



INTERCOM

DECEMBER
1984

OFFICIAL PUBLICATION OF THE
CALIFORNIA ASSOCIATION OF SUPERVISORS OF CHILD WELFARE AND ATTENDANCE

Francis Tucker, Editor - Fairfield-Suisun Unified School District, 1025 Delaware, Fairfield, Calif. 94533

THE PASSAGE OF PROPOSITION 37 (LOTTERY) GOOD OR BAD FOR EDUCATION?

(Editorial)

The questions that one must ask are: What is the real financial impact on California residents, on the state's budget, and on education? In order to answer these questions, one must review the initiative in part.

The initiative authorizes a lottery in which tickets or shares, beginning at \$1.00, are sold to anyone over age 18, through established outlets, with a revenue minimum of 34% earmarked for public education. The revenue is to be shared equally per student by elementary and secondary schools, community colleges, state universities and colleges.

When will the private, parochial, and home school demand and win a share of the pie? This editor has yet to see this question addressed and wonders what will be the financial impact per district on the amount of money "lost" by public education per student amount.

Will the intent of the lottery hold true that with this additional money, additional taxes to support education is eliminated? Can we really believe that somewhere in the future, we will not have to increase taxes to supplement educational funding?

Will the monies be used as a supplement to the total amount of money allocated for public education, or will it be used as a substitute fund? If the lottery provides the amount of income that is projected, I question whether or not the legislatures will continue to fund public education at the prevailing amount using the same guidelines and formulas.

School districts are free to spend the additional income for anything they choose except construction, research, a non-instructional purpose; and the money must supplement, not supplant, state support for public education.

How the money will be spent is already causing school trustees to ponder the questions of: Shall fine arts, science, computer and library programs get a financial boost? How much money should go into reserve funds for leaner times? How much money must be set aside for teacher salaries?

Before these and other questions can be answered, it is expected that the legislators will rewrite the bill, possibly postponing the lottery starting date of March. Until then, boards of trustees will have to wait until they have official word from their administrators and constituency about how the money is to be used.

THE INTERCOM - WILL IT SURVIVE?

(Editorial)

As editor of the Intercom, I assume that everyone is aware that the Intercom is the official publication of CASCWA with articles to be contributed by all members. It is your news publication in which each of you has a vested interest, not just Lee Lundberg, legislative news contributor, and Francis Tucker, editor. If the latter is to be the case, then let's not continue to call it the Intercom, but instead the "Lundberg-Tucker Newsletter" for the remainder of this school year.

The intent and purpose of the Intercom is to disseminate information pertaining to laws and proposed legislation which deals with student welfare, behavior and attendance in particular, as well as educational topics, sectional happenings and individual members in general throughout the State of California.

To produce a newsletter worthy of reading which covers all in the above paragraph, your input is needed. Lee and I cannot do it alone.

To keep the publication ongoing - for many of us it is all that we have to rely upon to keep us abreast and up-to-date on what is going on - I need your articles of interest, one paragraph, two paragraphs, or a one-liner.

The Intercom can survive as a quality newsletter if each member will contribute some small part to complete the whole.

TREAT SCHOOLS, NOT STUDENTS, TO IMPROVE DISCIPLINE

(Editorial)

How often are Child Welfare and Attendance Supervisors/Specialists called upon to bring pupils before a Hearing Committee or a local school board for expulsion because of poor school or district administrative management policies and "get-tough" disciplinary measures?

Recent studies show that changing school management policies to also include involving staff members, students, and community members in adopting disciplinary policies can reduce classroom disruptions more effectively than counseling, suspending, or transferring students who have behavioral or academic problems.

In contrast to the Reagan administration's focus on punishment, the research suggests that prevention is an effective approach to reducing misbehavior in the schools. The studies found that administrator, teacher, student, community involvement reduced serious delinquency, minimized drug use, reduced the number of suspensions, and reduced the number of teacher abuse. Students, and teachers also, agreed that safety in their schools improved.

This editor firmly believes that the team approach to changing school policies is the key to lowering delinquency rate. A review of achievement test scores, student discipline records, and holding "rap" sessions to allow for student input must be employed to bring about positive effective change.

Child Welfare and Attendance individuals must accept the responsibility of getting school administrators to accept the idea of "treating the school," rather than the student and to agree on just how to make effective changes to keep students in school.

