy this special man and his thoughts on several issues.



Two thousand and eight has been a year unlike any year educators have witnessed in our lifetime. What are the most significant challenges that you have faced as CASCWA's State President over the past ten months?

The most significant challenges that we have faced this year are similar to those facing school district personnel across the state. However, thanks to the dedicated section and state board Members, CASCWA continues to be the go-to organization when it comes to dealing with the daily issues faced by CWA personnel throughout the state.

Our web site, www.cascwa.org, is a daily work of art and provides comprehensive answers/solutions faced by CWA personnel. Special kudos to Tom Mangione for his daily maintenance and upkeep of the web site.

CASCWA's executive board has made adjustments as well. For the very first time in the history of CASCWA, two of our executive board meetings have been held via videoconferencing. We have saved time, travel expenses and other expenditures resulting in more service to our members.

Our State Conference will be held in beautiful Lake Tahoe April 22-24. I encourage all members to view Joe Taylor's tip sheet of financial avenues to attend the conference located on the CASCWA web site.

Finally, a most gracious thank you to the many sections and executive board members who have volunteered their time in hosting various workshops, conferences, legal forums, etc at little or no cost to our members.

You are well known throughout the State of California. You are highly visible and are accessible to CWA officials. You are active in ACSA and are a major officer in CASCWA at the state and section. How did you get into this field, get involved in CASCWA and generate such a lengthy list of accomplishments over the past decade?

After serving twenty-two years as a teacher, coach, and principal, I realized that Education is in fact a ministry. The CWA position at the county office requires me to meet the needs of thirty-three school districts on a regular basis. The districts that I serve range from very rural to very urban. I must meet the needs of the districts and the multitude of personnel who accept these positions.

Having seen the many needs, I decided to take the necessary steps to bring more services to the districts by becoming more involved. At the invitation of Southern Section President, Frank Boehler, I was invited to participate as a member of the board of which I have not regretted.

It seems like only yesterday that Senator Steinberg was addressing our CASCWA membership at our State Conference. Lately, Senator Steinberg has been highly involved in addressing the state's budget issues. One of your goals has been for CASCWA to be active in the legislative process. What bills are you currently watching and what comments do you have for our members regarding the legislative process?



CASCWA, along with the State SARB and the California District Attorney's Association, is attempting to revamp the current truancy legislation. The major thrust of this legislation is to increase the power of the SARB to directly impose sanctions in the form of driver's license restriction to students who fail to adhere to SARB directives. As you know, approximately one-third to one-half of our high school students fail to graduate. Attendance plays a major factor for failure to graduate. We must do something now or be faced with the multiple long term effect of dropouts.

You have been an active member of the State SARB and have worked closely with David Kopperud of the State Department of Education. Please share with our members a few comments about the upcoming "Model State SARB Awards" and the revisions to the State SARB Handbook.

The new and revamped State SARB Handbook is a labor of love. A gracious thanks to all of the wonderful volunteers who have taken on this responsibility. I can assure you that the new SARB Handbook (last revised in 2002) will be a tremendous asset to school districts statewide. The new SARB handbook will be unveiled at the CASCWA State Conference (printed at no cost to CASCWA members) as well as the "Model State SARB Award" winners.

You and your friend Joe Taylor, CWA Sacramento County Office of Education, have been active nationally in combating truancy and in dropout prevention. Please share with our membership your thoughts on the challenges facing our nation's educational programs and where you believe California compares to other states.

Joe Taylor and I serve as California's representatives to the National Truancy Prevention Association. This group, primarily consisting of juvenile court judges, attorneys, and nationally know community-based organizations, lobbies on behalf of states to serve as demonstration projects with the federal Office of Juvenile Justice and Delinquency Prevention Commission.

In April CASCWA will be holding the 2009 State Conference in Lake Tahoe, California. The conference is being hosted by the Delta-Sierra Section. We always look forward to the presentations, the workshops and the CWA networking. What would you like to pass on to our membership about this year's important conference?

The conference committee has planned an outstanding three days of powerful workshops and activities highlighted by the Model SARB award winners and the unveiling of the new SARB Handbook. Also, we have several educational attorney firms presenting relative to the revamped Ed Code 48900(r)-cyber bullying.

Victor Thompson has done an excellent job as CASCWA's Southern Section's President. In a few weeks, you will become the State's Past President and the new Southern Section President. What are some of your remaining goals that you want to see accomplished as State President and what direction will you be taking in the future as Southern Section's President?



My remaining goal is to recruit the new young lions in the CWA fields to positions of leadership within our organization. Young lions such as Hector Molina from the Delta Sierra Section, Tim Catlin from the Southern Section, Benita Washington from the San Joaquin Section and Sheila Lawrence from the Bay section are a few members that can take this organization to the next level.

You cover such a large territory in San Bernadino County and are constantly putting on workshops. Some of us wonder if you ever sleep! We know you are proud of your sons, daughter and wife. What would you like to share with our members on a personal basis?

Yes, I am happily married to my wife of thirty-two years, Patricia Garnett. Patricia is a fellow educator, my best friend and confidant whom I can

honestly say has been the rock in my life. Our lives have taken a new turn as we are first time ever proud grandparents of two grand-daughters born on the same day (Oct 15,2008) in hospitals forty miles from each other and only separated by three hours.

Are there any final thoughts that you would like to include in this edition of the intercom?

Hope to see everybody at the State Conference.

ADA/504 WEBINAR BY JERRY HIME

On January 14, 2009, the Council of Administrators of Special Education (CASE) conducted a webinar "Section 504: Major New Developments for Regular and Special Education Students" featuring Dr. Perry Zirkel. Dr. Zirkel is a noted expert on issues related to the education of students with disabilities. The webinar was aired live during the annual Special Education/Pupil Services conference of the Association of California School Administrators (ACSA) in Monterey. During the presentation Dr. Zirkel responded to questions that had been forwarded to him. Additionally he has responded to other questions in writing. The webinar CD with accompanying handouts and questions/answers is available for purchase on the CASE website: **WWW.Casecec.org.**

DART: A LOW COST OPTION FOR IMPROVING STUDENT ATTENDANCE BY RANDY HEINRICHS

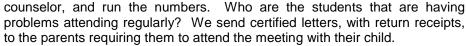
Randy Heinrichs is the Dean of Students at Orestimba High School in the Newman-Crows Landing Unified

Three years ago we created a District Attendance Review Team (DART) in our district which functions like a junior version of the School Attendance Review Board (SARB). DART's mission is three-fold: identify attendance-deficient students, inform them and their families of attendance requirements, and create an intervention specific to each student's needs. The cost is minimal, consisting of \$6.00 worth of postage per student), much less than the \$350.00 cost of sending the family to SARB.

We sit down at the beginning of each month with the dean of

The DART Team consists of administrators, school nurses, school counselors, and SROs.

students, the attendance clerk, and the school





We meet at the city council chambers on the third Thursday of each month and have half-hour meetings with each parent. The panel consists of a high school administrator, a school counselor, a district nurse, a middle school vice principal, and a school-resource officer. The meetings provide an opportunity to inform the parents of attendance concerns, and the legal requirements for school attendance. They also provide an opportunity for parents and students to share why attendance has been an issue. Sometimes, attendance problems are due to health issues, and the school nurse is perfect for sorting out these considerations. Other times, deficient attendance stems from family issues. The DART panel helps put the parents in contact with community services that might be helpful in resolving housing, mental health, and other needs. We conduct the meetings in either Spanish or English, depending on the primary language of the parents.

Each meeting ends with the creation of a contract addressing the specific attendance concerns for the student. The panel chair, the parents, and the student sign the contract. The DART requires students to have 95% positive attendance for the remainder of the school year. Often, parents are directed to provide the school with doctor's notes for absences, and to inform the office within 24 hours of the reason for absences. Ninety-five percent attendance amounts to missing no more than one day per month for any reason whatsoever. Consequences for not following the DART directives include notification of the Community Services Agency (CSA), which can modify or remove any public assistance that the family receives for that student, because the student is not faithfully attending school. The

DART panel may also transition the student to alternative education, if he/she falls below the contractual threshold. Sometimes, the DART panel will refer the family to the SARB panel for further legal action. At this point, the district has to pay the additional \$350.00 per family to that agency for processing them. Yes, we have students and parents that do not show to the meetings. The DART team meets regardless, and creates a unilateral contract requiring the student to attend correctly. The consequences are enforced just as if the family had attended.

