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intercom

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



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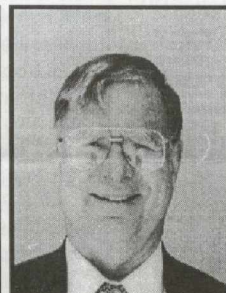
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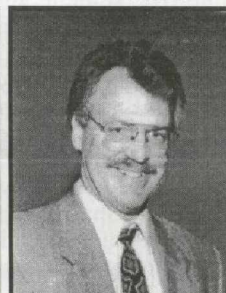
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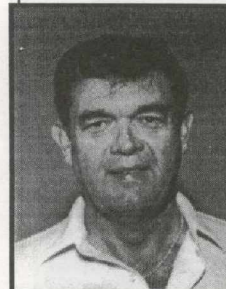
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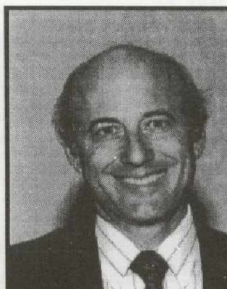


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INFORMATION**



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**YOUR CASCWA EXECUTIVE BOARD
1996-1997**

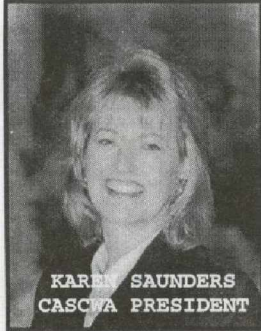
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MESSAGE FROM THE PRESIDENT

Happy 1997 to all of you!



**KAREN SAUNDERS
CASCWA PRESIDENT**

CASCWA had a fabulous Fall Conference in San Francisco at the Marine's Memorial Club November 6 - 8. Bay Section President, Shirley Kesterke and Bob Brazil worked hard to organize and present poignant workshops, great keynote speakers and some wonderful "on the town" fun. Los Angeles County Office of Education

presented "The Training Toolbox", very timely and useful information, and John Burton, San Bernardino County shared a publication, "Exploring Cyberspace/Reducing Your Workload." Every workshop I attended offered replicable programs to improve student attendance and provided useful information on new incentive programs.

The highlight of the conference was the presentation by Bob Burgess of the newly named "Lee Lundberg State Outstanding Service Award" to Lee's family. Lee's wife and two daughters thanked CASCWA for honoring Lee. It was a sad but heartwarming moment. Shari Lawson has been working hard to continue our legislative program and did a great Job with the legislation workshop.

It seemed like all the attendees left with great ideas and renewed spirits. It was wonderful to see old friends and meet new ones.

AT THE STATE BOARD LEVEL

CASCWA is moving along the "information highway" and into the 21st Century. We are in the process of targeting our legislative lobby efforts through the Internet and developing a CASCWA Web Page. The Internet connection will allow us to dialogue with legislative offices and more effectively follow proposed legislation. A CASCWA Web Page will provide us with more exposure and hopefully spark interest and increase membership. If we could all get onto the Internet, we will be able to E-mail other members, share ideas and navigate the Net with John Burton's Bookmarks. CASCWA position papers, conference dates, board reports and section events will easily be advertised. Let's all work on it, get on the Internet and look for the CASCWA Web Page in the future.

NEW EVENTS TO WATCH FOR

Southern Section President Phil Kauble is planning an outstanding program for the Spring. All section board members are working hard to present valuable information for the membership.. Please make a note on your calendar with the following dates and place

CASCWA Spring Conference

SCHOOLS AND THE LAW

April 30 through May 2
Marquis Hotel, Palm Springs

WORKSHOPS:

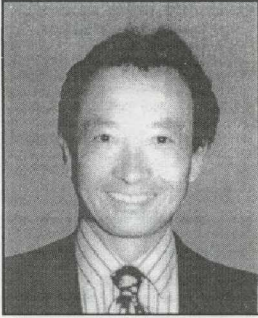
- ★ Today's Modern School Police Department
- ★ Reviewing Legal Documents
- ★ Traffic Court Support of High Risk Students
- ★ Diversity in Our Schools
- ★ Resiliency
- ★ School Safety Toolbox
- ★ Alternatives in Education

Watch for information in the mail on the conference. This will be another superb conference featuring outstanding Keynote speakers and useful workshop information. We hope to see of you in Palm Springs!



