

# INTERCOM

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

APRIL 1986

William Booth, Editor — Fresno Unified School District, 2526 E. Hedges, Fresno, CA 93703



WILL WILLIAMS  
President, Bay Section



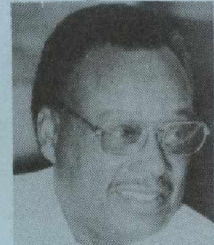
FRANCIS TUCKER  
CASCWA Vice President



JAKE COLBURN  
CASCWA President



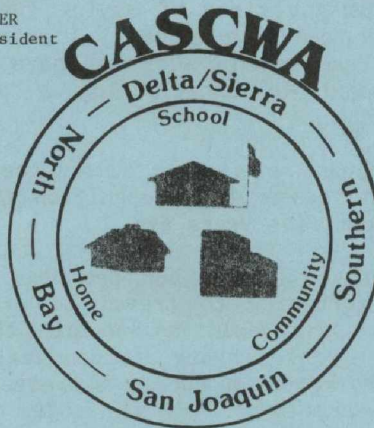
RUTH BATTLE  
President, Southern



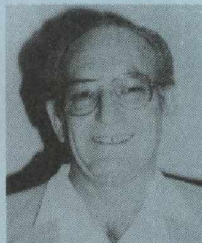
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President, Delta Sierra



MARY WEAVER  
CASCWA Treasurer



FERN WILLIAMS  
CASCWA Secretary



JEAN STOVALL  
Chairman, Professional  
Standards and Research



LEE LUNDBERG  
Chairman, Legislation



BILL RUTH  
Chairman, Retired Members



BOB BENNETT  
State Agency Liaison

## YOUR EXECUTIVE BOARD 1985 - 1986

Not Pictured: Sharon Rohrke, President, San Joaquin Section; Ray Twitchell, President, Northern Section; Nancy Pompei, Office of the Attorney General; Steve Gocke, CASCWA Handbook Editor; Bill Booth, Intercom Editor; Lou Gonzales, SARB Chairman.



## NOTES FROM JAKE.... THE PRESIDENT'S PAGE

During the month of March 1, had the opportunity to conduct workshops on SARB in the State of Connecticut. One day was spent in a state conference, and the following day a regional workshop. All these people were impressed with the coordination of the interagency approaches we have available in many communities.

Remember the questions you were asking about five years ago? Both days made me feel like I was at a CASCWA workshop that long ago. It was during these times that some of us got tired of saying "we need more teeth in the laws", and started polishing the teeth we had. I spent some time both days in Connecticut suggesting the same plan. It must have worked. I'm supposed to return this summer to assist in establishing a pilot SARB for possible expansion throughout the state.

The month of April brought a visitor from Greeley, Colorado, to several CASCWA members. Her objective was the recognition that these same questions were asked in California about five years ago.

We certainly haven't solved all of our problems, but I wish more CASCWA members could have the opportunity to travel to other states to experience their situations. I'm sure you would return with the feeling that we have better cooperation from agencies, our state legislature has been more responsive to our needs, and maybe we should appreciate the recognition given child welfare and attendance.

If you feel like your area is still "on the short side" call in the CASCWA troops for assistance. If you don't already know, there are certainly many experts among our ranks.

As this year draws to a close, I hope you have had many high points to draw on to compensate for the tough year it seems to have been statewide.

*Jake*

# HIGHLIGHTS CASCWA STATE BOARD MEETING

February 3, 1986  
Sacramento Inn, Sacramento, California

The meeting was called to order by President Jake Colburn at 9:40 a.m.

Present were: Sam Vaughn, Bill Ruth, Bill Booth, Jean Stovall, Jake Colburn, Francis Tucker, Mary Weaver, Lee Lundberg, Dale Turner, Rich Davis, Jim Fenelon, Will Williams, Fern Williams, Ruth Battle, and Bob Bennett.

