

MODESTO CITY SCHOOLS

Administrative Regulation

AR 6184

INSTRUCTION

Continuation Education

Program Components

The District's continuation education program shall include the following components:

1. Curriculum that prepares students to meet the course requirements for graduation prescribed in Education Code 51224-51225.3. (5 CCR 11004)
2. A plan to coordinate instruction and training in the continuation education program with students' parents/guardians, employment, and other agencies. (5 CCR 11003)
3. Instruction based on individual student needs as determined by counseling and coordination services. (5 CCR 11002)
4. Personal guidance in matters affecting students' personal, social, and educational adjustment. (5 CCR 11001)
5. Occupational guidance to prepare students for future employment opportunities. (5 CCR 11001)
6. Placement in suitable employment whenever students can benefit from such employment, and follow-up visitations at places of employment to determine the effectiveness of the guidance and placement services. (5 CCR 11001)
7. Regular home contacts and parent conferences when students are not succeeding in the continuation program. (5 CCR 11001)
8. Regular contacts with students enrolled for only four hours per week and all students suspended from continuation education, with the intent of eventually returning them to the full-time continuation education program. (5 CCR 11001)

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9. Regular communication with all parents/guardians regarding their child's progress in the educational program.
10. Opportunities for parent/guardian and community involvement in school activities and program planning.
11. Student support services that may include, but are not limited to, academic support services, health services or referrals, child care and development services for the children of enrolled students, and/or prevention and intervention services for alcohol or substance abuse.
12. Professional development that includes opportunities for teachers to continually improve their instructional and classroom management skills.
13. Efforts to ensure school safety and promote a positive school climate.

Involuntary Transfer

A decision to transfer a student involuntarily into continuation education classes shall be based on a finding that the student meets either of the following conditions: (Education Code 48432.5)

1. The student committed an act enumerated in Education Code 48900.
2. The student has been habitually truant or irregular in attendance from instruction the student is lawfully required to attend.

Involuntary transfer to a continuation school shall be made only when other means fail to bring about student improvement. However, a student may be involuntarily transferred the first time they commit an act enumerated in Education Code 48900 if the principal determines that the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48432.5)

Prior to an involuntary transfer, the student and the student's parent/guardian, or a foster youth's educational rights holder, attorney and social worker, or an Indian child's tribal social worker, and if applicable, county social worker, shall be given written notice that they may request a meeting with the Superintendent or designee. (Education Code 48432.5)

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At the meeting, the student and the student's parent/guardian, or, if the student is a foster youth, the foster youth's educational rights holder, attorney, and county social worker, or, if the student is an Indian child, the Indian child's tribal social worker, or, if applicable, county social worker, shall be informed of the specific facts and reasons for the proposed transfer, and, the student or parent/guardian shall have the opportunity to inspect all documents relied upon, question any evidence and witnesses presented, and present evidence on the student's behalf. The student may designate one or more representatives and witnesses to be present with the student at the meeting. (Education Code 48432.5)

A written decision to transfer, stating the facts and reasons for the decision, shall be sent to the student and the student's parent/guardian or, if the student is a foster youth, the foster youth's educational rights holder, attorney, and county social worker, or, if the student is an Indian child, the Indian child's tribal social worker, or, if applicable, county social worker. It shall indicate whether the decision is subject to periodic review and the procedure for such review. (Education Code 48432.5)

The persons making the final decision for involuntary transfer shall not be members of the staff of the school in which the student is enrolled at the time. (Education Code 48432.5)

No involuntary transfer to a continuation school shall extend beyond the end of the semester following the semester when the acts leading to the involuntary transfer occurred. (Education Code 48432.5)

Voluntary Enrollment

As space permits, students who meet the eligibility criteria specified in Board Policy may voluntarily enroll in a continuation school. A student may be considered for placement in the continuation school whenever the student's parent/guardian submits a written request to the Superintendent or designee or the student is referred by a counselor or school administrator.

Approval of a student's voluntary transfer shall be based on a finding that the placement will promote the educational interests of the student. (Education Code 48432.3)

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Voluntary enrollment shall be subject to the following conditions: (Education Code 48432.3, 48432.5)

1. A student's voluntary placement in continuation education shall not be used as an alternative to expulsion unless alternative means of correction have been attempted pursuant to Education Code 48900.5.
2. The District shall strive to ensure that no specific group of students, including a group based on race, ethnicity, language status, or special needs, is disproportionately enrolled in continuation education within the District.
3. The Superintendent or designee shall annually review disaggregated student enrollment data and report such data to the Governing Board. If it is determined that one or more student groups are enrolled in continuation education at a significantly higher level than their proportional enrollment in the District, the Superintendent or designee shall conduct a review of enrollment criteria and procedures to determine the reason for the disproportionate enrollment.
4. A copy of this Administrative Regulation and accompanying Board Policy shall be provided to a student whose voluntary transfer to a continuation school is under consideration and to the student's parent/guardian.
5. Before a student is transferred and upon request by the student's parent/guardian, the parent/guardian may meet with a counselor, principal, or administrator from both the school that the student is currently attending and the continuation school to determine if transferring is the best option for the student.
6. To the extent possible, voluntary transfer to a continuation school shall occur within the first four weeks of each semester.
7. The transfer is voluntary, and the student has a right to return to the student's previous school.

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8. A student who is voluntarily enrolled in continuation education may return to the regular high school at the beginning of the following school year, or at any other time with the consent of the Superintendent or designee.

Intake and Orientation

Upon voluntary or involuntary transfer to a continuation education program, an intake meeting shall be conducted with each student and the student's parent/guardian. At this meeting, the principal or counselor shall provide information about each course and the number of credits that the student needs to complete in order to graduate and shall develop an individualized academic plan for the student.