Bob Burgess and Karen Saunders present to the wife and two daughters of Lee Lundberg the newly renamed "Lee Lundberg Outstanding Service Award" Aptly named award; no one has served CASCWA in a manner that approaches the dedication and effort of our late, very good friend, Lee.

DELTA SIERRA CONCENTRATES ON OUTREACH



TAD KITADA
President
Delta Sierra

Delta Sierra continues to work towards the goal of outreach in our section. On January 24, 1997, we will be outreaching to the north end of our state with a suspension and expulsion workshop in Shasta County at the Office of Education. On February 24, 1997, John Burton will present a workshop on legal updates for 1997 in Sacramento, again sponsored by Delta Sierra CASCWA.

Speaking of John Burton, I have found John's "Cyberspace Bookmarks" to be an invaluable tool. I have had virtually fingertip access to Supreme Court cases, federal and state legal updates, and other law citations. For those of you who have Internet access, John has created a service that makes our work much easier and more efficient.

I missed the Fall Conference in San Francisco due to a poorly timed flu, my regrets, however, I heard it was a great success. Delta Sierra will be hosting the 1997 Fall Conference slated for October 8th, 9th, and 10th. A reminder goes out to everyone to calendar these dates NOW in order to attend. The theme is "Youth Out Of The Education Mainstream" and we are looking for appropriate presenters (see flyer). This theme is consistent with the federal initiative and we hope to draw a great crowd.

SAN JOAQUIN SECTION PLANS FULL WORKSHOP SCHEDULE



GAYLEN WRIGHT
President
San Joaquin

San Joaquin CASCWA has not met since the Bass Lake Fall Conference. There was a large contingent of Clovis and Modesto members at the State Fall Conference in San Francisco. A personal highlight for that gathering was the "Welcome and Keynote Address" by Derius Swinton. His impassioned directive to us was to enter into our work beyond a merely functionary level, no matter how professionally competent we may be, and to make a difference by humanly connecting with and caring for those we serve. Margaret J. Norris,

speaker at the President's Luncheon, also challenged us with her energy, commitment and insight. Among her many good points, she claimed that were society to treat women with respect, which includes sisters respecting sisters, society would be cured, a panacea found. This resonated. Violence is violence and it begins with contempt, irrespective of whether or not the negative bias is based on gender or any other discriminatory prejudice. January will see San Joaquin CASCWA getting together on the 14th for an a.m. workshop on sexual harassment presented by Michael H. Smith, Attorney, and Adriana Cardenaz, Consultant with OCR. A catered lunch will be followed by CASCWA members sharing ideas, concerns, materials... On February 11, '97, Elvoyce Hooper, Attorney, in charge of Fresno County's Missing and Abducted Children operation will address San Joaquin CASCWA. His war stories illustrating how children are frequently used as pawns of divorcees to punish one another are palpable. His understanding of the dynamics behind these firefights is imbued with common sense. His knowledge about our legal obligations when warring parents want to pick up their children at school, have us change their names, require records, or demand that we allow none of the above to the other parent, was evident at the short workshop at the Fall Conference. He has a lot more to say. Well, the holiday season surrounds us. Here's hoping you pulled the larger piece of the wishbone at Thanksgiving, that what needs to be born within you, is, at the Nativity, and that the New Year will encourage you with promising dreams.

DAN LUNDGREN INVITED TO BAY SECTION FALL KICKOFF



SHIRLEY KESTERKE
President
Bay Section

We are all recovering from the conference in November. I want to thank all of you who attended. We felt like the conference was a big success. We have reserved the hotel and are already planning for 1998!

I want to thank several people who were a big help in making the conference. Our next Section meeting will be January 17, 1997.