Mary Weaver presented the Treasurer's report which included the budget as of 1/31/86:

Projected Income	\$12,604.00
Actual Income	\$10,504.45
Expenditures	\$ 5,239.67
Balance	\$ 5,264.78

Included in the report were membership totals:

Bay Section	62
Delta/Sierra	42
San Joaquin	40
Southern	132
Northern	<u>No Report</u>
State Totals	276

Richard Davis presented the slate of officers for the 1986-87 year as follows:

President:	Francis Tucker, Fairfield/Suisun Unified (Bay Section)
Vice President:	John Burton, L.A. County, (Southern Section) Faustino Ledesma, Montebello Unified (Southern Section)
Secretary:	Glenn Dabbs, Tulare City Elementary School District (San Joaquin Section)
Treasurer:	Mary Weaver, State Department of Education (Delta Sierra Section)

The slate was approved.

Ballots will be sent to all members on or before March 15, 1986, to be returned by April 1st.

Honorary member candidates should be sent to Richard Davis by section presidents by April 15th.

Northern Section was not present. Discussion was held regarding means for assisting the new section. A membership recruiting conference was suggested and various Board members volunteered their expertise as presenters.

Section Reports

Bay Section

Will Williams reported on a very well received conference in their section on January 24. A brief report was given on the upcoming Fall conference to be held at the Newark Hilton on October 29, 30, and 31. Room rates are to be \$65.00, and a shuttle service will be available from either San Jose or Oakland Airports. Plans will be finalized on March 14th. Will declared that their section treasury now looks forward to an ending balance of over \$2,000.00.

Delta Sierra

Richard Davis distributed fliers for the upcoming spring conference, to be entitled "Risky Business", and will be held on April 30, May 1, and 2, at the Sacramento Inn. Workshops are planned as follows:

School Dropout - The High Cost to California Schools  
Project "S.E.E." - Sex Equity in Education  
SARB - Creative Alternatives to Probation Referrals  
School Law/Partnership - The State CADRE reports  
AIDS - The Legal, Medical, Ethical issues  
Youth Gangs - An Up-date  
(PS + HS) - (?) - Private School/Home School - Questions and answers  
Suspensions - Alternatives at the Elementary Level  
Suspensions/expulsions - Special Education Students  
High Risk Youth - A Formula for Success!!!!  
Legislative Up-date!!!!

Registration costs and room rates were discussed.

The Delta Sierra Section membership is now 42, and their goal is 50 by March.

San Joaquin Section

Sam Vaughn presented the final breakdown for the state conference held in Fresno in October, as follows:

Income	\$9,698.54
Expenditures	\$8,266.43
	-----
	\$1,390.57

The state's portion of this profit is \$834.34.

The section's present ending balance is \$2,738.

Southern Section

Ruth Battle indicated that they had a conference for their membership on January 24th at the Pacifica Hotel in Culver City; they had 164 participants. Ruth indicates that each monthly meeting of the southern section is held in a different county, practice that has been very effective in increasing membership.

## Committee Chairpersons' Reports

### CASCWA Handbook

Jake Colburn reported on the CASCWA Handbook, and solicited ideas on additions. A special education section was suggested. Update sections are to be provided by the presidents to their section members.

### Intercom

Bill Booth distributed current issues of the Intercom, enough for each officer to distribute to their members. He solicited information and news items for the next issue.

### SARB

Jake Colburn reported for SARB Chairmen Lou Gonzales that a SARB survey was in process. Each section president will be asked for pertinent information.

### Position Papers

Jean Stovall distributed two CASCWA Position Papers "Where We Stand on... Services for Status Offenders, and one on "Where we Stand on...Moral and Ethics Education". Suggestions for additional papers were requested.

### Legislative Committee

Lee Lundberg reported that everyone should get on the mailing list for the School Safety Journal which is gratis. Send a letter to National School Safety Center, 7311 Greenhaven Drive, Sacramento, California 95831, or call (916) 427-4600.