**HIGHLIGHTS OF AUGUST 24, 1984, MEETING
of the
STATE EXECUTIVE BOARD**

The Executive Board meeting was held in the conference room of the LeBaron Hotel, San Jose.

The following CASCWA topics were presented and discussed as priorities for 1984-85:

AFDC: Jack Erikson has been instrumental in working with legislators in regard to this problem and reported that the Federal Register states that for persons to receive AFDC monies, all they have to do is just enroll - not attend. The same is true for work. Jack stated that every county is to have a WIND Program sponsored by the Department of Welfare of Students.

Credentials: There was much discussion on credentials for Pupil Personnel Services requirements. After much discussion, the Board failed to support the position of having the Pupil Personnel credentialing moved from the Commission for Teacher Preparation to the Department of Education. CASCWA will not take a position in this area until after requested CWA job descriptions are evaluated at the February board meeting.

SARB: Continue to promote legislation mandating local SARBs.

Constitution and By-Laws: Revised constitution and by-laws were distributed and Jim Pierce was asked to rework Article III, Section 2 of the constitution for presentation at the October meeting.

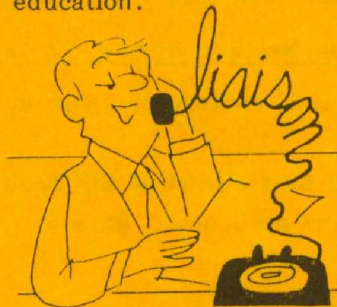
Creation of a New Section: A motion was made to appropriate \$200 to give to the new section (which includes the following counties: Del Norte, Siskiyou, Modoc, Lassen, Trinity, Shasta, Tehama, Plumas, Butte and Humbolt) to get them started. The setting up of interim officers was authorized and they will be voted on at the April Executive Board meeting. The above counties were originally part of the Northern Section.

Membership Drive: Jim Pierce has contacted each section membership coordinator to assist them in increasing their membership.

Treasurer's Report: Dale Turner's treasurer's report was accepted and a motion was made and seconded to accept the budget for 1984-85. The ending balance on August 23, 1984 was \$3,342.38.

Richard Davis presented his Nominations and Elections Committee report for 1984-85. Each section president was asked to go back and find out if members prefer a single, double, or multiple slate.

Chuck Zupanic will send copies of the SARB Newsletter to each member and one copy to each county office of education.



SECTION HAPPENINGS

• • • • BAY SECTION • • • •

The Bay Section Winter Executive Board meeting/luncheon will be held on January 25 at the Hungry Tiger restaurant, 1981 Diamond Boulevard, Concord, [telephone: 415/671-9010] at 12:00 noon. Jack Newton, Assistant Director of Special Education and past president of CASCWA will be the guest speaker. His topic will be "Suspension and the Special Education Student from Special Education's Point of View." Members are encouraged to contact all special education personnel and encourage them to attend. Section president, Adrian Ciblich, will give a report on the Fall State Conference held on October 24, 25, and 26, 1984, and a report on the success of our membership drive. Francis Tucker, treasurer, will present a Bay Section treasurer's report and distribute to each member a financial statement. A copy of the fall conference revenues and expenditures will also be distributed.

President Ciblich is in the process of putting together a newsletter for Bay Section. If there are any items of interest that you would like to share with others, please send these items to Adrian Ciblich, Campbell Unified, 155 North 3rd St., Campbell, California, 95128; or call (408) 378-3405.

Francis Tucker, Section treasurer, is asking for all section members who have not received membership card and certificate to contact him at Fairfield-Suisun Unified School District, 1025 Delaware Street, Fairfield, California, 94533; or call (707) 425-8451. Card and certificate will be mailed to you.

• • • • NORTHERN SECTION • • • •

Dale Turner, our State Treasurer, has been promoted from Child Welfare and Attendance to Director of Special Services in the Rio Linda Elementary Unified School District. CASCWA extend congratulations and hope that Dale will continue to be an active member on CASCWA.

• • • • SOUTHERN SECTION • • • •

Jack Erickson, Southern Section president for the 1984-85 school year, stated that one of Southern Section's goals is to maintain the largest increase in membership of the five sections. Although the section lost quite a few members through retirement, the section did gain two new counties - Kern and San Luis Obispo [from San Joaquin section] - and will work hard to retain the membership plaque.