We are planning to have several of our County Juvenile Court Judges meet with us to discuss how we can work together better. We also want to meet at a later date with representatives from our County Probation Departments. Our goal is to see how we can all work together for the good of our youth. Will that ever happen!!

Since we will not be hosting a conference in 1997, we are working on our Fall Kickoff. We are inviting Attorney General Dan Lundgren to be our keynote speaker. A SARB workshop will be held in the afternoon. We also plan to showcase a couple of successful programs that have probation officers on high school campuses.

Shelton Yi from Dixon Unified School District, Pete Belew from San Leandro Police Department and I (all from Bay Section) became part of the School/ Law Enforcement Partnership Cadre and spent a week in Ontario, CA for a training. There were thirteen new "recruits" from all over the state at the meeting. We have our business cards, a lot of enthusiasm and we are ready to work wherever we are needed!

Bay Section wishes you all a very happy holiday season and a very healthy 1997.

SOUTHERN SECTION PRESENTS LEGAL FORUMS AND PLANS FOR PALM SPRINGS CONFERENCE



PHIL KAUBLE
President
Southern Section

HAPPY NEW YEAR! If the last half of the 1996/97 school year moves as fast as the first half, we will all need a new pair of "roller-skates" or maybe that should be "roller-blades." Things have been busy.

For CASWCA Southern Section, this has been a banner year. Membership continues to increase and so does the participation of our members at CASCWA approved events. As most of you know, in

November of 1995, Southern Section began sponsoring a series of "Legal Forums" designed to address education specific topics while featuring prominent school-law attorneys. We plan to carry this theme into the 1996/97 CASCWA Spring Conference that Southern Section will host beginning April 30, 1997, at the Marquis Resorts Hotel in Palm Springs.

Our first Legal Forum for this school year was hosted by Cecil Munsey, Southern Section Treasurer, on November 1st, at the San Diego County Office of Education. Featured presenters included David Searcy, Commissioner, Juvenile Traffic Court, Los Angeles County and Detective Ben Gonzales, Los Angeles Police Department. The major focus of the program was an in-depth discussion about the daytime antiloitering ordinances that many of our cities have adopted. Needless to say the information presented was excellent and the attendance was outstanding. In addition and most important, we

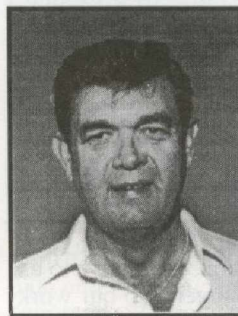
picked up some new supporters from the San Diego area. On December 6th, we concluded our series of Legal Forums for this school year with a presentation on "School Uniforms." The program, hosted by Frank Boehler, Southern Section Vice President, Supervisor of Child Welfare and Attendance, Orange Unified School District. This most outstanding program included "real-live" kids who participated in a fashion show narrated by Frank Boehler. By the way, Frank, who was also in uniform, was a tough act to follow, but the rest of our presenters were certainly equal to the task. The remaining program featured Mrs. Mary Ann Owsley, Principal of Santiago, Middle School, a charter school, Roger Duthoy, principal of El Rancho Middle School, a non-charter school, followed by Ted Buckley, General Counsel, Long Beach Unified and Dick Van der Laan, Public Relations Director for the Long Beach Unified School District. Mr. Buckley, focused on the legal issues the numerous court challenges that Long Beach had to address and Mr. Van der Laan focused on the "nonlegal" (*not to be confused with the "ill-legal" aspect of the districts uniform program.*)

The information, the hand-outs, the presenters, and the lunch were so well received that we have been asked to plan a repeat performance. If only there were more days in the year.

THE CONFERENCE IS COMING! THE CONFERENCE IS COMING! As previously mentioned, the State Spring Conference is scheduled for April 30 thru May 2 and will again be held at the Marquis Resort Hotel in Palm Springs. Start saving your money! A special Conference edition of CASCWA Connection is scheduled for late January 1997 to provide you with important details.

Hope we see all of you in Palm Springs!