Lee thanked those few members of the Executive Board who wrote in support of SB 1181. The bill died; never got out of the Senate. Mary Weaver is reworking the bill for reintroduction in the next few weeks.

Lee discussed SB 695, a bill which sneaked by and went into law without much fanfare. It allows any student to enter any Junior College that is willing to accept him/her without regard to age or graduation status. Individual junior colleges make the choice. The only limitation is that only 5% may be accepted at each grade level.

He also indicated that SB 1649 pertaining to discipline is still alive, as is SB 833, dealing with retention of 601's. AB 2071 dealing with residence requirements for school attendance is being opposed by CASCWA.

Lee was authorized by the Executive Board to give the Board's roster to the State Department so that they may contact our section presidents.

### Retired Members

Bill Ruth stated that he needs a list of retired members; Mary Weaver was authorized to provide same so that Bill may initiate retired members activities.

## Consultant Report

Mary Weaver discussed AB 1585 which as designed to evaluate the effectiveness of SARB due in 1987. She also discussed 1181 in some detail, with emphasis on the "new" SB 1181, a replacement to be submitted by Senator Bergesson. The bill has three objectives:

1. To keep SB 1811 alive conceptually.
2. To expand the number of schools participating in the alternative attendance accounting system.
3. To demonstrate to "high risk" districts will not come to financial ruin with the new system.

This pilot program for actual attendance, allowing districts to select 5 schools to participate, with 30 districts involved. It will be a 3 year project.

The Board thanked Mary for the support she has provided for CASCWA; we know it is because her superiors hold her in high esteem.

### Old Business

The issue of home schooling is still with us, and is growing in scope. Bill Ruth indicated that he would like to see the Legislation Committee take on the issue and to amend the tutoring laws. The spring conference will have a session on the issue.

The Executive Board approved the appointment of a small committee to assist Mary regarding format and procedures for the upcoming guidance audit.

Bill Booth was authorized to provide minutes of CASCWA Board Meetings to members of CAPPA; hopefully in return for copies of theirs for our perusal.

Bill Ruth indicated that he was working with L.A. County on a revision of the L.A. County Bulletin on "Custody of Minors". The executive Board suggested that the information in the area of residency and joint custody would be helpful.

Southern Section was commended by Jake Colburn for their conference flier format. It was suggested that the Executive Board formally accept this format as official for all future State Conferences. Since there was not a quorum present at the time, there was no action taken.

President Jake expressed a concern that all members of the Executive Board were not remaining throughout the meeting. He proposed an amendment to the By-laws that would allow reimbursement only in cases in which the Board member remained throughout the meeting.

Meeting was adjourned at 3:15 p.m.





# LEGISLATION

If you have ever had doubts as to whether you were getting your money's worth from your CASCWA dues, relax. The Legislation Committee in general, and Lee Lundberg in particular, has more than returned your contribution. I sometimes feel that Lee works full time for CASCWA, since he seems to be on top of the legislative process with vigor that is more than part time. Lee sent me copies of his correspondence for use in Intercom; I wish I could print it all. He religiously writes to each and every legislator who sponsors a CASCWA related bill indicating the Legislative Committee's stand, and arranges to smother the legislature (or try to) with correspondence when a bill is of particular importance. When he calls upon you to write to your Assemblyman or Senator, believe me, your letters will follow his...and they do have effect. Recently letters have been sent indicating CASCWA's stand on SB 980, SB 883, AB 2824, 1749, 3092, 2969, 2944, 2780, 2454, SB 2365, 1617, 1541, 1223, ACR 101, AB 2791, 2785, 2071, 2462, 3956, and 3800...How about that?