Cost is about \$6.00 per case, versus \$350.00 per referral to SARB

What is the track record for this program? Over the past three years, we have noted dramatic improvements in attendance due to the DART process. In its first year, we went from 91.81% to 94.97% ADA, for a net recoup of \$77,000. Our attendance numbers the last year were at 94.08%, and at the end of the first semester of this school year, are at 94.98%. We have a good shot at hitting a three-year high of 95% by the end of this school year.

It's not a magic bullet, but we have found this home-grown attendance intervention to be effective with a wide variety of students. For students that have had ongoing problems with attendance, it puts them on a fast track to a SARB referral. The DART also provides a quick response to students demonstrating the first signs of attendance problems.

It also sets the stage for more intensive intervention. If a SARB referral is needed, we simply take the DART documentation, update it, and send it to the county sheriffs' office for processing.

If you are thinking of creating your own DART panel, and are looking for ideas or documents to work with, please send an email to rheinrichs@nclusd.k12.ca.us We would be happy to send you an informational packet. This next school year promises to have a lean budget, and this intervention costs very little, while it provides most of the benefit of sending a family to SARB. The biggest determiner for success is a consistent approach to identifying, informing, and intervening with students that are having attendance issues.

AMENDMENTS TO THE AMERICAN WITH DISABILITY ACT AND SECTION 504 OF THE REHABILITATION ACT BY RONALD D. WENKART



Ronald D. Wenkart is currently the General Counsel, Schools Legal Services Orange County Department of Education (reprinted with permission of the author)

On September 25, 2008, President Bush signed legislation amending the Americans with Disabilities Act and Section 504 of the Rehabilitation Act. The legislation takes effect January 1, 2009.

The legislation also amends Section 504 of the Rehabilitation Act by indicating that Section 504 applies to any person who has a disability as defined under the Americans with Disabilities Act. It is likely that more individuals will qualify as disabled under the Americans with Disabilities Act and Section 504 of the Rehabilitation Act under this new language.

The purpose of the legislation is to broaden the scope of Section 504 and the Americans with Disabilities Act. Congress made specific findings that it disagreed with rulings of the United States Supreme Court narrowly defining the provisions of the Americans with Disabilities Act. Congress redefined the purposes of the Americans with Disabilities Act and stated that the definition of disability in the ADA

shall be construed in favor of broad coverage of individuals under the ADA, to the maximum extent permitted by the terms of the Act.

Congress stated that an impairment that substantially limits one major life activity need not limit other major life activities in order to be considered a disability. Congress also stated that an impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active. In addition, Congress stated that the determination of whether an impairment substantially limits a major life activity shall be made without regard to the ameliorative effects of mitigating measures such as medication, medical supplies, equipment, or other devices.

Previously, no examples of major life activities were found in the Americans with Disabilities Act or Section 504. However, the new amendments include examples of major life activities including, "caring for oneself, performing manual tasks, walking, singing, hearing, speaking, breathing, learning, and working." Also included are eating, sleeping, standing, lifting, bending, reading, concentrating, thinking and communicating. The term also includes the operation of major bodily function, including functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine and reproductive functions.

The legislation also sets forth a broad view of the definition of regarded as a disability. An individual is regarded as having such an impairment if the individual establishes that he or she has been subjected to an action prohibited by the ADA or Section 504 because of an actual or perceived impairment whether or not the impairment limits or is perceived to limit a major life activity. The regarded as having an impairment definition does not apply to impairments

that are transitory and minor. A transitory impairment is an impairment with an actual or expected duration of six months or less.

The effect of these amendments is to broaden the scope of Section 504 and the definition of disability under Section 504. For example, if a student is learning satisfactorily but has trouble concentrating, the student may be disabled under Section 504. If a student's Attention Deficit Hyperactivity Disorder (ADHD) is completely controlled by medication, the student may still be considered disabled under Section 504.

As required by the legislation, the Equal Employment Opportunities Commission (EEOC) will be issuing new regulations defining the term "substantially limits" in a manner that is consistent with the broad definitions contained in the legislation. The EEOC will also issue new regulations defining "regarded as" and other key terms in the legislation. These definitions may also apply to Section 504 of the Rehabilitation Act.

Our office recommends that districts review their policies and handbooks to bring policies and practices in line with the new definitions under Section 504 of the Rehabilitation Act. After new regulations are issued, staff should then be trained on the new requirements. Our office will provide assistance to districts when the regulations are issued and would be glad to assist districts with revising their policies following the issuance of regulations.

TIPS ON ATTENDING THE 2009 STATE CONFERENCE! BY JOE TAYLOR SACRAMENTO C.O.E.

Tough economic times are having an impact on District travel and conference funds. The following are tips on possible resources to help you attend the 2009 CASCWA State Conference in South Lake Tahoe:



Check with your Business Office/School Administrator on what funding is available. The CASCWA State Conference is a training event and is an authorize expenditure for funds from:

School Safety
Safe and Drug Free Schools & Community
Title I
Title IV
SIP
TUPE
AB 1113

Take advantage of the early registration incentives now being offered by CASCWA and register for the Conference NOW! Your Business Office/School Administrator or District Office may have resources for training available now but will soon be going away.

Some Districts are using training funds to send their student support services staff, School Attendance Review Board members, attendance office staff or community support staff. One example is Ricky Jones, Director, San Francisco Unified School District is using training funds to send a contingent of his student support staff to attend the 2009 CASCWA State Conference.

Each of the four regional sections of CASCWA: Southern for the Southern California region, San Joaquin for the Fresno, Bakersfield and Central Valley region, Bay for the Bay Area region and Delta Sierra for the Northern California region all will have possible resources to assist with sending members to the State Conference. Check with your CASCWA Board Members in your region.

For conference registration information, go to www.cascwa.org

Save the date: April 3rd 2009

Phil Kauble's Topical Forum

Truancy: Friend or Foe

(Mini Conference)

Combating truancy is a nation-wide conflict! In California students are dropping out at an alarming rate. When our students fail — we fail!

Calexico City Hall

608 Heber Ave.
Calexico, California 92231
9:00 am - 12:00 pm (noon)

At this conference, you will hear from movers & shakers in the field who have already implemented sound programs that address truancy. You will hear from SARB experts & members of the First Annual Exemplary Model SARB Award.

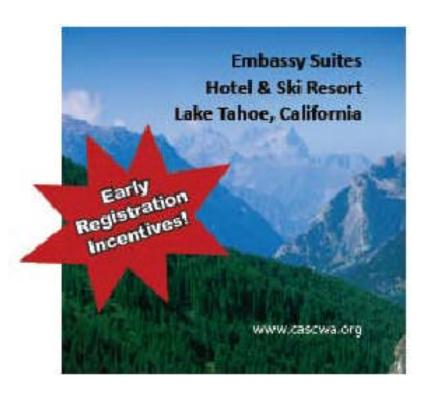
Cost: FREE !!!!

^{*}Come prepared to ask questions to a panel of experts! those in attendance will receive handouts, Disks of best practices, and wonderful refreshments!!



CASCWA

2009



State Conference

Moving the Mountain *Intention to Impact* **April 22-24**



Early Registration Incentives

CASCWA Shirt CASCWA Gift Bag Additional tickets for each Grand Prize drawing

(early registration: October 24 - December 31)

Shuttle Information

There is a shuttle service available from Reno Airport. For more information, please contact:

South Tahoe Express

866.898.2463 www.southtahoeexpress.com

Activities

Make sure to check out the fun group activities when you register!