CASCWA PAST PRESIDENT TO SERVE AS VICE CHAIR OF CAPSO



BOB BRAZIL
CASCWA Rep to
CAPSO

Goals were set for 1996-97: 1) Work with other

CAPSO's first meeting of this school year was held in Superintendent Eastin's conference room. The meeting was convened by the 1996-97 Chairperson Deanna Bowers of the California School Nurses Association. Jackie Allen (California Association of School Counselors) was elected Secretary/ Treasurer. Bob Brazil (CASCWA) will serve as Vice-Chairperson.

(Continued on Page 5)



LEGISLATION



SHARI LAWSON

Chairperson
Legislative Committee

LEGISLATIVE COMMITTEE

Member	Position	Office Phone	FAX
Shari Lawson,	Chairperson, Bay	707 449-3439	707 448-7235
Tom Black,	San Joaquin	209 576-4003	209 576-4184
Tad Kitada	Delta Sierra	916 889-5909	916 888-1367
Lorene Kobett	Southern	310 922-6234	310 922-6781
Bob Burgess,	CASCWA State Board	510 667-3555	510 667-3539
John Gilroy,	CDE Advisor	916 323-8478	916 324-4534

You may call the Sacramento Bill Room at (916) 445-2323 for a copy of the bills you want to review.

This is a listing of
Significant bills passed,
signed and Chaptered in the
1996 legislative session

Bill #	Author	Chapter	
AB 692	Kuehl	Chapter 915	
Expulsion - Sexual Assault			
This bill mandates the expulsion of a pupil found to have committed or attempted to commit specified acts of sexual assault at school or at a school activity and/or harasses a pupil who is a witness in a school disciplinary proceeding			
AB 1012	Machado	Chapter 689	
Crimes Against Pupils: Sentencing			
This bill provides that when a person is convicted of a specified felony sex offense, and that felony was committed within a safe school zone against a victim who was a pupil currently attending school, this fact shall be considered in aggravation in imposing a prison term.			
AB 1489	Hawkins/Gallegos	Chapter 15	
Pupil Expulsion			
This law - an urgency statute - requires the one year expulsion for firearms at school or at a school activity as listed in AB 922 (Chapter 974, Statutes of 1995) to be effective immediately as of March 18, 1996.			
AB 1721	Ducheny	Chapter 879	
Student & Consumer Records			
This bill provides that information concerning a pupil be furnished in compliance with a court order or lawfully issued subpoena upon the condition that the school district makes a reasonable effort to notify the parent or legal guardian and the pupil.			
AB 2295	Sweeney	Chapter 600	
Graffiti			
In any Jurisdiction that has a graffiti abatement program, this bill authorizes the court to order the minor and parent or guardian to keep the damage property or another property graffiti free for a specified period of time and to also undergo counseling. The suspension of driving privilege superseded by AB 2331 - Chapter 918.			
AB 2331	Goldsmith	Chapter 918	
Crime: Graffiti			
This bill requires the court to suspend or delay for one year the driving privileges of a person convicted of graffiti violation, except when person or family hardship exists. This suspension to be reduced by performing community service work under the supervision of the Probation Department.			
AB 2433	Harvey	Chapter 847	
Graffiti - Freeways			
This bill sets new fines & community service for graffiti done on or to government facilities or vehicles & fines or imprisonment for graffiti to freeways.			
AB 2617	Baca	Chapter 343	
Disclosure of Pupil Records			
This bill authorizes school districts or county offices of education to participate in an interagency data information system that permits access to a computerized data base system within and between governmental agencies or districts.			
AB 2720	Sweeney	Chapter 1052	
Expulsion - Adult Assault & Community Day Schools			
This bill adds assault or battery upon any school employee as a recommendation for expulsion. If governing board has established a community day school on the same site as a comprehensive school, and the county superintendent of schools certifies that an alternative program of study is not available at a site away from a comprehensive site and the only option for placement of an expelled pupil is at another comprehensive site, that placement may be made.			
AB 2834	Friedman	Chapter 937	
Expulsion Alternative Placement/Community Day School			
This bill prohibits a community day school replaced on a comprehensive or continuation school site unless no satisfactory alternative facility is available. It also changes the guidelines for being able to offer Independent Study to expelled students. Effective September 26, 1996.			