Here are some that have particular interest to the membership:

**SB 883** This bill provides for the detention of the status offender in a secured facility for up to 12 hours on order to resolve an initial crisis; would extend that to 72 hours if probation officer determines that specified services are necessary to be provided to the minor. It would also provide for the confinement of minors for up to 30 days for failing to participate in programs designated by the court.

**AB 1617** Requires approval of the State Board of Education for any local board policy regarding corporal punishment. Local policies and regulations must list all authorized personnel to administer punishment, define criteria, and identification of instruments to be utilized.

**AB 1649** Requires that all discipline rules be created by a representative group of students, parents, administrators, security personnel, teachers, and students each 2 years, be approved by a panel composed of a representative selected by the teachers of the school, and the principal or his representative. Requires that such rules be filed with the superintendent, and that the governing board be responsible to establish the procedures for notifying transfer and continuing students each year.

**AB 2071** Allows residency for a student to be established if a parent of the student is employed within the district.

**SB 2365** Senator Bergeson's reintroduction of SB 1181 regarding actual attendance policies. SB 1181 was recently killed, after being strongly supported by CASCWA. This bill has now passed Senate Education Committee, is in Appropriations. Increased funding allows a greater number of districts to become involved in the pilot programs. An urgency bill.

**AB 2732** Provides dropout prevention funding; provides state funded program of guidance and counseling from 4th through 9th grades, provides state funded dropout prevention teams.

**AB 2780** Allows Crime Prevention Center to establish and operate Safe House programs or block parent programs to provide safety for children going to and coming from school.

**AB 2824** Allows county superintendent of schools to have authority to withhold grades diplomas or transcripts under certain conditions. Places responsibility for enforcement under some conditions with the district to which the student transfers.

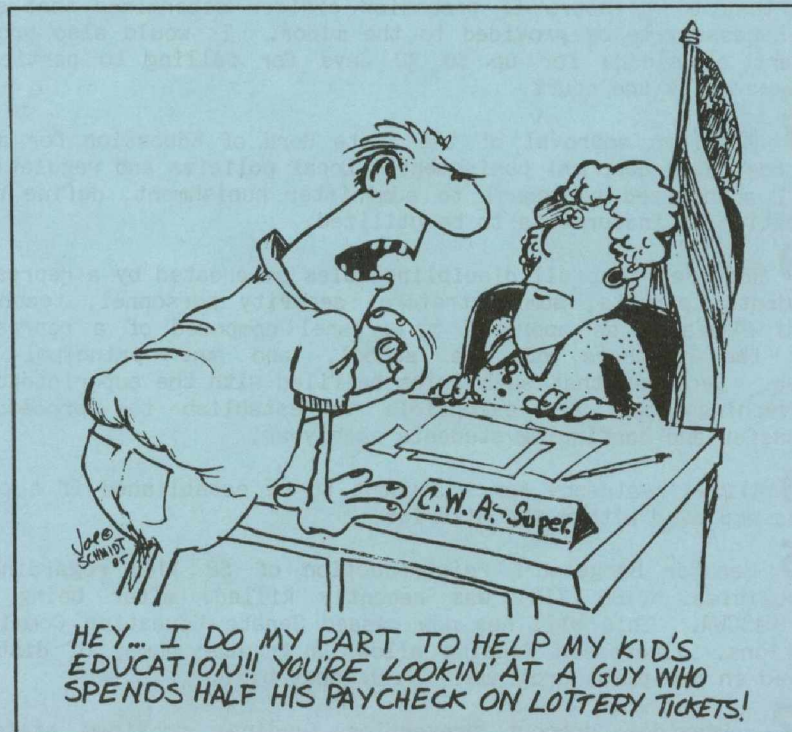
**AB 2944** Adds Supervisor of Child Welfare and Attendance to County SARB.

**AB 3092** Changes several provisions of present law regarding interdistrict transfer agreements. Allows terms and conditions to be applied.

**AB 3800** Allows parents of students who attend schools that rank in the lowest quartile of statewide achievement tests to transfer to schools performing above the lowest quartile. Space available is a requirement and allows an enrollment in a private school if no qualifying school is available.