Southern Section will host the upcoming conferences:

Ninth Annual Los Angeles County Conference "School Related Crime, Violence, and Vandalism"

February 19, 1985

For further information contact: John Burton, Los Angeles County Office of Education . . (213) 922-6780

C.A.S.C.W.A. Southern Section Spring Conference - Palm Springs, Calif.

May 1, 2, 3, 1985

Contact: Steve Gocke, conference chairperson . . (805) 948-4661

• • • • SAN JOAQUIN SECTION • • • •

The old adage that "no news is good news" does not apply to the Intercom.

LEGISLATION

----- SENATE BILL No. 1685 -----

[Approved by Governor August 14, 1984. Filed with
Secretary of State August 15, 1984]



SB 1685, Ayala. **Schools: pupils: expulsions.**

Existing law requires the governing board of each school district to establish rules and regulations governing procedures for the expulsion of pupils including, but not limited to, prescribed minimum requirements. Existing law specifies that at the conclusion of the expulsion hearing a decision of the governing board whether or not to expel the pupil shall be made within 10 schooldays following the conclusion of the hearing, unless the pupil requests in writing that the decision be postponed.

This bill would require a decision of the governing board on whether to expel a pupil to be made within 10 schooldays following the conclusion of the hearing, unless the pupil requests in writing that the decision be postponed. This bill would specify that if the hearing is held by a hearing officer or an administrative panel, or if the governing board does not meet on a weekly basis, the governing board shall make its decision about a pupil's expulsion within 40 schooldays after the date of the pupil's removal from his or her school of attendance for the incident for which the recommendation for expulsion has been made, unless the pupil requests in writing that the decision be postponed.

The following legislation will take effect JANUARY 1, 1985

AB 2481.
Juveniles

Connelly

Deletes the provision relating to notification of a school superintendent by a district attorney in narcotics or controlled substances cases and provides that written notice that a minor attending public school in K-12 has been found by a court to have committed any of specific crimes, shall be provided by the court, within 7 days to the superintendent and transmitted to each school personnel with direct responsibility over the minor, as specified. It also requires information received from the court to be destroyed 12 months after the return of the minor to school.

AB 3599
Youths: school attendance.

Moorhead

Authorizes counties in which a school attendance review board has been established to notify the district attorney or the probation officer the name and address of the truant pupil, the pupil's parents or guardians, under which the district attorney or probation officer may schedule a meeting to discuss the legal consequences of the pupil's truance.

It also authorizes any county in which a school attendance review has not been established, the school district may provide notification to the district attorney or probation officer if they have elected to participate in the truancy mediation program and the district determine that the problems of the pupil cannot be resolved or that the pupil or the pupil's parents or guardians, or both, have failed to respond to the directives of the school or school district or to services provided.

AB 2696.
Child Abuse and Neglect

Kleho (and Vicencia), D-San Leandro (916) 445-8160

Says that in addition to current qualifications, conciliation counselors (for family conciliation courts) must have knowledge of child abuse and the effects on domestic violence on children.