AB 3077 Baldwin Chapter 891
Community School Apportionments

This bill deletes a provision in existing law which denies community school apportionment to be claimed for pupil enrolled in grades R-6, and limits apportionments for students who have been expelled from a school district, and for pupils in grades 7 through 12 and redefines how the district of residence pays a the county.

AB 3365 Campbell Chapter 561
Gang Violence Suppression

This bill adds public parks and recreation, public libraries and community service departments to the definition of a "community-based" organization for purposes of the Gang Violence Suppression Program. Community-based organizations shall receive preference over public agencies in any future funding awards.

AB 3492 Frusetta Chapter 200
School Safety

This bill renames the Conflict Resolution and School Violence Reduction Program to the School Resolution Reduction Program which will provide grants to schools and school districts. This bill establishes a demonstration program to be cited as the Targeted Truancy and Public Safety Grant Program. The bill will permit school districts and county offices of education to apply for 3-year grants in a total amount not to exceed \$1,250,000, and will require at least matching funds that could be in-kind resources.

SB 210 Solis Chapter 208
Special Education

Existing law requires each school district, special education local plan area, or county office of education to ensure that a specified continuum of program options is available to meet the needs of individuals with exceptional needs. This bill adds to that continuum of options regular education programs consistent with federal law.

SB 292 Costa Chapter 298
School Attendance

This bill revises how ADA is computed for those pupils who are also enrolled in classes at an University or Community College.

SB 691 Haydon Chapter 17
Employee Assault Notification

This law will increase the fine to not more than \$1000 for failure to report to appropriate law enforcement authorities incidents in which an employee has been assaulted, menaced, attacked, or had physical threats done to them.

SB 1777 O'Connell Chapter 163
Education - Class Size Reduction

This bill creates the Class Size Reduction Program to provide funding to school districts to reduce class size in K and grades 1-3, inclusive, to no more than twenty pupils per certificated teacher.

SB 1938 Mountjoy Chapter 599
Notification Violent Offenses

This bill adds specified sex offenses that a minor has been found to have committed to the

list that the court must give written notice to the superintendent the school district of attendance.

SB 1985 Dills Chapter 485
School Crimes Report

This bill includes each county sheriff as a recipient of the county's school district crime report

BOB BRAZIL CAPSO REPORT

(Cont'd from Page 3)

alliances and organizations to promote our issues.

2) Educate, Inform and Advocate, key legislators of CAPSO goals

3) Promote the formation of a Pupil Service Consultant

position in the Department of Education.

In other business, Barbara Bradstock represented us as CAPSO's delegate to the Children's Policy Summit. Invitations to join CAPSO were sent ACSA and CSBA. ACSA was previously a member but has not participated for several years. ~

Stu Greenfield, Assistant Superintendent/ High Schools, was our guest at this meeting. He outlined the diverse responsibilities of his unit and described the state department's funding problems. He described his vision for an "Educational Policy Team," which would be modeled after fiscal policy teams he developed previously, identifying common languages, values, creating a strategic plan and setting standards. This team should definitely include support services.

Stu's assistant, Maria Trejo, encouraged us to demonstrate benefit of support services to educational program. We need to show outcomes to get funding. She emphasized the importance of the "Challenge Agenda" to the Superintendent.

There will be a Health Framework Conference, "Healthy Schools, Healthy People III," in January 16-17, 1997 in Sacramento. CAPSO has been asked to present a panel workshop on Assessing and Managing Child and Adolescent Mental Health Problems. CASCWA will be represented on this panel.

All CAPSO organizations were members of the California Alliance for Elementary Education. In a letter from Delaine Eastin, she recognized the accomplishments, but announced its demise due to the ruling that "the CDE does not have the authority to collect dues or to organize the Elementary Alliance without specific authorization by the Legislature, which it does not have." The August conference was canceled and all activity ceased June 30.