**AB 4085** Deletes provisions of the Education Code which allow districts to establish smoking areas for students.

**AB 4328** Allows creation and support by the state of school-based health clinics. The bill includes authorization for family planning and counseling services, including abstinence programs.





# EDITORIAL

(Reprinted from CASCWA Southern Section Newsletter, Lou Gonzales, Editor)

For the past few decades, first as a student, then as a teacher, a counselor, administrator, and now consultant specializing in student behavior problems, I have been exposed to many schools and their rules. A great concern over student behavior in public schools has mushroomed. A standard practice has been to increase the number of rules and consequences to misbehavior as the misbehavior escalates. Each year, however, the crisis seems to get worse. The casual observer can easily see that stricter punishments and more rules have not proved very effective.

I am not opposed to rules per se, but I wonder whether piling rule upon rule sometimes causes more problems than it was designed to solve. Rules are necessary for the smooth functioning of a school, agreed. One might even agree that rules are necessary for the proper social growth of a young person. However, it has been my observation that for the most part, the rules and consequences that are developed in schools today either function as rewards for some or contributes to further misbehavior for others.

For example, where is the wisdom in suspending a student from school for being truant (even though current laws forbid it)? Where is the wisdom in giving a child who is having difficulty completing assignments, double assignments for not completing the original assignment? Where is the wisdom in sending a student who has an aversion to mathematics, and therefore misbehaves, to stand outside where he can then chat with his friends, and on and on and on.

It seems to me that most rules, especially those which are enforced most actively, are designed more for the comfort and convenience of teachers and administrators. In talking with student, I find they are concerned about behavior problems in school...but by the behaviors that most affect them; e.g., fighting extortion, gangs, theft. School personnel, on the other hand, are more concerned about truancy class cuts, class cutting, and of course, defiance of authority.

Let's talk about defiance of authority for a bit. Any armchair behaviorist or student of Psych 1A can tell you that children copy behavior from adult models: parents, teachers. If there is any truth to this, then it seems we have been involved too long, and perhaps unknowingly, in a "do as I say, not as I do" approach to school management. We just are not modeling the behavior we want of the youngsters. On a walkthrough of various school campuses, the casual observer can see teachers arriving late to class, smoking on schoolgrounds or during activities, returning graded assignments weeks after they are completed, leaving early because of having seventh period conferences, gossiping to students about other teachers, being absent on Mondays or Fridays (or both), being inconsistent in enforcing classroom standards, treating peers disrespectfully, and so on.

We shouldn't be too surprised, then, when we see students modeling the very same behaviors. Educators, it seems to me, find themselves not only modeling poor behavior, but encouraging students to misbehave as well. Some teachers assume, for example, that a certain percentage of students "must" fail. Others tacitly condone misbehavior by their non-participation in supervision, or by not supervising areas where misbehavior is most likely to occur. Some feel certain minority groups are more prone to misbehavior and violence, and therefore accept it. Naturally, those students will misbehave; and there isn't enough time to touch upon attitudes about student achievement.

The point is that our own negative self-fulfilling prophesy and modeling behaviors have perhaps been the cause of increased student misbehavior, which in turn has resulted in an increase in rules and harsher consequences.

A better solution would be to focus more on the reasons students are disobeying rules. More rules are not the solution to better behavior. We need to see ourselves more as highly influential models of behavior and begin taking time to analyze our own actions and attitudes. Let's "treat" the school and not the student and see what happens. By looking at our own inconsistencies rather than blaming outside forces, perhaps we can begin to improve the climate of our schools and the attitudes of our students.

Intercom Editors Note: Lou's feelings are heartfelt, to be sure. However, I have a feeling that some CASCWA members do not fully agree with all that Lou writes. If you are one and would like to do a guest editorial on the subject, drop me a line.