- AB 3260.** Brown, W., D-San Francisco (916) 445-8077
Child Abuse and Neglect
 This bill deletes a provision in current law that says it is excusable homicide when someone kills a child while "lawfully correcting" the child.
- AB 3320.** Bates, D-Oakland (916) 445-7554
Child Abuse and Neglect
 Authorizes a court, under both the Uniform Parentage Act and the Domestic Violence Prevention Act, to issue ex parte orders which excludes one party from the common dwelling of the party who has custody of a minor child if it is shown "that physical or emotional harm would otherwise result to the party or the minor child."
- AB 3386.** Farr, D-Monterey. (916) 445-8496
Child Abuse & Neglect
 Authorizes the State Office of Criminal Justice Planning to spend funds for local domestic violence programs, subject to the availability of funds.
- AB 2914.** La Follette, R-Northridge. (916) 445-8366
Previous Criminal Record
 Authorizes an employer to obtain records of convictions of drug crimes or crimes of violence concerning persons who apply for employment (or volunteer for a position) if the employment involves supervisory power over a minor.
- AB 1630.** Konnyu, R-Cupertino. (916) 445-8305
Special Needs
 Among other provisions, this bill says that the State Department of Social Services must notify AFDC applicants about the availability of benefits for nonrecurring special needs.
- AB 1232.** McCorquodale, D-San Jose. (916) 445-3104
Adoptions
 Says that the child or grandchild of an adoptee may get medically necessary information from the state about the adoptee's natural parents.
- SB 1912.** Watson, D-Los Angeles. (916) 445-5215
Court Dependency Proceedings
 Provides for legal counsel for a poor parent's appeal if a court frees the child from the parent's custody and control.
- SB 1411.** Royce (and Moore), R-Garden Grove. (916) 445-5831
Suspend or Restrict Driving Privileges.
 Allows courts to suspend or restrict the driving privilege of a minor driver who commits specified crimes such as possessing alcohol or drugs while operating a vehicle.
- AB 2480.** Sher (and others), D-Mountain View. (916) 445-7632
Assault/battery on School Property.
 Current law provides for a greater penalty than usual for assault and battery when the violence is committed against certain persons (such as teachers) on school property. This bill applies the increased penalties when the victim is any person on school property. It also increases the penalties for assault or battery against school transportation workers.
- AB 2484.** La Follette (and others), R-Northridge. (916) 445-8366
Failure to Leave School Grounds When Asked.
 Makes it a misdemeanor for certain "outsiders" to fail to promptly leave school grounds after being told to do so by the principal or a school security officer.

AB 3151. Sebastiani (and others), R-Sonoma. (916) 445-8102
Drug Paraphernalia.

Adds the unlawful possession of drug paraphernalia as a cause for which a pupil may be suspended or expelled from school.

AB 2712. Bates (and Royce), D-Oakland. (916) 445-7554
Foster Parent Education.

Says that in certain circumstances a juvenile court may order the parent, foster parent or guardian of a dependent child to take certain actions such as participating in a counseling or education program that will be for the child's best interests.

AB 1562. Vicencia, D-Bellflower. (916) 445-7486
Child Abuse Prevention Programs.

Provides \$1,500,000 for each of the next three years for the following child abuse prevention programs: (1) six pilot projects to provide in-home care to families as an alternative to starting court dependency proceedings and placing the children in foster care and (2) three projects to "maximize the safety, security, comfort, and quality of life" of children who are home alone while parents are gone for employment or other reasons.

AB 2443. Waters, Maxine (and others), D-Los Angeles. (916) 445-3463
Child Abuse Prevention Programs.

Enacts the "Maxine Waters Child Abuse Prevention Training Act of 1984" to establish (1) two child abuse prevention training centers (one for northern California and one for southern California) and (2) primary child abuse prevention programs in each county. The programs will work closely with the public school system. \$850,000 is appropriated for 1984-85. \$10.4 million is appropriated for 1985-86. (Took effect immediately Sept. 28, 1984, as an "urgency" statute.)

SB 1678. McCorquodale, D-San Jose. (916) 445-3104
Victim of Sexual Assault.

Prohibits the imprisonment or confinement of a victim of sexual assault for contempt of court when the contempt consists of refusing to testify concerning the sexual assault.

SB 2123. Marks, R-San Francisco. (916) 445-1412
Temporary Custody Authorized by County Social Worker.

Authorizes a county social worker to take a child into temporary custody, without a warrant, when he or she has reasonable cause to believe that the child is (1) in need of parental care or control, (2) destitute, (3) not provided with the necessities of life or (4) without a suitable place to live.

AB 3632. Brown, Willie (and others), D-San Francisco, (916) 445-8077
Handicapped Students.

(1) Specifies the responsibilities of various state agencies for the provision of services for handicapped students. (2) Establishes a procedure to determine if an appropriate special education program is available before a child is placed in a residential facility. (3) Says that whenever a community care facility may be used to house a handicapped child, the State Department of Social Services shall, prior to licensing or permitting expansion, consult the administrator of the special education local plan area to consider the impact that would be made on local education agencies.

AB 3007.

Montjoy, R-Arcadia. (916) 445-7234

Students With Exceptional Needs

Among other provisions, this bill requires school districts and county offices of education to report (to the Superintendent of Public Instruction) their expenses for students with exceptional needs who are placed in nonpublic schools. (Took effect immediately Sept. 30, 1984, as an "urgency" statute.)