2009 State Conference

Embassy Suites Hotel & Ski Resort • Lake Tahoe, California April 22-24, 2009

Priority Registration Form

Name	e Business Phone			
Address	Cell Phone	Cit		
	State/Zip	School		
District or Agency				
Position/Title				
Email				

#	CONFERENCE CHOICE	COST	AMOUNT
1	Wednesday Pre-Conference Symposium - includes continental breakfast, lunch*	\$155	
2	Thursday & Friday Conference Registration - includes continental breakfast, lunch*, complimentary CASCWA membership, Intercom subscription and President's Reception	\$215	
3	COMBO PAK - Pre-conference Academy and standard conference registration (1 & 2) - Best Deal!	\$275	
5	Conference Registration for Retirees (includes CASCWA membership)	\$75	
6	Conference Registration without CASCWA membership (Thursday and Friday)	\$250	
7	Thursday Only Conference Registration without CASCWA membership - includes continental breakfast and lunch*)	\$165	
8	Friday Only Conference Registration without CASCWA membership - includes continental breakfast	\$100	
	Total Amount Due	\$	

* I would like a vegetarian lunch on:			
Wednesday and Thursday			
Registration fee must accompany this			
form. Purchase orders will be accepted for			
registration. This conference is an			
authorized expenditure of School Safety,			
Safe and Drug-Free Schools, Title I, Title VI			
and SIP Funds. Purchase orders will be			
accepted, no refunds after March 16, 2009.			

Make checks payable to: CASCWA

Mail registration form & check/purchase order to:

Karen Chapman Placer COE 360 Nevada Street Auburn, CA 95603 Hotel Reservations (Limited Number of Rooms)

Embassy Suites Hotel & Ski Resort - Lake Tahoe, California 877.497.8483 www.embassytahoe.com

Room Rates: Single/Double \$139.00

TENTATIVE CONFERENCE INFORMATION - EMBASSY SUITES

Wednesday, April 22, 2009 - Day 1

- Registration: 7:00 8:00 a.m.
- CASCWA Academy AM
- California State SARB Handbook (1st roll out of the new edition)
- Luncheon and guests
- California State Model SARB recognition
- Project preservation presentation
- Academy PM:
- Keynote Speaker, Shadidi Sia-Matt, CDE P-16 Council

Thursday, April 23, 2009 - Day 2

- Registration:
- Opening General Session:
- Keynote Speaker, Sharroky Hollie, Ph.D.
- Breakout Sessions (10) AM
 - Sessions 1
 - Sessions 2
- Lunch Scholarships/Awards/CASCWA activities
- Breakout Sessions (10) PM
 - Sessions 3
 - Sessions 4
- Presidents Reception

Friday, April 24, 2009 - Day 3

- Breakout Sessions (5):
- Keynote Speaker, Dr. Francisco Reveles
- Closing Session:





Tentative Conference Workshop Topics

A team approach to improving attendance and increasing ADA ... Multiple use of funds ... Use of data SARB 101 ... Transitions ... Dealing with home schoolers Strategies for dropout prevention & improvement attendance Homeless and transitional youths ... Activities & strategies to assist the vulnerable population of students in foster care, homeless and in kinship care ... Hot topics in search and seizure: cell phones, PDA's, & computers/E - student discipline dilemma ... Residency, caregiver affidavits & interdistrict transfers ... Critical proofs in student expulsions (handouts/legally compliant) Fashion police or thought police? Student dress code and free speech Student support services building bridges to success ... Parent project ... Ambassador program ... Working with today's troubled youth & their families, "Reality from the field" ... TRACK - truancy reduction & attendance coalition of Kern ... Cultural proficiencies in schools and communities ... A team approach in improving student attendance ... Dropout, drug-alcohol prevention & intervention, youth development, truancy reduction - adult education ... Sex drugs & rock and roll: student misconduct in the virtual world ... Personal safety for teachers & administrators ... Terrorism & tots: hardening the targets where you work ... Probation officers on campus/day reporting centers....

WWW.CASCWA.ORG

Keynote Speaker & Presenters for the 2009 CASCWA State Conference

Delta-Sierra Section is proud to announce the keynote speaker and presenters for the 2009 CASCWA State Conference. This year's event will take place April 22-24, 2009, at the beautiful Embassy Suites in Lake Tahoe, California. This year's theme is "Moving the Mountain-Intention to Impact" and we are sure that each of our presenters will truly inspire all conference attendees to be motivated to take action and make a difference.

The Keynote Opening Address will be provided by Sharroky Hollie, Ph.D. Dr. Hollie is an Assistant Professor at California State University, Dominguez Hills, where he teaches reading, methodology and classroom management. He has expertise in



the field of professional development, African American education and second language methodology. Dr. Hollie is a nationally recognized speaker on how to teach at-risk students and what methods are successful. His presentation will provide you with specific information on how to be successful in your everyday world.

The Wednesday Keynote presentation will be provided by Dr. Shadidi Sia-Maat, Education Programs Consultant, California Department of Education (CDE), Policy Development and External Affairs Branch. Dr. Sia-Maat is a member of CDE's P-16 council where his expertise is being utilized on the State Superintendent's effort to close the Achievement Gap. Everyone has heard of the Achievement Gap in California but what you will hear in Dr. Sia-Maat's dynamic presentation is what actually the Achievement Gap is, what it means for every student in California and what all of us can do to have an impact on it. His presentation will also provide an overview of what efforts are currently being undertaken by CDE.

Friday's Keynote presentation will be provided by Dr. Francisco Reveles, Professor, Department of Education Leadership and Policy Studies, Sacramento State University. Dr. Reveles is a nationally known motivational speaker who will provide inspiration on building relationships to all of our conference attendees.

Another exciting event that will take place at this year's State Conference is the official roll out of the new State SARB Handbook. Presented by members of the State SARB Handbook Committee this dynamic presentation will have something for everyone. The new format has a focus on prevention, early identification and intervention leading up to the process.

In addition each of the conference workshops will focus on topics that will help you move your mountains. Here is a few of the workshops titles: Student Misconduct in the Virtual World, Drop out/Drug Alcohol Prevention and Intervention, Cultural Proficiency in Schools and Communities, Parent Project, Fashion Police or Thought Police? Student Dress Codes and Free Speech, Hot Topics in Search and Seizure: Cell Phones, PDA's & Computers, Use of Data and SARB 101 and many more topics.

2009 CASCWA STATE CONFERENCE WILL "MOVE THAT MOUNTAIN" BY JOE TAYLOR SACRAMENTO C.O.E.

The theme for the 2009 CASCWA State Conference is "Moving The Mountain-Intention To Impact" The State Conference Planning Committee has designed this year's theme to reflect the expectation for all who attend this year's event at the beautiful Lake Tahoe Embassy Suites high in the Sierra Mountains. All of us who work in Student Services, Child Welfare and Attendance, Alternative and At Risk Education every day work in an environment that can be overwhelming. From dealing with difficult students and parents, to working more with less resources, to the constant demand of regulations, policies and procedures, our everyday jobs are challenging. Sometimes the best intentions for improvement, new ideals and possible solutions never materialize because there is just too much pressure and never enough time.

This year's State Conference is designed to take you from intentions to making an impact on the students you engage, your everyday job environment, your local community and especially YOU! Each of this year's keynote speakers, workshop strands, general sessions and conference activities will inspire you to move your everyday mountains and truly go from good intentions to making an impact in your every-day world!

In addition, this year's state conference planning committee is thinking outside the box and as a result, there will be changes to the usual format for the CASCWA State Conference event. The Wednesday Pre-conference, which in the past focused on providing specific information for those new to the Child Welfare field and also new ideas for veteran CWA's, will be changed to a day of inspiration and motivation for all of us to help us be successful. The Strands for the Thursday and Friday workshops have been carefully designed and each workshop presenter will provide you with useful, real world solutions to the everyday issues we all face. Award ceremonies will recognize this year's Model SARB Programs from all over California, Statewide Student Achievement Scholarships and our traditional CASCWA members recognition. CASCWA will also, throughout this year's event, pay homage to the history of the organization which dates back to 1936-37 when Guy M. Holt was the first President of CASCWA. Look for unique visual displays and written information highlighting the History of CASCWA. In addition this year's event will be a "green" Conference as Lake Tahoe is the perfect setting to emphasize the importance of saving our environment. All conference activities will highlight our need to focus on recycling and other conservation issues to keep our planet beautiful!

The state conference planning committee also recognizes that these are tough economic times and that districts and county offices are impacted by significant budget cuts especially for travel and conferences. For this year's State Conference there is an early registration period from now through the end of December. The first 150 who register now will receive incentives which include: free CASCWA shirt, gift bag and additional grand prizes raffle tickets. Also, look for CASCWA articles on the web sites that will highlight possible sources of funding for training, staff development to attend the State Conference. Each Section of CASCWA (Delta Sierra for Northern California, Bay for Bay Area, San Joaquin for Fresno area and Central Valley and Southern for Southern California) will have resources and ideas for attending the State Conference. Contact any Section on the CASCWA website: CASCWA.ORG for more information.