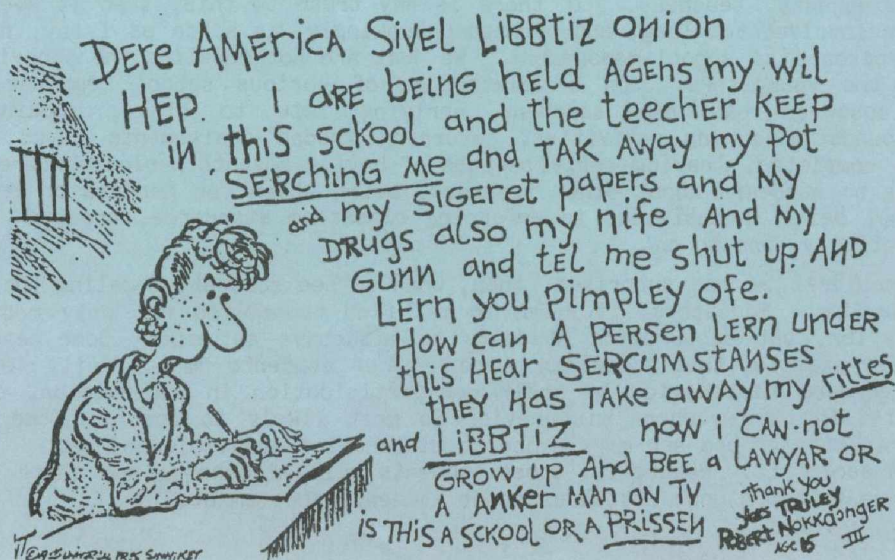


## SAN JOAQUIN SECTION DOINGS

Our big activity was the Nitty Gritty Mini Conference held February 19 at the Modesto Holiday Inn. Presentors were Bill Royer, Consultant, Los Angeles County, who reviewed the records manual from Los Angeles County, and Les Lundberg from San Leandro who reviewed the new lawson reporting child abuse. We originally had planned for 90 participants, but had 132 people who were involved, coming from all quarters of the section; from as far as Monterey and over to the Sierra area plus 10 participants from Delta-Sierra Section from Stockton.

All of the 132 involved were working with pupil records; secretaries, record attendance people; showing that all schools need training of people who work with pupil records.

As of the end of February, the San Joaquin Section had 51 paid up members in comparison with 41 a year ago. The section plans to finalize the year's activities with a luncheon; date to be announced.



## RICH DAVIS REPORTS FOR DELTA/SIERRA AND ANNOUNCES HIS RETIREMENT

I wish to thank the members of Delta/Sierra Section for their support and participation in all our activities. From all indications it appears that this section may win the CASCWA Annual Membership Award. There has been a significant increase in Delta/Sierra membership for 1985-86.

Much of our time this past year has been devoted to state conference planning "Risky Business". Dale Turner conference planning chairperson should be commended for her tireless effort in holding her Planning Committee together "It's not an easy task".

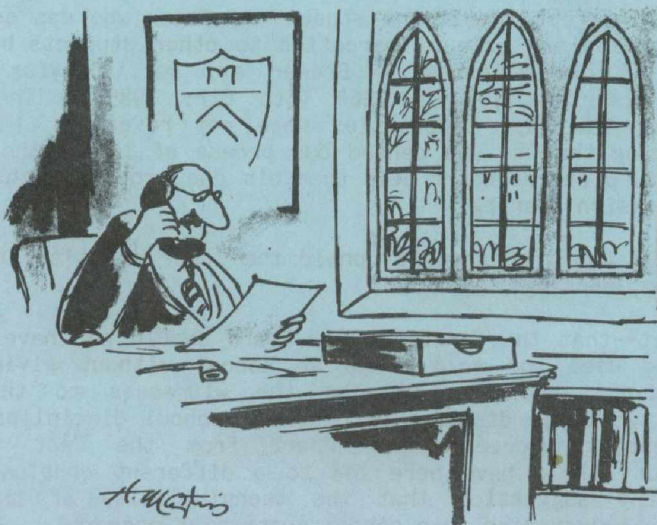
Our Winter workshop and luncheon was held on January 17, 1986, at the Beverly Garland Motor Lodge. The program consisted of a statewide report on "Drop-outs", "Sex Equity in Education", and a Legislative Update and "Drop-out" reported by Lee Lundberg.

