



## The Eighteen Year Old; Increased, Decreased, or No Rights?

Sherman Garnett,  
*Coordinator, CW&A  
San Bernardino County  
Superintendent of Schools*



**C**onsider this scenario: An 18 year old senior student appears at the attendance office of his/her assigned school and desires to leave during third period due to a doctor's appointment. The student does not have a note from the parent allowing the student to leave the campus for the appointment.

The attendance office or administrator at the school site should:

- A. Contact the parent to confirm the appointment before allowing the student to exit the school for the appointment;
- B. Deny the student's request.
- C. Approve the student's request without contacting the parent.
- D. None of the above

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## President's Message

Rickey Jones, *Director of Pupil Services*  
*Fremont Unified School District*

Happy New Year!

As we begin the 2012 year, take a few moments to reflect on your accomplishments from 2011. While you continue to plan for 2012, take note of the new laws regarding bullying, residential verification and inter-district transfers.

As administrators in the CWA field, you are responsible for assuring these laws are complied with in your district and county office. If you have any questions regarding these laws or any other questions, please take advantage of "Ask the Expert" via [CASCWA.org](http://CASCWA.org).

Please join me and the Bay Area section in welcoming Kirsten Zaso, Director of Student Services-Alameda Unified School District as the new Northern California Legislative Rep for CASCWA. This position became open prior to winter break when Sheila Lawrence (Director of Student Services-San Leandro) submitted her resignation.

I also would like to take this time to thank Sheila Lawrence for her dedication and exceptional representation at state legislation meetings on behalf of CASCWA.

Kirsten brings a wealth of knowledge and experience in the CASCWA field. For updates on new legislation and how it will effectively you in the CWA field, please feel free to contact Kirsten, Jeni Mendel (Southern California section) and Sherman Garnett.

Begin planning now to attend CASCWA state conference in Anaheim. This year's conference theme is "Stick your neck out for kids." Any questions regarding the upcoming state conference should be directed to Steve Freire.

Bay section is planning a spring workshop in May 2012 with more information to come in the near future.

Again, Happy New Year and I look forward to hearing from and seeing you soon.



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## In Memoriam

It is with regret that we inform you of the passing of Peggy Withrow. Peggy worked in the Alameda Unified School District and was an active member of Bay Section CASCWA.

Even though retired for six years, Peggy was still active and part of the 2011 State Conference Committee. Her contributions, personality, and wonderful smile will be sorely missed.

## ***Eighteen Year Old -Rights?***

*Continued from page 1*

The rights and responsibilities of an 18 year old student are generally misunderstood and disregarded by many school officials statewide. I constantly receive communication from school districts and school sites statewide that have created unwritten and written rules, regulations, and practices relative to eighteen year olds without understanding the law and desiring guidance with this issue.

Basically, an eighteen year old is an adult and should be treated as such by school officials which mean the following:

- The student is no longer under parent supervision or needs to receive permission from a parent in the form of notes for absence verification, field trip permission slips, etc.
- The parent no longer has the right to receive copies of grades, transcripts, request an IEP, be notified of their child's suspension from school, etc.

**EXCEPTION:** The parent of an eighteen year old may receive copies of records if the parent can provide evidence that the student is their dependent as defined by the IRS ( Education code 49076 (5))

- The student is no longer subject to compulsory education laws and may withdraw from the school voluntarily at any time without parent permission.
- The student may sign their own absence slips, request grades, an IEP or challenge the content of records.

- The student may not be arbitrarily dropped from school for non- attendance, poor grades, academic performance, etc. Due process must be served prior to taking this type of action. ( attendance letters, involuntary transfer procedures, student study team, etc)
- Work permits are not required.

In closing, I urge school officials to reconsider policies and procedures aimed at protecting the rights of adult students enrolled in public schools.

*The correct answer to the above listed scenario is C.*

### **California Association of Pupil Personnel Administrators (CAPPA)**

*The mission of **CAPPA** is to strengthen services to public school students of California in the areas of attendance, counseling, health services, research, school psychology, school social work, special education, prevention and intervention, at-risk students, safe schools, and/or drug free schools.*

*To this purpose, we meet to share information, experience and problems in the organization and administration of pupil personnel services.*

- ♦ January 11, 2012 – Monterey
- ♦ May 11, 2012 – Palm Springs

*Visit [www.cappaonline.net](http://www.cappaonline.net) to register.*

## **CASCWA Scholarship Applications Due April 6, 2012**

Dear Scholarship Coordinator:

Each year Bay Section CASCWA, California Association of Supervisors of Child Welfare and Attendance, awards \$500.00 scholarships to deserving, graduating high school seniors who have overcome unique obstacles and difficulties.