The student, and the student's parent/guardian as appropriate, shall sign a contract indicating their commitment to these objectives.

In addition, at the beginning of each school year, the District coordinator for continuation education, school counselor(s), or other designee(s) shall provide an orientation session for all incoming students and their parents/guardians in order to explain the credit recovery process and establish expectations for student conduct and participation. As appropriate, extended orientation sessions may be provided to assist students in developing academic, social, communication, anger management, or other skills necessary to succeed in school.

Minimum Attendance Requirement

In continuation high schools and classes, a day of attendance shall be at least 180 minutes. (Education Code 46170)

Each student shall attend classes for not less than 15 hours per week. However, if a student gives satisfactory proof of regular employment, the student may attend classes for not less than four hours per week for the regular school term. These requirements may be met by any combination of attendance in a continuation education class and/or regional occupational center or program. (Education Code 46170, 48402, 48400)

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Leaves of Absence

A student enrolled in compulsory continuation education classes may take a leave of absence for up to two semesters for the purpose of supervised travel, study, training, or work in accordance with law, Board Policy, and Administrative Regulation. (Education Code 48416)

Reenrollment

Any person age 16 or 17 years who terminated their enrollment in continuation school after obtaining a certificate of proficiency may reenroll in the District once without prejudice. If the student leaves a second time, the Superintendent or designee may deny reenrollment until the beginning of the next semester. (Education Code 48414)

Legal References:

EDUCATION CODE

46170 Continuation schools, minimum day
48400 Weekly minimum attendance requirement
48400-48454 Compulsory continuation education
48402 Enrollment in continuation education; minors not regularly employed
48410-48416 Compulsory continuation education; exempt students
48430-48438 Continuation classes
48450-48454 Violations
48900 Grounds for suspension and expulsion
48900.5 Suspension, limitation on imposition; exception
48903 Limitations on days of suspension
51220-51230 Courses of study; graduation requirements

FAMILY CODE

7000-7002 Emancipation of minors law
7050 Purposes for which emancipated minor considered an adult

CODE OF REGULATIONS, TITLE 5

11000-11010 Continuation education

Management Resources:

COURT DECISION

Nathan G. v. Clovis Unified School District (2014) Cal.App.5th 1393

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JOHN W. GARDNER CENTER PUBLICATION

Raising the Bar, Building Capacity: Driving Improvement in California's Continuation High Schools, May 2012

WEBSITES

CSBA District and County Office of Education Legal Services: <https://legalservices.csba.org/>

California Continuation Education Association: <https://cceanet.org/>

John W. Gardner Center for Youth and Their Communities, Stanford School of Education:
<https://gardnercenter.stanford.edu/>

California Department of Education: <https://www.cde.ca.gov/>

Cross References (cf.):

0410 – Nondiscrimination in District Programs and Activities

0420.4 – Charter School Authorization

0450- Comprehensive Safety Plan

0460 – Local Control and Accountability Plan (N/A)

0470 – COVID-19 Mitigation Plan

0500 – Accountability

1240 – Volunteer Assistance (N/A)

1400 – Relations Between Other Governmental Agencies and the Schools (N/A)

3515 – Campus Security

3515.3 – District Security Department

4131 – Staff Development - Certificated

5030 – Student Wellness

5112.1 – Exemptions from Attendance

5112.3 – Student Leave of Absence

5113 – Absences and Excuses (N/A)

5113.1 – Chronic Absence and Truancy

5113.11 – Attendance Supervision

5113.2 – Work Permits

5116.1 – Intradistrict Open Enrollment

5121 – Grades/Evaluation of Student Achievement (N/A)

5126 – Awards for Achievement

5131 – Conduct

5131.2 – Bullying

5131.4 – Student Disturbances

5131.6 – Alcohol and Other Drugs

5131.7 – Weapons and Dangerous Instruments

5136 – Gangs (N/A)

5137 – Positive School Climate

5138 – Conflict Resolution/Peer Mediation (N/A)

5141.6 – School Health Services Aid for Students in Need

5144 – Subpoena Power, Expulsion Proceedings

5144.1 – Suspension and Expulsion/Due Process

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Cross References (cf.) (cont.):

5144.2 – Suspension and Expulsion/Due Process (Students with Disabilities)
5145.3 – Nondiscrimination in Education Programs and Activities
5145.6 – Parental Notifications
5146 – Married/Pregnant/Parenting Students
5147 – Dropout Prevention (N/A)
5148 – Childcare and Development (N/A)
6000 – Concepts and Roles
6011 – Academic Standards
6020 – Parent Involvement
6111 – School Calendar
6112 – School Day
6143 – Courses of Study
6146.1 – High School Graduation Requirements
6146.11 – Alternative Credits Toward Graduation (N/A)
6146.2 – Certificate of Proficiency/High School Equivalency
6152 – Changing Official Schedule of Classes Grades 9-12
6158 – Independent Study
6159 – Individualized Education Program
6162.5 – Student Assessment
6162.51 – State Academic Achievements Tests
6164.2 – Guidance/Counseling Services
6164.5 – Student Success Teams
6172 – Gifted and Talented Student Program (N/A)
6173 – Education for Children in a Transitional Living Situation
6173.1 – Education for Foster Youth
6174 – Education for English Learners
6174.1 – Independent Study
6176 – Weekend/Saturday Classes
6178 – Career Technical Education
6178.1 – Work-Based Learning
6178.2 – Regional Occupational Center Program (N/A)
6179 – Supplemental Instruction for Remediation
6181 – Alternative Schools/Programs of Choice (N/A)
6183 – Home and Hospital Instruction
6185 – Community Day School (N/A)
6190 – Evaluation of the Instructional Program (N/A)
6200 – Adult Education

REVIEWED: March 13, 2017
 August 26, 2023