INTERCOM

Categories of Expellable Offenses

Effective July, 1996, Amended January, 1997

- 1) 48915(e) Less serious,**
 Governing Board may Expel (Permissive/ Permissive)
 *48900 (f) through (m)
 *48900.2 Sexual Harassment
 *48900.3 Hate Violence
 *48000.4 Harassment, Threats, Intimidation

Requires double finding
 * other means of correction
 * safety of self / others

Requires placement in program designed for expelled students:

- *"Prepared" to accommodate discipline problems
- * not comprehensive
- * not housed at previous school site
- * ISP option - AB 2834 Friedman remove 48916. 1 (e) but still authorized under EC 51745

- 2) 48915(a) More serious,**
 Governing Board may choose not to expel (Mandatory, Permissive)
 * Causing serious injury, except In self defense
 * Possession of a knife, explosive or other dangerous object
 * Unlawful possession of a controlled substance
 * Robbery or extortion
 * Assault or Battery on school employee
 * 48900 (a) through (e) by reference

Requires double finding

District must ensure alternative program (community day or court school)

ISP options still exists under EC 51743

- 3) 48915(c) Zero Tolerance Offenses**
 Governing Board must expel if findings support (Mandatory, Mandatory)
 * Possession or Furnishing a firearm
 * Brandishing a knife
 * Selling a controlled substance
 * Sexual battery as defined in 8900(n)
 (Rape, sexual intercourse induced by fear, sodomy, oral copulation, penetration with foreign object)

No double finding required

District must ensure alternative program (community day / court school)

ISP option still exists under EC 51743

One year expulsion

Discipline of Previously identified student with exceptional needs

- When Mandatory Recommendation is Required (48915 a or c)
 * requires IEP, pre-expulsion assessment
 a) not manifestation of handicap
 b) was appropriately placed (48915.5)
 * team considers discipline and health record
 * parental consent not required

Four Grounds for Appeal

- 1) Did the district governing board proceed without or in excess of its jurisdiction in expelling the student?
Reason- Time lines - School activity / Attendance
- 2) Was the pupil afforded a fair hearing ?
Timely notice - hear and present
- 3) Was there a prejudicial abuse of discretion?
Violation 48900 or school rules Procedural Requirement / findings of fact
- 4) Is there now relevant and material evidence which, with reasonable diligence, could have been revealed in the hearing before the governing board, and was not produced, or was improperly excluded?
New Evidence

New as of January 1, 1997

- 48900(n) & 48915 (c) Committed or attempted sexual assault (rape, sexual intercourse induced by fear, sodomy, oral copulation, penetration with a foreign object)
- 48918 & 48918.5 New procedures on dealing with a "complaining witness"
 * 5 days notice
 * two adults
 * Admonishment / removal of "support persons"
 * testimony heard in closed session
 * provide non-threatening environment
 * Provide notice to witness of rights
- 48900(o) Harassed, threatened or intimidate a pupil who is a complaining witness (no operative language in 48915)
- 48915 (a) (5) Assault or battery upon any school employee

This chart is an attempt to outline current provisions of the laws pertaining to the expulsion procedure as recently modified. Since many aspects have not yet been tested in court and may be interpreted variously; check with your district legal advisor. Summary by Bob Burgess, San Leandro Unified

CALIFORNIA ASSOCIATION OF SUPERVISORS OF CHILD WELFARE AND ATTENDANCE
199__ - 199__ MEMBERSHIP APPLICATION FORM
MEMBERSHIP YEAR FROM JULY 1 to JUNE 30

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 SCHOOL OR PLACE OF EMPLOYMENT _____ COUNTY _____
 HOME ADDRESS (STREET, CITY, ZIP) _____ HOME PHONE _____

SECTION AFFILIATION (CHECK ONE)

- Delta Sierra** **Bay** **San Joaquin** **Southern**

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Vice President, Membership
Elk Grove Unified School District
2246 Cormorant Way
Sacramento, CA, 95815-3421
Ph. (916) 686-7760

DUES (Check One) :

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NON VOTING MEMBERS
 Associate..... \$20.00 per year
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