The students we want to recognize and honor are those who may have had to overcome lack of success early on due to personal or family problems, attendance or discipline issues. These students may have benefited from the intervention of a school counselor, community agency, or a child welfare and attendance worker.

Please help us to reach deserving students who are working against the odds to improve themselves. This may be a student who might not necessarily be attending a four-year college but attending a community college or a vocational program.

The one page application form and requirements are included. Thank you for your support.

Sincerely,

*Janet McMurray*

Janet McMurray  
Scholarship Chairman

A complete application packet for this scholarship award shall include:

- Application form
- A personal letter/statement, which describes the obstacles student has faced and career goals and plans for further education and/or training
- One letter of recommendation Transcript – freshman through first semester of senior year

**Deadline: Applications should be postmarked by Friday, April 6, 2012.**

Mail application packet to:

Janet McMurray  
1319 Everett St  
El Cerrito, CA 94530  
(510) 932-9177



BAY SECTION SCHOLARSHIP AWARD 2011-2012

Eligibility: Scholarships will be awarded to deserving, graduating high school seniors who have overcome unique obstacles and difficulties.

Award: \$500 scholarship per student toward further education or training.

Application Form

Name\_\_\_\_\_

Street Address\_\_\_\_\_

City\_\_\_\_\_ Zip Code\_\_\_\_\_

Telephone\_\_\_\_\_ Cell Phone\_\_\_\_\_

District\_\_\_\_\_

School of Attendance \_\_\_\_\_

A complete application packet for this scholarship award shall include:

- Application Form
  - A personal letter/statement (approximately 1 page, typed) which describes the obstacles you have faced, your progress in spite of difficulties and your plans for further education or training.
- One letter of recommendation
- Complete transcript – freshman through first semester of senior year

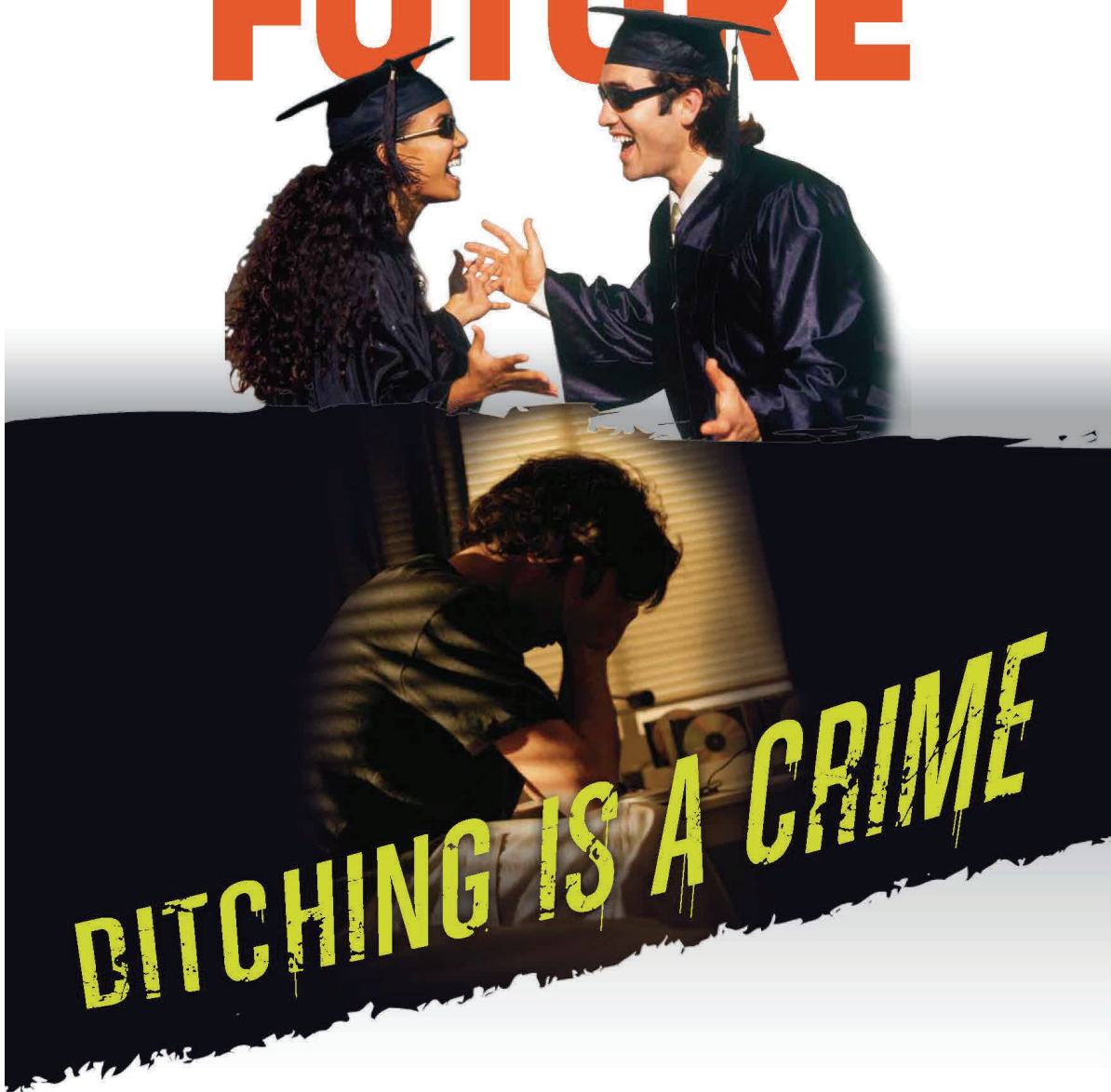
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1319 Everett St  
El Cerrito, CA 94530  
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# DON'T DITCH *Your* FUTURE