Our year-end program and luncheon is scheduled for June 2, 1986. We will also at that time install the new officers for Delta/Sierra Section.

Election of officers for 1986-87 has been completed. The tentative results and projected outcome (70% of ballots counted) appears to be:

President:	James Fenelon, Lodi Unified School District
Vice President:	Jesse Ortiz, North Sacramento School District
Secretary:	Alicia Moran, Rio Linda Union School District
Treasurer:	roy Brassesco, Stockton Unified School District

It has been reported that Jim Miniaci, of Manteca is contemplating retirement. Jim has been a long standing member of CASCWA and has contributed a great deal towards the development of the Delta/Sierra Section. Also, it is with mixed emotions that Richard Davis has also announced his retirement June 30, 1986, after 34 years in education and 17 years as a CASCWA member.



*"Mrs. Refferton, this is Ed Spenser, dean of students. Apparently, your son Ellis has fallen through the cracks."*

## YOU PAY YOUR MONEY AND TAKE YOUR CHOICE ....

Section 48918 (h) of the California Education Code reads, "Technical rules of evidence shall not apply to the hearing..." and goes on to discuss matters of discipline pertaining to the expulsion process. Those who have dealt with the process realize that this statement belongs on the same bookshelf with "Cinderella" or the "Wizard of Oz"...or perhaps a CASCWA version of "Grim Fairy Tales." The worst part of the situation is that as CASCWA workers know, the laws in the area of discipline require constant attention if we are to remain put of court and or debtor's prison. The area is confusing and inconsistent at best. Two recent court decisions point this out:

The California Supreme Court in a recent decision, In Re William G. 709 P. 2d (Cal. 1985) reversed a juvenile drug possession conviction on the basis that the assistant principal of Chatsworth High had no basis for conducting a search on a student who was walking across campus, late for class, making furtive attempts to hide a calculator case he was carrying. The case was searched over the protest of the student and was found to contain marijuana, a gram scale, and some papers.

The Supreme Court of California reversed the order of the juvenile court, and explained:

"...suspicion that William was tardy or truant from class provided no reasonable basis for conducting a search of any kind. The record is also devoid of evidence of exigent circumstances requiring an immediate nonconsensual search. Moreover, William's "furtive gestures" in attempting to hid his calculator case from the administrators view cannot, standing alone, furnish sufficient cause to search...Similarly, William's demand for a warrant did not create a reasonable suspicion upon which to base the search. Such conduct merely constitutes William's legitimate assertion of his constitutional right to privacy and to be free from unreasonable searches and seizures."

A second case of interest involved a student in Texas who was suspended by his school for possession and sale of narcotics to other students based on the testimony of three of his "clients". Brewer ex. rel. Dreyfus v. Austin Independent School District 779F. 2d 260 (5th Cir. 1985). The students' statements were used, but their identities were not revealed. The student (Brewer) sued, claiming that he was denied due process of law in the suspension hearings. The federal district court held that his due process rights were not violated in the suspension hearing.

The Fifth Circuit Court of Appeals upheld the lower court's finding of no due process violation, stating:

"Brewer's argument--that the Campus Review Board should not have considered evidence that he had used and sold drugs at school without giving him the opportunity to confront the cross-examine the witnesses to these acts--implicitly confuses two quite distinct processes: school disciplinary actions and criminal sentencing proceedings. Apart from the fact that their application would not likely have here led to a different conclusion in any event, we reject any suggestion that the technicalities of the criminal procedure ought to be transported into school suspension cases."

Admittedly, these two cases are not identical, nor do they even concern the same specific subject, but they do indicate the range of interpretations that have come down regarding student discipline in respect to drug violations. CASCWA members, keep your lawbooks handy!!!

## JUVENILE ARRESTS FOR STATUS OFFENSES INCREASE

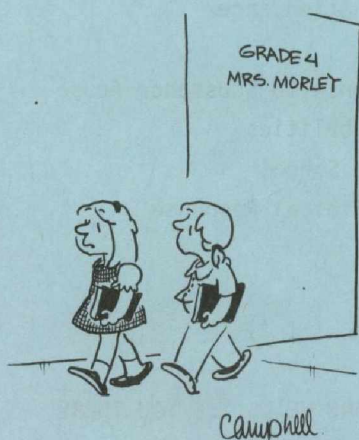
Arrests of juveniles for status offenses in California increased from 22,517 in 1983 to 26,724 in 1984. This marks the first increase in such arrests in over a decade.

This data comes from a report recently released by the Department of Justice: "Crime and Delinquency in California, 1984".

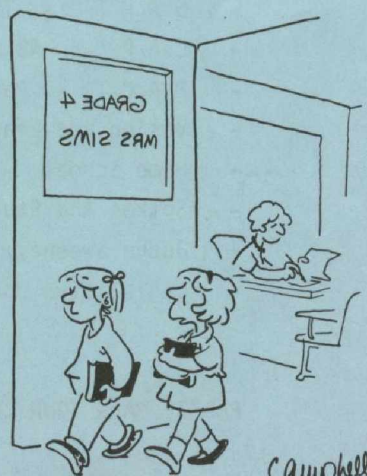
Additional comparisons between 1983 and 1984:

- 1) The number of new referrals to juvenile probation departments decreased 2.9 percent.
- 2) The number of juveniles on caseload status increased 6.2 percent.
- 3) The number of juveniles in county probation detention facilities increased 9.4 percent.

For a copy of the report write to the Department of Justice, Division of Law Enforcement Criminal Identification and Information Branch, Bureau of Criminal Statistics and Special Services, P. O. Box 13427, Sacramento, California 95813.



*"Mrs. Morley's all right for a couple of hours, but then I start getting the urge to change channels."*



*"As much time and energy as she puts into teaching, you'd think there was some money in it."*

# FALL CONFERENCE

HOSTED BY: BAY SECTION

DATES: October 28, 1986 - Executive Board Meeting  
October 29, 30, 31, 1986 - Conference

PLACE: Hilton Hotel  
Newark, CA.  
- Location: Between Hayward and San Jose.  
- Can fly into Oakland Airport or San Jose Airport.  
- Shuttle service available from both airports.

THEME: "A RAINBOW OF ALTERNATIVES"

Highlights:

- Toughlove
- Fingerprinting
- School Age Mothers
- S A R T - The Key to Attendance
- C A P - AB 2443
- P A C T - Parent Response To Substance Abuse
- Vision and Learning Disabilities
- Home School - Private School
- Spikes And Studs - A Biblical Response
- Judge Sweeney, Oakland
- Legislative Update

(AND MORE !!!)

PLEASE MARK YOUR CALENDARS AND WE'LL SEE YOU THERE.



# RENEW YOUR MEMBERSHIP

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

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

School District \_\_\_\_\_ Title \_\_\_\_\_

Address \_\_\_\_\_ (Street) (City) (Zip) Phone ( ) \_\_\_\_\_

New Member sponsored by \_\_\_\_\_ (Date)

**MAIL TO:**  
  
(Section Treasurer)

**DUES:** (Check one)

Active (\$30.00)

Associate (\$20.00)

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

Institutional (\$30.00)

Retired

Signature: \_\_\_\_\_

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