Everyone is invited to attend the 2009 CASCWA State Conference April 22-24, 2009, at the Embassy Suites in Lake Tahoe, California. Please attend and get ready to be inspired, to find answers to your everyday issues and to truly move your mountain by going from intention to impact!



Lake Tahoe
2009

KINDERGARTEN - EARLY ENROLLMENT DISCOVERY: WHAT TO DO? By: ROBERT JACOBSEN - Los Angeles County Office of Education

Question: Is there anything in the law preventing us from allowing a kindergarten student to continue attending when it has now been discovered that his birthday is not until December 17? The student is doing well and I'd like him to be able to continue attending.

<u>Analysis:</u> Good question. Education Code 48000 governs minimum age of admission and provides in pertinent part:

- "(b) The governing board of any school district maintaining one or more kindergartens may, on a case-by-case basis, admit to a kindergarten a child having attained the age of five years at any time during the school year with the approval of the parent or guardian, subject to the following conditions:
 - (1) The governing board determines that the admittance is in the best interests of the child.
 - (2) The parent or guardian is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance."



The California Department of Education (CDE) also provides guidance which states:

<u>Under-Age Children:</u> District staff are frequently requested by parents/guardians to enroll children who are not age-eligible in kindergarten and first grade. CDE has no authority to require districts to admit or accelerate under-age children. The information below is regarding enrollment of under-age children in either kindergarten or first grade.

"Early Admission to Kindergarten. Districts may admit to kindergarten those children whose birthdays occur after December 2. These children may not begin school at the beginning of the school year, but they must wait until their fifth birth date occurs. Districts that admit these children to kindergarten prior to their turning age five jeopardize their apportionments, as auditors may take fiscal sanctions through an audit process. While Education Code 48000(b) allows a child to be admitted early on a case-by-case basis, districts offering this option to families would be wise to have local governing board-adopted criteria by which students are accepted. Districts that base early admissions on test results, maturity of the child, or preschool records may risk being challenged by parents/guardians whose children are denied admission. If these children continue in kindergarten past the anniversary dates of their admission, the school would be well advised to have signed Parental Agreement Forms on file to continue the children in kindergarten to the end of the school year."

<u>Conclusion:</u> Education Code is interpreted by the CDE to allow for admission only when the child turns 5. Prior to that time, the CDE acknowledges that schools may enroll the child (likely under the permissive authority provided by Education Code 35160) <u>but cautions about the collection of ADA.</u>

Go to: http://www.lacoe.edu/

2008-09 California State SARB Recognition Program

CASCWA is excited about the applicants for the **"STATE SARB MODEL RECOGNITON PROGRAM."** The model SARBs will be recognized at the up-coming CASCWA State Conference in Lake Tahoe, California. Also, the new "State SARB Handbook" will be distributed for the first time.

The Model SARB Recognition Program identifies and recognizes outstanding results-based school attendance improvement programs at the district or county level and creates a resource list of quality programs for dropout reduction. These model programs provide direct services to high-risk youth with persistent school attendance or school behavior problems or they provide consultant services and coordinate services within a county. The CDE encourages SARBs that meet the eligibility criteria to submit an application to the Model SARB



Recognition Program. It may be too late for this year, but it is not too early to get started for next year!

The self-nomination application for the Model SARB Recognition Program for 2008-09 is available on the CDE Web site at http://www.cde.ca.gov/ls/ai/sb. A sample application is on the CDE website. Awards are given for outstanding programs in particular content areas as well as programs which are exemplary in all content areas. Three letters of support must be included with the application for local SARBs but there is no maximum limit on the letters of support for county SARBs. The letters of support can be written by parents who have participated in SARB meetings, community SARB members, or others familiar with the effectiveness of the program.

Last year's event was special. If you have a proven SARB in your district, you need to be recognized!

If you have questions regarding this subject, please contact David Kopperud, Education Programs Consultant, Counseling, Student Support, and Service-Learning Office, at (916) 323-1028 or by e-mail at dkopperud@cde.ca.gov.



SchoolsFirst Federal Credit Union Support Model State SARB Recognition Program

Last year, California State Department of Education's State SARB recognized eight school districts for their model SARBs. Each district received an engraved plaque recognizing their excellence in the field of promoting positive attendance and increasing student achievement.

CASCWA is pleased to announce that SchoolsFirst, formerly the Orange County Teacher's Federal Credit Union, will be sponsoring the 2009 "Model SARB Recognition Program. Educators throughout Southern California consider SchoolsFirst to be a first class organization and a friend to all educators.

Their website at http://www.schoolsfirstfcu.org/ states: "SchoolsFirst FCU has been serving the Orange County educational community since 1934. The credit union has an asset size of nearly \$8 billion and serves more than 380,000 Members. Our strong asset base and size of Membership allow us to offer diverse services and provide stability to meet our Members' financial needs."

CASCWA extends our gratitude to SchoolsFirst Federal Credit Union and those individuals who have gone out of their way over decades to support educational programs throughout California.

RESPONSE TO INTERVENTION (RTI) BY ROBERTO CASAS. EdD (2007)

A Decision-Making Process to Equip Low-Achieving Students to Perform at Grade Level or Beyond Roberto Casas, CEO, Diversified Educational Consulting Group, LLC, dr.casas53@yahoo.com

Research suggests two conditions under which a teacher can increase the degree of student involvement in learning: Instructional processes and motivational strategies (Lehr, 1988.)

The use of data and multiple measures by teachers and instructional leaders offers practitioners the opportunity to "level" students into one of four stages of instruction. This will ensure that every student has access to the core curriculum and is moving students to work at "grade level" in language arts and mathematics.

In recognizing the two conditions that can assist teachers "moving students to the next level," there must be a "problem-solving model" that can determine how specific data are integrated into decisions about instruction and eligibility.

RESPONSE TO INTERVENTION (RTI) is a decision-making process utilized by school staff to appropriately place students according to their academic ability level. Students who are categorized as *Intensive* (stage 1) are typically more than two years below grade level. Students who are considered Strategic (stage 2) usually are students who are between one and two years below grade level. Students considered as Benchmark (stage 3) are pupils making good progress toward standards and are experiencing temporary or minor difficulties. Students who are On Grade Level (stage 4) are those pupils demonstrating grade-level proficiency (see attachment).



Further, using the RTI model will help in the over identification of students for special education services. IDEA '04— Eligibility Determination states, "a child shall not be determined to be a child with a disability if the determinant factor is:

Lack of appropriate instruction in reading, including essential components of reading instruction;

- O Lack of instruction in Math; or
- O Limited English proficiency

Moreover, IDEA '04 says, ". . . states are required to adopt policies 'designed to prevent the inappropriate over identification or disproportionate representation by race and ethnicity of children as children with disabilities.' (612(a)24).

Before staff can implement their RTI model, they must first understand the core concepts of RTI. Tollestrup (2006) stated the core concepts of RTI are:

Students in general education use research-based instruction

Assessment data is the basis for choosing and modifying intervention and data is derived from multiple sources.

Instructional intervention must vary depending on the specific nature of academic concern.

Progress monitoring using data to form the basis for guiding intervention and necessary modifications.

Fidelity of assessment and instruction are critical to the validity of RTI.

A "problem-solving model" is used to determine how specific data are integrated into decisions about instruction and eligibility.

To further clarify the differences in IDEA '04 and its relationship to IDEA '04 — **Response to Intervention** — the following should be considered.

IDEA '04

Multi-disciplinary teams use multiple methods of assessment to determine student needs.

Assessments are linked to potential intervention strategies, both academic and nonacademic (behavioral, motivational, social-economical).

Assessments are aligned and linked to student progress in the core curriculum.

IDEA '04 Response to Intervention (RTI)

Eligibility must be interdependent upon instructional supports and intervention provided through general education.

Early intense interventions should be provided for all struggling students with focus on the primary grades.

Instructional support teams as well as Student Success Teams (SSTs) should use data-based problem-solving methods.

Instructional teams must remember the policy intent of RTI is that it will encourage and guide practitioners to create and implement early intervention strategies for students at risk of failure. Along with "four stages" of student proficiency, teams should also develop a "Pyramid of Intervention" which can be considered a bank of strategies or programs that complement core curriculum. This "Pyramid" can include various intervention programs, after-school programs, as well as programs to support the "social-emotional" development of students.