"I guess it's supposed to cure his truancy."



... school policies that inappropriately label ...

The following bills were passed by the legislature, then vetoed by Gov. Deukmejian:

AB 1773.

Pappan (and others), D-Daly City. (916) 445-8020

Programs for Handicapped Children.

Would have provided numerous program changes for handicapped children, appropriating \$53,874,000 and establishing a "California Services to the Handicapped and High-Risk Infants" program.

SB 1555.

Hart, D-Santa Barbara. (916) 445-5405

Pregnant Adolescents and School-Age Parents.

Would have enacted programs to serve pregnant adolescents and school-age parents.

AB 2854.

Areias (and others), D-Salinas. (916) 445-7380

Special Education Transportation.

Would have appropriated \$27,000,000 to pay for a 1982-83 shortfall in funding for special education transportation.



"The rash has completely cleared up. You may redeploy him on the school system."



NEWS ITEMS

A spy in the organization reported to this editor that at the state conference, State President, Jake Colburn in his exemplary role as "Top Sergeant," did take to task and did chew members of Northern Section for being derelict in their duty to CASCWA and the State Executive Board. If you have had the experience of being in military service and being chewed out by some over-zealous master sergeant, then you can imagine what took place behind closed doors.

Reunification Plan

A juvenile court must work to reunify a child who has been made a dependent of the court with a parent before making plans for a permanent out-of-home placement.

The California Court of Appeal has reversed a juvenile court's decision to skip reunification planning because the mother seems unfit.

Interrogation - Minor Rights to Sue Parents?

Does a law enforcement department have an obligation to tell a minor that he can speak to his parent(s) before interrogating him?

In a case reviewed by the California Court of Appeal, a 15 year old boy had been arrested and read his Miranda rights. He then confessed to having committed murder. He was convicted, but then appealed the conviction because his mother had asked to speak to him before he was questioned, yet he was not told of his right to speak to her.

The California Court of Appeal said that in this case such a statement was not required of law enforcement - that this young man had understood what he was doing when he confessed and that the confession was "freely and voluntarily made after knowing and intelligent waiver of his rights."

Releasing Student Information to Deputy Probation Officers

The following court order was issued by Richard Harris, Judge of the Juvenile Court of Solano County, after complaints from Deputy Probation Officers that the schools were not releasing student information.

"Having found that it is necessary to have access to any and all student information for juvenile court purposes in making detention, dispositional and placement decisions regarding wards of the court and dependent children of the court, the court hereby orders as follows:

That all school personnel are hereby ordered to provide any student information to any member of the Solano County Probation Department upon request in order that said members of said department may perform the investigation and supervisory functions mandated by the above-entitled court.

This order shall remain in full force and effect until modified or rescinded by the above-entitled court." (9/19/84)

DEFINITION - "Waylaid"

"Dear Sir: We don't want our daughter to walk to school because of an incident that happened last year on her way to school which resulted in a one year old child."

Gay Teacher Can Return to Classroom

(Excerpts from UPI news article, San Francisco)

A teacher fired for writing passionate homosexual letters to a 17-year-old male student has gotten his teaching credential back from a state agency that complains it was forced by state courts to restore the credentials.

Robin R. Heil, a high school instructor in the Kern County desert community of Ridgecrest, was fired in 1979 by the local school district after the boy's mother gave them the letters, which she said she found in her son's room. Some of the letters, which occasionally came at the rate of four a day, reportedly threatened suicide if the boy did not return Heil's affection. In others, he demanded gratitude for extravagant gifts.

Heil allegedly wrote that he would perform homosexual acts if the boy wanted him to and then described what he had in mind. The boy was a student in some of Heil's classes, and the two went on trips together to Las Vegas and Los Angeles, officials said.

Several months after Heil was fired, the commission barred him from teaching anywhere in California.

But in an early administrative action in the case, one of the commission's committee's found that Heil was a "fit person to have a California credential." Committee members later protested they had not been given sufficient information about the case by their staff.

The Commission overturned that finding four months later and revoked the credential.

Heil appealed, and administrative law judge John Willd ruled that the commission failed to overturn the committee's finding promptly enough.

Then Superior Court Judge William Sheffield of Orange County upheld Willd's findings.