**ACCORDING TO EDUCATION CODE 48200 AND DAYTIME LOITERING ORDINANCES  
ALL KIDS BETWEEN 6-18 MUST BE IN SCHOOL FROM 8:30-1:30 ON ANY SCHOOL DAY**



# Funding Opportunities!



## **United States Department of Health and Human Services**

<http://www.hhs.gov/grants/>

## **United States Department of Justice, Bureau of Justice Assistance (DOJ, BJA)**

*NEW!! Second Chance Act Technology Demonstration Grants*

<http://www.ojp.usdoj.gov/BJA/grant/12SCATechCareersSol.pdf>

The U.S. DOJ Office of Justice Programs, Bureau of Justice Assistance (BJA) is pleased to announce that it is seeking applicants for funding under the Second Chance Act to provide technology career training to incarcerated individuals. This program furthers the Department's mission by providing services and programs to help facilitate the successful reintegration of offenders as they return to their communities. BJA anticipates that it will make up to six awards of up to \$750,000 for a 12-month project period to begin on October 1, 2012.

Due: March 2, 2012

## **Links to US Government Agencies**

[http://www.usa.gov/Agencies/Federal/All\\_Agencies/index.shtml](http://www.usa.gov/Agencies/Federal/All_Agencies/index.shtml)

Click above for links to other agencies such as Departments of Labor, Agriculture, and Health and Human Services. Go this link <http://www.usa.gov/Contact/E-mail-subscriptions.shtml> to receive direct e-mail updates from as many government agencies as you choose.

## **Federal Resources for Educational Excellence (FREE)**

<http://www.free.ed.gov/>

FREE makes it easier to find teaching and learning resources from the federal government. More than 1,500 federally supported teaching and learning resources are included from dozens of federal agencies. New sites are added regularly. And you guessed it—these resources are free!!

## **California Department of Education**

<http://www.cde.ca.gov/fg/fo/af/>

Tobacco-Use Prevention Education: Grades 6 through 12 Tier 2 (2012; Grant) NEW! 18-Nov-2011

Deadline established: February 17, 2012

McKinney-Vento: Education for Homeless Children and Youth (2012; Grant)

Deadline established: March 1, 2012

Summer Food Service (2011; Apportionment)

Deadline established: April 1, 2012

Child Care Facilities Revolving Fund General Facilities Application FY 2011-12 (2011; Contract)

Deadline established: June 30, 2012

## **ING Run for Something Better Awards (ING RFSB)**

[http://www.ingrfsb.com/site/index/get\\_your\\_school\\_involved](http://www.ingrfsb.com/site/index/get_your_school_involved)

ING RFSB, in partnership with the National Association for Sport and Physical Education, is providing a minimum of fifty (50) grants up to \$2,500 to each school planning to establish a school-based running program or expand an existing one. