

Instruction

CONTINUATION EDUCATION

The Governing Board provides a continuation education program to meet the special needs of students sixteen (16) and seventeen (17) years old who are not attending a high school or other appropriate educational institution and who are not legally exempted from compulsory school attendance. (Education Code 48400) Continuation education classes shall provide:

1. An opportunity for the student to complete courses required for high school graduation.
2. A program of instruction that emphasizes occupational orientation, or a work-study program that offers intensive guidance services to meet students' special needs.
3. A program designed to meet each student's educational needs, with classroom instruction supplemented by independent study, regional occupational programs, work-study, career counseling, and/or job placement services. (Education Code 48430)

The Board further expects this program to help students develop self-confidence, a sense of responsibility, and tolerance for a variety of viewpoints. Students shall be encouraged to understand and obey laws, to manage money wisely, and to engage in construction recreational activities.

The Superintendent may allow the voluntary enrollment of students under sixteen in this program.

(cf. 6182 – Opportunity School/Class/Program)

The Superintendent or designee shall develop administrative regulations governing the involuntary transfer of students into the continuation program, including students under the age of sixteen (16).

The Board shall evaluate its continuation education program and annually report required information to the Superintendent of Public Instruction. (Education Code 48443)

(cf. 5112.3 – Student Leave of Absence)

Legal Reference:

EDUCATION CODE

48400 – 48454 Compulsory continuation education in general, especially

48401 Weekly minimum attendance requirements

48402 Minors not employed regularly

48410 Persons exempted from continuation classes

48412 Certificate of proficiency; examination fees

CONTINUATION EDUCATION (continued)

- 48413 Enrollment in continuation classes
- 48414 Persons exempted from compulsory continuation education; reenrollment in district
- 48416 Leave of absence for students aged 16 to 18 inclusive
- 48430 Legislative intent; continuation education schools and classes
- 48431 Establishment and maintenance of guidance placement and follow-up program
- 48432 Establishment and maintenance of continuation classes for minors
- 48432.5 Involuntary transfer to continuation school
- 48433 Minimum hours of instruction
- 48434 Hours classes maintained
- 48440 Continuation school income & expense report to SDE
- 48443 Evaluation and report on continuation education programs to SPI
- 484450-48454 Violation
- 48903 Limitations on days of suspension

CIVIL CODE

- 60-63 Emancipated minors
- 54 Opinions of the California Attorney General, p. 262

Management Resources

CDE PROGRAM ADVISORIES

0218.86 Age Specific Eligibility Requirements for Enrollment in Continuation Education Programs

CDE MANAGEMENT ADVISORIES

0702.09 Attendance credit for continuation schools and classes

Instruction

CONTINUATION EDUCATION

Minimum Attendance Requirement

Each student in the continuation education program shall attend classes for not less than four (4) sixty-minute hours per week for the regular school term. The requirement may be met by attendance in a continuation education class and/or regional occupational center or program. (Education code 48400)

If a student subject to compulsory attendance in continuation education classes cannot give satisfactory proof of regular employment, the student shall attend continuation education classes and/or a regional occupational center or program for not less than fifteen (15) hours per week. (Education Code 48402)

Students Exempted

Minors may be exempted from compulsory continuation education if they have regular work and present evidence that they attend adult classes at least four (4) full hours a week.

Voluntary Enrollment

With the consent of the Superintendent or designee, any high school student may enroll in continuation classes in order to receive special attention, such as individualized instruction. (Education Code 48432.5) Students so enrolled may return to the regular high school at the beginning of the following year, or at any time the Superintendent or designee gives consent.

Reenrollment

Any person sixteen (16) or seventeen (17) years old who left school after obtaining a certificate of proficiency may reenroll in the district without prejudice. If the student leaves a second time, the district may deny reenrollment until the beginning of the next semester. (Education Code 48414)

Involuntary Transfer

1. Grounds

A decision to transfer the student involuntarily shall be based on a finding that the student (a) committed an act enumerated in Education Code 48900, or (b) has been habitually truant or irregular in legally required school attendance. High school students under age sixteen (16) may be so transferred when they have used to twenty (20) days of suspension at their school of attendance.

(cf. 5113 – Absences and Excuses)

CONTINUATION EDUCATION (continued)

2. Limitation

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 he/she commits 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.

3. Duration

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)

4. Notice and Hearing

The student and parent/guardian shall be given written notice that they may request a meeting with the Superintendent's designee prior to an involuntary transfer.

At the meeting, the student and/or parent/guardian shall be told specific facts and reasons for the proposed transfer. The student or parent/guardian shall be the opportunity to inspect all documents relied upon, and to present evidence on the student's behalf. The student may designate one or more representatives and witnesses to be present with him/her at the meeting.

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)

A written decision to transfer, stating the facts and reasons for the decision, shall be sent to the student and to the parent/guardian. If the decision is subject to annual review, the letter shall explain the procedure involved.