Van de Kamp Wants Clean-Up of Lottery

State Attorney General Van de Kamp, a key opponent of lottery Proposition 37, told Los Angeles and Orange County law enforcement administrators that he will be going straight to state lawmakers for clean-up lottery legislation.

Van de Kamp stated that "we are going to be faced with a new industry that will generate an estimated \$2 billion a year which will generate law enforcement problems." He wants a stronger role in the lottery for his office to help get to the bottom of who is involved at the street level and the contract level, and that he is after tighter language to ensure state schools get their 34% of lottery revenues.



Latchkey Kids: How Many Are There?

(Excerpts from news article written by Gretel Wandesforde-Smith)

There may be as many as 1 million children in California left unattended in their homes for hours before and after school each day.

That number is an estimate by Gov. George Deukmejian's office, says Ann Carlson of the Senate Office of Research, and yet the governor vetoed a \$35 million bill which would have developed after-school child care programs.

Carlson said it is difficult to get a handle on the exact numbers of "latchkey" children, as they have come to be known, because parents are reluctant to admit they leave their children unattended.

California estimates vary from 620,000 to 815,000 to the governor's estimate of 1 million children between the ages of 5 and 13. Nationwide that number is between 6 and 8 million.

The negative consequences, said Carlson, are serious, and are intensified in younger children - that is, a 5-year-old will feel the negative consequences more intensely than a 12-year-old.

Negative consequences for a child staying alone for an hour or more before school and three to five hours after school every day include "feeling badly, acting badly, developing badly and being treated badly," said Carlson.

Feeling badly results in fear, loneliness, boredom, rejection and isolation while acting badly can lead to an older sibling victimizing a younger sibling or misbehaving in other ways.

Carlson said studies show that latchkey children lag behind their peers in academic development, which is one of the ways they develop badly, and studies also indicate that latchkey children are more likely to be involved in accidents and fires. It is also possible, she said, that latchkey children are frequently subjected to sexual abuse.

But while the physical risks of latchkey children get more attention, it is the emotional risks that are more common. "It will be a while before we know what the long-term effects are of hundreds of thousands of children being left alone every day," said Carlson, adding that many of them probably watch three to four hours of television while they're alone, which she described as "not a very nurturing environment."

Positive benefits of being left alone have also been cited, she said, including developing feelings of independence, self-assuredness and ability to care of oneself, but these develop more in older, rather than in younger children.

Reasons for the large numbers of latchkey children are the return of women to the work force and cuts in public services. In California between 57 and 60 percent of women with minor children work outside the home and 15 percent of all families are headed by women.

The latchkey legislation which Deukmejian vetoed was sponsored by Senate President Pro Tem David Roberti, D-Los Angeles, and would have appropriated \$35 million, reduced from an initial \$100 million, to fund after-school child care.



New GED Testing Requirements

The State Board of Education has approved new regulations for the administration of the General Educational Development test.

The new regulations state (a) a person is eligible to take the GED test no sooner than 60 days prior to the date he or she is eligible to receive a diploma and (b) who is 17 years of age or older having been in school for the last 60 days prior to submitting a letter of request for the test from the military, a post-secondary educational institute or a prospective employer.

However, no credits can be granted to high school or continuation education students for passing the GED test.



Special Education / School District's Delirium on Suspension and Expulsion of Special Education Students

The U.S. District Court on April 23, 1984 ordered and adjudged a permanent injunction against then defendant Wilson Riles and his successor Bill Honig and the State Department of Education in the areas of suspension and expulsion of special education pupils and ordered the State Department of Education to revise its Special Education Suspension and Expulsion policy (Doe v. Maher, No. C-80-4270-MAP). On August 31, 1984, the state's proposed policy listed below was approved by the court.

POLICY: (A reinstatement of existing laws)

1. Clarifying the requirements of Education Code Section 48915(d) as amended by SB 813, Chapter 498, California Statutes of 1983, governing suspension.
2. Limiting short-term suspensions to five consecutive school days, pursuant to the order in Doe v. Maher.
3. Emphasizing the districts' obligations to conduct a formal assessment prior to recommending expulsion.
4. Deleting the "knowing right from wrong" test.
5. Requiring the IEP meeting to be conducted within five days after completing the assessment, pursuant to the order in Doe v. Maher.
6. Requiring the decision to expel to be made by a majority of the IEP team members, pursuant to the order in Doe v. Maher.
7. Highlighting the responsibility of the districts to retain the pupil in the current placement until all necessary proceedings have been completed.