In reviewing "What is RTI?" consider these initiatives:

- ·Creating a climate or culture for learning, knowing the learner/student
- ·Assessing the learner/student
- ·Adjusting, compacting, differentiating and grouping/re-grouping
- Instructional strategies for student success
- ·Curriculum approaches for Differentiated Classrooms

Response to Intervention will serve as a guide to help appropriately place students in core instruction and classes to move students to grade level proficiency. This process will ensure that "no student will be left behind."

United States Guidance on Collecting Student and Staff Race and Ethnicity Data



JACK O'CONNELL

STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

Dear County and District Superintendents and Charter School Administrators:

I am writing to you to notify you that the U.S. Department of Education (ED) has issued final guidance on collecting student and staff race and ethnicity data. The final guidance was published in the Federal Register, Vol. 72, No. 202, on Friday, October 19, 2007, (59265-59279), and can be accessed electronically at http://www.ed.gov/legislation/FedRegister/other/2007-4/101907c.html (Outside Source).

Changes in how race and ethnicity data are collected and maintained will affect schools and districts. Beginning in the fall of 2010, schools and districts must begin collecting and reporting race and ethnicity data according to the following federal requirements:

A two-part question will be required to collect race and ethnicity information from students **and** staff. The first question asks whether or not the respondent is *Hispanic or Latino*. The second question asks the respondent to select **one or more** races from the following five groups:

- 1. American Indian or Alaska Native
- 2. Asian
- 3. Black or African American
- 4. Native Hawaiian or Other Pacific Islander
- 5. White

Respondents may select more than one race from the above five groups. There will be no group for "Race and/or ethnicity unknown" or "Decline to state." If a respondent does not self-identify, the ED guidance states that third party observers must identify the race/ethnicity of the respondent. The California Department of Education (CDE) does not advocate third-party identification of race/ethnicity; therefore, it is important to encourage respondents to identify themselves. The CDE race/ethnicity categories will continue to include the detailed Asian sub-categories as required by California *Government Code* Section 8310.5.

For purposes of federal reporting, race and ethnicity data will be aggregated and reported using the following seven groups: 1. *Hispanic or Latino of any race;* (For individuals who are non-Hispanic or Latino only), 2. *American Indian or Alaska Native;* 3. *Asian;* 4. *Black or African American;* 5. *Native Hawaiian or Other Pacific Islander;* 6. *White; and* 7. *Two or more races.*

Re-identification of race/ethnicity using the final guidance is not mandatory, but is "encouraged" by the ED. However, educational institutions are required to provide students and staff who enter an educational institution or program on or after the implementation deadline the opportunity to re-identify.

Original individual documents supporting the reporting of the race/ ethnicity data should be retained for a minimum of three years.

The CDE is proposing to incorporate these changes into the California Pupil Achievement Longitudinal Data System (CALPADS) when it is implemented in the 2009-2010 school year.

The Paperwork Reduction Act of 1995 requires that the Office of Management and Budget provide the public and others an opportunity to comment on the paperwork burden. Specifically, local education agencies are invited to comment on the burden and collection activities (not on the substance of the final guidance). The notice of Proposed Information Collection Requests was published in the Federal Register, Vol. 72, No. 248 (73789-73790) on December 28, 2007, and can be accessed at http://www.ed.gov/legislation/FedRegister/other/2007-4/122807a.html (Outside Source).

If you have any questions regarding this subject, please contact Marsha Devine, Consultant, Education Data Office, at 916-319-0260 or by e-mail at mdevine@cde.ca.gov.

Sincerely,

William L. Padia, Deputy Superintendent Assessment and Accountability Branch

FACTS AT A GLANCE: NEW FEDERAL RACE AND ETHNICITY DATA COLLECTION AND REPORTING REQUIREMENTS

What this covers:

Two-part question beginning in the 2009-2010 school year
No data collection or reporting option for "Unknown" or "Decline to State"
Re-identification not required
Federal reports aggregate data into seven categories
Original documents should be retained at least three years
How to take action
Additional resources
Sample question format

CASCWA "PROJECT PRESERVATION" BY JANET McMURRAY, WCCUSD

Janet McMurray is the Project Preservation Chairperson for the Bay Section

Photographs and Memories!

Bay Section held the Project Preservation interviews in conjunction with the Delta-Sierra section on January 27th at the Hilton Garden Inn in Fairfield.

Bay Section was extremely fortunate to have in attendance Robert Brazil who traveled up from Tulare for the day, Sue Chambers-Johnson, Jan Treff and Alan Del Simone.

Many experiences were shared from favorite conference moments, to issues of the day, friendships, and the role CASCWA has played a major part in people's lives. It was at times awe-inspiring and informative and a compliment to be in the presence of these well-deserving honored members of CASCWA.





Similar efforts have taken place with the San Joaquin Section and with the Southern Section. CASCWA is taking an active step to preserve our great heritage. A brief video will be shown at the up-coming State Conference and on several laptops that will be running continuously during the conference.

Much of CASCWA's history is currently on the CASCWA Website at **www.cascwa.org.**

All of the editions of the CASCWA Intercoms are accessible on line. We have come a long way from our early days and it is amazing how the challenges that we face today are similar to those of yesterday!

YOLO COUNTY TRUANCY ABATEMENT PROGRAM (Y-TAC) BY HECTOR MOLINA, WOODLAND JOINT USD

Y-TAC (Yolo County Truancy Abatement Committee) was started to deal with the truancy issue in Yolo County. The members of the committee include representatives from the District Attorney's Office, Board of Supervisors, Probation, Social Services, Office of Education, School Districts, Law Enforcement, and others who are interested in the truancy issue in our community. The cooperation of these agencies has lead to the establishment of DA Mediation to deal with students who are truant. DA Mediation is the last chance for students and parents. If the student continues to be truant after the DA Mediation the student is then processed through Truancy Court.

The first Truancy Court was held on October 2, 2008. The court meets once a month. The students sent to Truancy Court are in violation of 48264.5(d) of California Education Code. So far, the penalties given to the students have included a fine, along with community service. In some instances, the court has also delayed the student's driver's license. The court then reviews the student's progress at school by making the student come back to court with their current attendance records and report card.

Due to the cooperation of the school districts, this program has been very successful. Word has gotten out to the students there will be penalties if they don't go to school. The end result; more students are going to school in Yolo County, which is why this program was established.



CALIFORNIA BUDGET AND EDUCATION STATE SUPERINTENDENT DISCUSSES IMPACT OF BUDGET ON EDUCATION

The following comments from Jack O'Connell, California's State Superintendent of Schools, were recently posted on the CDE's Website.

I'm pleased to see the Legislature finally put its differences aside and took action to end this protracted stalemate. While this budget is not ideal to any extent the uncertainty and instability for schools created by the lack of an agreement is over.

This budget will reduce the current year Proposition 98 funding level by \$7.4 billion, which includes about \$2 billion in reductions to program and revenue limit funding, as well as \$4.6 billion in deferrals and the re-designation of funds. While the state budget agreement resolves the massive state shortfall, we must recognize that part of the solution essentially transfers our state cash flow problem to local schools and districts, and these cuts will impact our students.



The budget agreement also provides additional flexibility to transfer funding between about 40 programs which may assist school districts in continuing to provide the educational services their students need. I hope that district leaders will use this flexibility effectively to manage local educational needs while maintaining a focus on raising student achievement and closing the achievement gap.

I am glad that the budget agreement did not include the very successful class size reduction program in the list of categoricals subject to flexibility. Keeping class sizes low benefits students in the critical early grades when they are learning to read and establish a foundation in understanding mathematics.

Other vital programs, including child nutrition, special education, economic impact aid, our apprenticeship programs, and partnership academies also were not included in the new flexibility. These programs serve some of our neediest children and it is appropriate to preserve their effectiveness.

During the next few days, my staff will continue its review of the language in the proposed ballot measure affecting the Proposition 98 maintenance factor, which is intended to provide the \$9 billion in repayments owed to public education. The painful budget process at our state and local school district level calls out for reform of California's dysfunctional budgeting process. It is time for a sincere and frank conversation about reform. Central to this conversation is the idea of throwing out the two-thirds vote requirement to pass a budget and simply using a majority vote. Nearly every state in the nation and Congress, as well as counties, and cities use majority votes to pass their budgets. California should follow suit.

