

[Date]

[Name of County School Board]

[Address]

[City, State, Zip code]

Dear Board Members,

The governor recently signed into law a school reform bill (SB 1111) that protects the rights of students in the context of transfers to county community schools and ensures that students who win expulsion hearing are not involuntarily transferred to other schools. This law is intended to improve student success, help school districts meet the needs of students, reduce improper transfers, and increase graduation rates. SB 1111 goes into effect on January 1, 2015.

We are writing to request:

- 1) Amendments to current policies to reflect the new law,
- 2) A public hearing on the impact of SB 1111 on our county office of education, and
- 3) Documents related to school transfers pursuant to the Public Records Act (Government Code Section 6250 et seq.).

The county office of education must take active steps to ensure that its board policies are consistent with SB 1111 as required by California law. The bill's components are outlined below.

### Major Components of SB 1111

- **Students Who Win Expulsion Hearings May Not Be Involuntarily Transferred:** Students who win their expulsion hearings, except those found to have committed a mandatory expulsion offense, have the right to return to their original school and cannot be involuntarily placed in the same county community school as expelled students.
- **Youth on Probation or Parole:** Probation youth cannot be involuntarily transferred to a county community school by a probation officer without an expulsion ruling or a court order.
- **Effective School Attendance Review Boards Transfers:** If a School Attendance Review Board (SARB) recommends placement in a county community school, a student shall not be transferred unless the school district and county office determine space is available, the school can meet the student's educational needs, and the education rights holder has not objected based on reasonable safety concerns, location or transportation access, or because the school does not meet the student's educational needs.
- **Right to Return to Prior School or Another Appropriate School in The District:** Any student transferred based on a SARB recommendation has the right to return to his or her prior school or another appropriate school in the District at the end of the semester following the semester when the acts leading to the referral occurred.
- **Homeless and Foster Youth Cannot Be Automatically Placed:** Homeless and foster youth have a right to stay in their school of origin or a school that meets their best interest instead of being placed in a county community school automatically.
- **Voluntary Transfers to County Community Schools and Right to Rescind Placement:** If a student's education rights holder requests a transfer to a county community school, the school

district must determine that the placement will promote the student's educational interests and that there is space available before transferring the student.

- **Enrollment After Being Readmitted from Expulsion or Court-Ordered Placement:** A student who has been readmitted in his or her school district after successfully completing a term of expulsion or after a court-ordered school placement has been completed has the right to return to his or her former school or another comprehensive school in the District.
- **Independent Study is Voluntary and Requires Parental Consent:** County Community Schools cannot place students in independent study without parental consent and other protections in place to ensure that they receive appropriate education.
- **Rights of Students with Special Needs and English Learners:** Students with special needs and English Language Learner students cannot be transferred to county community schools that do not meet their needs.

We are also requesting a hearing on the impact of SB 1111, since parents have a right to be informed in advance about school rules, including those related to attendance options and residency requirements. Educ. Code §§ 51101; 48980. We ask that interpreters be present at the hearing for students and parents for whom English is not their first language or where a sign language interpreter is needed.

In anticipation of the hearing, we request documents and records that reflect the following information pursuant to the Public Records Act (Government Code Section 6250 et seq.):

1. The total number of students transferred to county community schools during the 2013-2014 and 2014-2015 school years disaggregated by race, ethnicity, English Learner and special needs status.
2. The total number of students enrolled in county community schools who have participated in Independent Study during the 2013-2014 and 2014-2015 school years disaggregated by race, ethnicity, English Learner and special needs status.
3. For each student who is enrolled in county community school and currently participating in independent study, any documents reflecting the reason(s) for the student's participation in independent study..
4. The total number of students enrolled in county community schools who must be advised of the right to return to their prior school or another school in their home districts on January 1, 2015 pursuant to SB 1111 including:
  - Total number of SARB referred students;
  - Total number of expelled students;
  - Total number of juvenile justice youth;
  - Total number of homeless or foster youth.
5. The total number of juvenile justice, foster care, and homeless youth enrolled in county community schools during the 2013-2014 and 2014-2015 school years.
6. The date and manner by which the county office of education will provide notice to juvenile justice, foster care and homeless youth of the right to transfer to a regular, comprehensive school and/or their school of origin pursuant to SB 1111.
7. The total number of students enrolled in county community schools who won their expulsion hearing but could not return to their original school during the 2013-2014 and

2014-2015 school years disaggregated by race, ethnicity, English Learner and special needs status.

8. The date and manner by which students currently enrolled in county community school who won their expulsion hearing will receive an opportunity to transfer to the prior school or to request another placement from their home districts that better meets their educational needs.

Please forward the above records to my address at your earliest convenience. We request that any fees related to production of the information be waived. The Public Records Act, Government Code Section 6253(c) requires your office to provide notification within ten (10) days of receipt of this letter as to whether you intend to comply with this request. Please notify me within the designated time period if there are problems fulfilling this request. Thank you for your time, and I look forward to hearing from you soon.

Sincerely,

[Signature]

[Date]

[Address]

[City, State, Zip code]

[Email Address]