ADMINISTRATIVE PROCEDURES:

1. No IEP team meeting need be held for first time suspensions that are charged under Education Code Section 48900(a)-(e) inclusive. For all other charges or a second suspension the team meeting must be convened.
2. (a) With reference to suspensions only, the IEP team must meet on the second suspension re charges (a)-(e) and on the first suspension for charges (f)-(k).

- (b) With reference to expulsions only the child should be referred for assessment if existing assessment information is not recent.
- (c) With reference to both expulsions and suspensions, the IEP team meets to determine only two points:
 - (1) Relationships of handicap and behavior.
 - (2) Is current placement appropriate?
- 3. The IEP team is not to determine if expulsion is the "right" decision.
- 4. The only two issues the IEP team can address are: (1) appropriateness of placement, and (2) the relationship between the behavior and the handicapping condition.
- 5. The two IEP team determinations plus the issue of assessments and parental consent are subject to the fair hearing procedure. The determination of whether to suspend or expel is not an issue for the fair hearing.
- 6. Discipline may proceed only after parent has exhausted all appeal procedures.
- 7. If parents consent to the two determinations of the IEP team the recommendation for expulsion proceeds under regular disciplinary procedures.

PROBLEM AREAS:

- 1. Required referral for assessment - what is recent.
- 2. "Stay Put" provisions pending assessment, team meeting, fair hearing appeals.
- 3. Current Placement - Is there one that is "more" appropriate? Is there one that would "alleviate" the conduct?
- 4. IEP team meeting - majority rule versus parental consent.

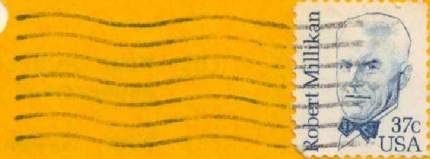
BOTTOM LINE:

If a parent of a special education "pending expulsion" case is not in agreement with the extended suspension until the expulsion case is heard, it is suggested that the district offer and provide alternative placement, such as home teaching or private school.



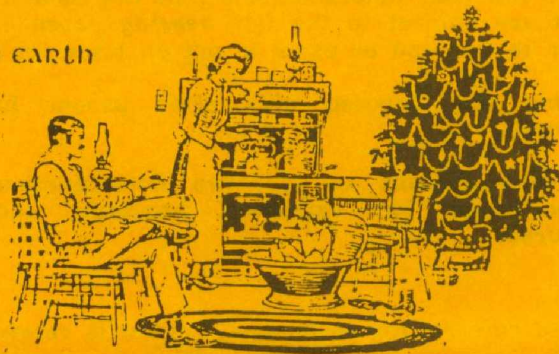


CASCWA
 Spring State Conference
 MAY 1, 2, & 3, 1985
 International Hotel Resort
 Palm Springs, California



Mr. Al Baum
 School Psychologist - CWA
 2314 Mariposa Street
 Fresno, CA 93721

p PEACE ON EARTH



CHILD WELFARE AND ATTENDANCE IN CALIFORNIA SCHOOLS . . .
 A PROFESSIONAL RESPONSIBILITY

ANNUAL MEMBERSHIP APPLICATION
CALIFORNIA ASSOCIATION OF SUPERVISORS OF CHILD WELFARE AND ATTENDANCE
 MEMBERSHIP YEAR 19__ TO 19__

Name PLEASE PRINT (Last) (First) Mrs. Miss Ms. Mr. Dr. SECTION

School District _____ Title _____

Address _____ (Street) _____ (City) _____ (Zip) Phone () _____

New Member sponsored by _____ (Date) _____

MAIL TO: *A. H. Suddjian* **STUDENT SERVICES**
 (Section Treasurer) **2526 EAST HEDGES**
FRESNO, CALIFORNIA 93703

- DUES:** *(Check one)*
- Active (\$30.00)
 - Associate (\$20.00)
 - Institutional (\$30.00)
 - Retired

Offered to accommodate persons not actively engaged as Child Welfare and attendance Personnel. It carries all benefits and privileges except voting and holding office.

Signature: _____

I am interested in and would like information on the following: _____