I understand that the minority party may feel that this would make them irrelevant to the process but, if anything, it would hold their majority party colleagues even more accountable.

Most importantly, a simple majority vote would protect our schools and districts from the instability they are forced to endure anytime the Legislature cannot reach a budget compromise.

It is time to bring about substantive changes to the way we do business in Sacramento – we owe the people of California this much.

THE FAILURE OF NCLB

http://choosingdemocracy.blogspot.com/2009/02/failure-of-nclb.html

Recently, the Intercom editor was searching for educational budget information and came across an article posted by Mr. Duane Campbell on a website, "Choosing Democracy.Blogspot.com - A discussion of major issues facing our democracy with a focus on public schooling." The following contains exerts from the article. You are encouraged to go to this site and review the entire article (2/26/2009.)

.... NCLB is bad policy because it is punitive to schools. It has caused nearly 40% of the nation's schools to be labeled "failing," and by 2014 over 90% of the schools will be declared to be failing. It is stupid to not recognize the differences between really failing schools and schools that are doing quite well. Under NCLB when a school is struggling, there is little help on the way, just more tests, more punishment: Fire the staff; close the school; turn the school over to private entrepreneurs (profiteers), etc.

Rather than facing the inequality of resources between schools, the NCLB imposed school reform efforts stress standardized testing. Current testing measures the ability to memorize small bits of information. It cannot measure critical thinking skills, the ability to function in a community or commitment to democratic principles. NCLB Testing has not improved schools, improved school funding, nor improved teaching. NCLB and its state by state equivalents argue that the education system should operate primarily in service of the economic system. This is a business model of public schools, and we can see how well business is operating in the finance, credit, and banking system. This corporate view of school reform –called neo liberalism in economics- came to dominate the media and the government....

The U.S.A. spends less per student than 16 other modern industrialized countries. And, California spends less per pupil than 47 other states when you adjust the figures for cost of living differences. The recent California budget crisis, where schools were again cut by over \$11.6 billion dollars demonstrates the failure of the political system to adequately fund some of our schools.

Let us be clear about the reality of schools in our nation. Some middle-class schools could benefit from reform, but most middle-class schools work rather well. Most schools in urban areas, however, are unable to provide the equal educational opportunity. There will be no significant change in the quality of urban education without substantial new funds allocated to these schools. In the current economic crisis, while federal funds are being added, state funds (over 80% of the school budget) are being cut. There will be no substantial school reform under these budget conditions. When schools succeed for the middle class and fail for working-class students and students of color, schools contribute to a crippling division along economic and racial lines in our society.

ACSA - BUDGET INFORMATION http://www.acsa.org

Bob Wells, Executive Director of the Association of California School Administrators, recently released a statement about California's budget resolution and billion dollar cuts to public education. The following comments were included in the statement:

"For far too long California's investment in public education has not measured up to the expectations the state has set for schools and students. More than a decade has passed since the state established high quality content standards and our state continues to fall far short of providing the resources necessary to meet those standards and expectations.

Some of the action taken by ACSA (listed on their website includes: Stand Up For Schools; Stand Up For Schools Board Resolution; School Leaders Call on Lawmakers to Save Our Schools; ACSA Statement on TV Ad; State Budget Position Statement; Funding Crisis Action Packet 2009; Sample Letter to Governor/Lawmakers; ACSA Issues Call to Action; Talking Points on Education Funding Crisis - January 09; California Gets "F" for School Spending; California School Spending Chart; Ed Coal Remains United; Schools Fight Billion Dollar Cuts; New LAO Report; Educators Oppose Further Cuts; ACSA Statement on Budget; Budget Veto Urged; and Education Coalition Holds Statewide "Day of Action." CASCWA encourages its members to review state budget information listed on ACSA and CDE websites.

RECOMMENDED SCHOOL SAFETY PUBLICATIONS PROVIDED TO CASCWA BY CLARK MORROW

Clark Morrow, Public Affairs Division, San Bernardino County Sherriff's Department, recently sent to our State President a website that includes three recommended school safety publications.

The website is: http://edpubs.ed.gov/ProductCatalog.aspx

The three publications are:

- 1. Early Warning, Timely Response: A Guide to Safe Schools
- 2. Preventing Bullying: A manual for Schools and Communities
- 3. Tips for Helping Students Recovering from Traumatic Events

SCHOOL: 1958 vs. 2009 SENT TO THE EDITOR BY AN UNKNOWN SOURCE

Scenario:

Jack goes quail hunting before school, pulls into school parking lot with shotgun in gun rack.

1958 - Vice Principal comes over, looks at Jack's shotgun, goes to his car and gets his shotgun to show Jack.

2008 - School goes into lock down, FBI called, Jack is hauled off to jail and never sees his truck or gun again. Counselors called in for traumatized students and teachers.

Scenario:

Johnny and Mark get into a fistfight after school.

1958 - Crowd gathers. Mark wins. Johnny and Mark shake hands and end up buddies.

2008 - Police called, SWAT team arrives, arrests Johnny and Mark. Charge them with assault, both expelled even though Johnny started it.

Scenario:

Jeffrey won't be still in class, disrupts other students.

1958 - Jeffrey sent to office and given a good paddling by the Principal. Returns to class, sits still and does not disrupt class again.

2008 - Jeffrey given huge doses of Ritalin. Becomes a zombie. Tested for ADD. School gets extra money from state because Jeffrey has a disability.

Scenario:

Billy breaks a window in his neighbor's car and his Dad gives him a whipping with his belt.

1958 - Billy is more careful next time, grows up normal, goes to college, and becomes a successful businessman.

2008 - Billy's dad is arrested for child abuse. Billy removed to foster care and joins a gang. State psychologist tells Billy's sister that she remembers being abused herself and their dad goes to prison. Billy's mom has affair with psychologist.

GLOBAL OVERSIGHT ANALYSIS LINKING SYSTEM (GOALS) JENI MENDEL, GROSSMONT UNION HIGH SCHOOL DISTRICT

Ms. Jeni Mendel is one of "Southern Section's Super Stars." Jeni's district was a recipient of the first "State Model SARB Award." She is one of CASCWA's vital connections in the San Diego area. The following is an explanation and MOU of a project that she and Jenee Littrell, Project Director, Grossmont Union High School District, have been working on for the past 18 months in the East Region of our county. Jeni believes that this would be would be of interest to others (feel free to use it.)

The project is called G.O.A.L.S - Global Oversight Analysis Linking System. The MOU has been reviewed by County Council and on February 3rd a breakfast meeting was held that included the upper management of these agencies. At the breakfast the program was launched with the assistance of Dr. Bernard James, Pepperdine law professor (who greatly assisted in the program development from the beginning.) Dr. James provided a presentation on why this can work, why we should be doing this and how with this in place agencies can navigate within the complicated landscape of information sharing laws of HIPPA and FERPA.



Multi-Systems Work Group Meeting Interagency Information Sharing

Overview:

In an era of scarce resources and alarming juvenile violence, maintaining safe schools and effectively serving families requires the forging of partnerships to share information between schools and youth-serving agencies, including community based organizations, the police department, court systems, probation offices and child protective services. All agencies serving children and families need to partner together to maximize their ability to share information so that they can coordinate their services. These partnerships rely on legal and effective information sharing among all agencies responsible for delivering services to children.

Sharing information can improve decision making and feedback and ensure that children do not fall through the gaps. Additionally, sharing information will allow service providers and educators to more efficiently determine the level and type of services children need by avoiding redundancy of service and conflict in treatment approach and services.

Goal:

Under the current practice, information sharing in east region is a fragmented, inconsistent and informal process. Children and families receive services but key information that could be shared with partners to better support those families is not systematically shared. By creating an Interagency Agreement with all the "key" stakeholders (school districts, community based agencies, law enforcement, governmental organizations, etc) in east region, a new standard of practice will be developed. This new standard will save resources, time, and most importantly improve services for children.

Dr. Bernard James, a Professor of Constitutional Law at Pepperdine University, will advise and guide the governmental agencies, school districts and community based agencies in east region in developing an Interagency Agreement that addresses confidentiality, FERPA and HIPAA.

MEMORANDUM OF UNDERSTANDING

PURPOSE

This Memorandum of Understanding is for the sole purpose of defining the boundaries of information sharing between the members of the Multi-Systems Workgroup.

OBJECTIVE

In order to serve clients appropriately, develop new strategies based on data trends, enhance the flow of legitimate information sharing while abiding by laws, rules or regulations that define client confidentiality under the law for the group members.

TERM AND TERMINATION OF MOU

This MOU covers the period of January 2009 to October 31, 2012 and must be reviewed annually by the members. Members may withdraw their own membership at any time for any reason.

Membership

The following agencies are members of the established Multi-Systems Workgroup:

County of San Diego Health and Human Services Agency; San Diego County Office of Education; County of San Diego Probation Department;

Cajon Valley Union School District; Grossmont Union High School District; Lakeside Union School District; La Mesa/Spring Valley School District; Lemon Grove School District; Santee School District; San Diego Youth and Community Services;

County of San Diego County Sheriff; El Cajon Police Department; La Mesa Police Department; East County Outpatient Counseling (SDCC);

East County Justice; Harmonium; and Mountain Empire Unified School District. New members may be added at the discretion of the workgroup by majority vote.

WHEREAS, according to 34 CFR § 99.3 Education Records exclusions, "Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However FERPA allows schools to disclose those records, without consent, to the following parities or under the following conditions (34 CFR § 99.31)...Appropriate officials in cases of health and safety emergencies; and State and local authorities, within a juvenile justice system, pursuant to specific state law."; and

WHEREAS under CCR Title 9, Chapter 11, Sections 1810.246.1, for California Early Periodic Screening Diagnosis and Treatment, "A Significant Support Person" is defined as a person who, in the opinion of the child/youth, or the person providing services, who has or could have a significant role in the successful outcome of treatment, including but not limited to the parents or legal guardian or relatives of the child/ youth or a person living in the same household as the child/youth, a legal representative of a child/ youth who is not a minor, a person living in the same household as the child/youth, and relatives of the child/youth."

WHEREAS, Welfare and Institutions Code § 18986.46 allows members of a multidisciplinary services team within an integrated children's services program to share information and/or records relevant to the formation of an integrated services plan and to the delivery of services to children and their families so long as the minor or his/her representative, including the court which has jurisdiction over those children who are wards or dependents of the court, consent to such a sharing of information and/or records; and

WHEREAS, Welfare and Institutions Code § 18986.46 provides that the sharing of information between members of a multidisciplinary services team within an integrated children's services program shall be governed by memoranda of understanding between the agencies represented on the multidisciplinary team; and

WHEREAS, records maintained by the Health and Human Services Agency relating to any and all public assistance programs are confidential as are all client information collected and maintained by the Department of Social Services;

WHEREAS, Welfare and Institutions Code § 827 makes confidential all information pertaining to minors who are alleged to be victims of abuse or neglect; and

WHEREAS, Welfare and Institutions Code § 830 allows members of a multidisciplinary personnel team engaged in the prevention, identification, treatment of child abuse to disclose and exchange information and writings to and with one another relating to any incidents of child abuse that may also be a part of a juvenile court record or otherwise designated as confidential under state law if the member of the Team having that information or writing reasonably believes it is generally relevant to the prevention, identification, or treatment of child abuse; and

WHEREAS, Welfare and Institutions Code § 830 and Welfare and Institutions Code § 10850.1 also provide that all discussions relative to the disclosure or exchange of any such information or writings during team meetings are confidential and, notwithstanding any other provision of law. Testimony concerning any such discussion is not admissible in any criminal, civil, or juvenile court proceeding; and

WHEREAS, Welfare and Institutions Code § 10850.1 provides that the activities of a multidisciplinary personnel team engaged in the prevention, identification, and treatment of child abuse are activities performed in the administration of public social services, and a member of a team may disclose and exchange any information or writing that is also kept or maintained in connection with any program of public social services or otherwise designated as confidential under state law which he or she reasonably believes is relevant to the prevention, identification, or treatment of child abuse or the abuse of elder or dependent persons to other members of the team; and

WHEREAS, Welfare and Institutions Code § 18951 defines "Multidisciplinary personnel" to mean any team of three or more persons who are trained in the prevention, identification and treatment of child abuse and neglect cases who are qualified to provide a broad range of services related to child abuse and that the team may include, but not be limited to:

- 1. Psychiatrists, psychologists or other trained counseling personnel.
- 2. Police Officer or other law enforcement agents.
- 3. Medical personnel with sufficient training to provide health services.
- 4. Social workers with experience or training in child abuse prevention.
- 5. Any public or private school teacher, administrative officer, supervisor or child welfare and attendance, or certified pupil personnel employee; and

WHEREAS, Welfare and Institutions Code § 18964 (a) provides a person who is trained and qualified to serve on a multidisciplinary personnel team pursuant to subdivision (d) of Section 18951, whether or not the person is serving on a team, may be deemed, by the team, to be a part of the team as necessary for the purpose of prevention, identification, management, or treatment of an abused child and his or her parents; that the designated team may deem a person to be a member o the team for a particular case, and that the team shall specify its reasons, in writing, or deeming that person to e a member or the team: and that the person, when deemed a member of the team, may receive and disclose information relevant to a particular case as though he or she were a member of the team; and

WHEREAS, regarding one to one communication between members of the workgroup it must be established prior to the sharing of information that the members have a mutual client for sharing of detailed client information;

WHEREAS according to the Office for Civil Rights regarding schools:

"At the elementary or secondary school level, students' immunization and other health records that are maintained by a school district or individual school, including a school-operated health clinic, that receives funds under any program administered by the U.S. Department of Education are "education records" subject to FERPA, including health and medical records maintained by a school nurse who is employed by or under contract with a school or school district. Some schools may receive a grant from a foundation or government agency to hire a nurse. Notwithstanding the source of the funding, if the nurse is hired as a school official (or contractor), the records maintained by the nurse or clinic are "education records" subject to FERPA." and "An(other) exception permits the disclosure of education records, without consent, to appropriate parties in connection with an emergency, if knowledge of the information is necessary to protect the health or safety of the student or other individuals. See 34 CFR §§ 99.31(a)(10) and 99.36." http://www.hhs.gov/ocr/hipaa/HIPAAFERPAjointquide.pdf

The membership of the Multi-Systems Workgroup agree that:

INFORMATION SHARING

Each entity is individually responsible for abiding by the applicable laws and regulations pertaining to the data each has collected regarding their clients. Nothing in this MOU shall relieve an entity from abiding by relevant laws or regulation.

Group discussions for the purpose of improving coordinated services, outcome measurements, and efficacy of services, intervention trends or strategies will be limited to the specific data elements as identified by each group in the attached appendix. Supervisors for each entity will provide the deidentified information so that the presenter in the workgroup will not know the identity of the individual who is subject of the discussion. Information will be limited to the fields identified by each entity in the attached charts.

In the event common interest arises in serving an unidentified client, additional information may be shared by supervisors but only additional information that is relevant to the requesting entity's services. The additional information may only be shared between the group members that will be providing services and in closed session between the interested parties.

All information shared will be treated as confidential and not redisclosed by the recipient unless it is for the purpose of developing comprehensive services or by legal mandate.

PARTICIPATION

To participate in the Multi-System Workgroup roster, please print off this page, have the requisite authority sign and date it, and mail it to:

Group Contact/Recording Secretary Some address Some city

riease print clearly the name of your agency of organization.					
Please print clearly your name:					
Please sign your name in ink: Date:					
Telephone Number: E-mail:					
Mailing Address:					

This sheet will be retained in the secretary files of the MOU.

COMMISSION REPORTS SUGGEST REMEDY TO DECLINING GRADUATION RATES College Board Commission Advocacy January 2009

A report from the College Board's Commission on Access, Admissions and Success in Higher Education, "Coming to Our Senses: Education and the American Future," cites a distressing and continual decline in graduation rates among young people in the U.S. It offers a list of 10 recommendations, which can be measured for accountability, to help us correct course and restore our global competitive edge for the 21st century.

In a Dec. 10 press conference at the U.S. Capitol, members of the commission unveiled their plan for healing an ailing U.S. education system — which, in less than two decades, has dropped the country's international standing from first to 21st out of 27 advanced nations in high school completion — to an audience of reporters, education experts and members of then-President-elect Barack Obama's transition team. Their message was urgent: "The United States must take immediate action to reverse its fall from the top ranks of countries with a college-educated workforce."

The commission found that a "torrent of American talent and human potential entering the educational pipeline is reduced to a trickle 16 years later as it moves through the K-16 system" and set an ambitious goal of increasing the percentage of 25- to 34-year-olds in the U.S. who earn a two-or four-year degree from 40 percent now to 55 percent by 2025, or about 1 percent a year for the next 15 years. The 28-member commission — which is made up of college presidents, university chancellors, admissions and enrollment deans, school counselors, administrators and other education experts — considered every level of education before establishing 10 interdependent recommendations, even identifying quantifiable indicators that will track the annual progress made on each of them.

Reestablishing this country as the global leader in education will require a commitment from every level of government. "These are demanding recommendations that will require the commitment of everyone — schools, colleges and universities, parents and students, and state and national leaders — but the dividend will be historic," said the commission's chair, Brit Kirwan, chancellor of the University System of Maryland. "We must create a system that works — a system that propels all students toward success and rejects anything less."

At least one of the recommendations is expected to have early support from President Obama, who has indicated his plans to spend \$10 billion on preschool education, which helps children from low-income families get a strong start and, thus, increase their chances of completing college. "Out of all of these recommendations, providing preschool education may be the most important of all to make this thing successful," said College Board President Gaston Caperton. And indications are that any economic stimulus plan will include financial incentives to states that keep college costs down.

Other recommendations include establishing quality preschool programs, improving middle and high school counseling, creating stronger dropout-prevention programs, introducing progressive teacher recruitment and retention programs, and streamlining the college admissions process. The agenda also emphasizes the importance of aligning the K-12 system with international standards and college admissions expectations. Finally, it addresses the college and postsecondary climate with items that specifically tackle college affordability, matriculation and postsecondary opportunities.

The College Board plans to evaluate progress annually and issue a report that assesses progress on the commission's recommendations through indicators tied to the 10 benchmarks from the report:

- Provide a program of voluntary preschool education, universally available to children from low-income families
 — so that all children at or below 200 percent of the official poverty line have a chance to enter school ready to learn.
- Improve middle and high school college counseling by meeting professional staffing standards for counselors and involving colleges and universities in college planning.
- Implement the best research-based dropout prevention programs to identify early those students at risk of dropping out and then provide them with a safety net.
- Align the K-12 education system with international standards and college admissions expectations so that all students are prepared for future opportunities in education, work and life.
- Improve teacher quality and focus on recruitment and retention because an educational system can only be as good as its teachers.

- Clarify and simplify the admissions process to encourage more first-generation students to apply.
- Provide more need-based grant aid while simplifying and making financial aid processes more transparent to
 minimize student debt, and at least keep pace with inflation, make financial aid processes more transparent and
 predictable, and provide institutions with incentives to enroll and graduate more low-income and first-generation
 students.
- Keep college affordable by controlling college costs, using available aid and resources wisely, and insisting that state governments meet their obligations for funding higher education.
- Dramatically increase college completion rates by reducing dropouts, easing transfer processes and using "data-based" approaches to improve completion rates at both two- and four-year institutions.
- Provide postsecondary opportunities as an essential element of adult education programs by supplementing existing basic skills training with a new "honors GED" and through better coordination of existing adult education, veterans benefits, outreach programs and student aid.

CHILD PROTECTIVE SERVICES QUESTION ASK THE EXPERT

Ask the expert is an everyday part of the CASCWA Website. Questions are sent in via email and are then forwarded to several members of the CASCWA Executive Board. Responses are sent back within a few minutes to hours. In order to participate in this program, you must be an active member of CASCWA. Below is a sample of one of the many questions recently submitted:

<u>Quick question</u>....If CPS comes onto campus demanding to speak with a student, I understand I must present the student however the student has 3 options;

- 1). They can elect to speak with them,
- 2.) They can tell not I don't want to speak to them, or
- 3.) They can elect to speak with them but request a staff member be present.

Is this correct?

Secondly, what is our responsibility toward parent notification? Are we bound to notify the parent that CPS was

here to speak with the student?

I have a female student that adamantly refused to speak with CPS and also is stating she does not want parent notified.

Thanks,

Ask the expert's response:

Per penal code, 111774.3& 11167.5, the student has the right to have another adult from the school present during the interview. This is a responsibility of CPS and not the school.

Secondly, the student can outright refuse to speak to CPS but must be allowed to tell CPS in person of their refusal.

Final Question: You cannot under any circumstances tell the parent that CPS visited the child or spoke with the child at school.

CALL FOR PROPOSALS

4th Annual Fall Conference California Association of Supervisors of Child Welfare and Attendance Southern Section

> September 30 – October 2, 2009 Hotel Zoso, Palm Springs

THE ABC'S OF SCHOOL FAILURE: ABSENTEEISM, BULLYING, CLIMATE

A Look at the Impact of Truancy and Bullying on School Climate

CASCWA Southern Section is seeking potential speakers for its annual fall conference. The conference will focus on the impact of truancy and bullying on school climate and the resulting failure of the schools. Presentations should address the causes, negative influences, and successful programs that address the issues. Proposals should provide a perspective from schools, collaborating agencies, community resources, and training programs that address the problems.

Proposals should include the following information:

- Presenter names(s), affiliation, contact information (including e-mail)
- Session titles, abstract (50 word maximum), and summary (300 word maximum, including information as to how the proposal addresses truancy and/or bullying
- Session format lecture or panel presentation
- Presenter(s) vitas brief

Proposals may be submitted electronically to Jerry Hime, conference planner, at gjhime@earthlink.net or via mail to P. O. Box 4223, Huntington Beach, CA 92605.

Deadline: August 1, 2009

SCHOOL INNOVATIONS & ADVOCACY NEW SOLUTIONS FOR EDUCATION

School Innovations & Advocacy continues to be a major supporter of CASCWA and our State Conferences. This year will be no exception.

This past year School Innovations & Advocacy assisted CASCWA with the updated revisions to the CASCWA Webpage at www.cascwa.org. They brought in professionals in website design to re-design the site and



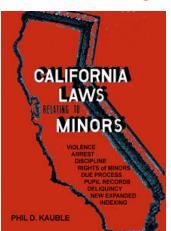
bring greater structure to the website. SIA will continue to professionally assist CASCWA in the coming year and will continue to be a major sponsor.

The topics of legislation, mandated cost and state requirements will continue to loom large for school districts throughout California, especially in regards to the major budgetary issues that face all district and county offices. SIA is the largest organization of its kind in California and we continue to look for their assistance and wisdom in the field of Child Welfare and Attendance.

Please take the time to visit: http://www.sia-us.com/

California Laws Relating to Minors Continues to set the standard for California's CWAs

"CALIFORNIA LAWS RELATING TO MINORS"

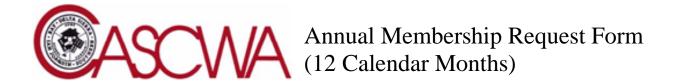


California Laws Relating to Minors has set the standard for publications in the field of CWA for the past thirty-eight years. As you are aware the publication has been made user friendly and placed on a **CD**.

You now have the ability to not only have an immediate reference, but you can cut and paste specific codes particular to Child Welfare and Attendance immediately into your documents.

The **CD** contains over **900 pages** of up-to-date information that is used daily by our CASCWA members, school administrators, police, probation and social services.

The CD has the ability to do "Word Search" and bring you directly to specific codes referenced in the latest edition. This is a must in our field. The next page includes an order form for your use. Mr. Kauble is donating a portion of the publication sales directly to CASCWA who will use the funds for scholarship purposes. We thank Phil for his generosity! Also, our CASCWA website, www.cascwa.org, has placed on the main page a direct link to Legal Books Distributing Company's main website page. You will go to the main page and click on the section in the right. This will take you to a page that contains several excellent publications. Scroll down and you will find the information on how to order the current California Laws Relating to Minors. http://www.discovery-press.com/



CASCWA Membership Descriptions:

- Active: Individuals actively participating in Child Welfare and Attendance or related work.
- Retired: Individuals who have belonged to the association
- Student: Individuals enrolled as students in a college program working towards a Pupil Personnel Services Credential with CWA emphasis.
- Honorary Life: Nominations are made by the sections for ratification by the Executive Board of the Association

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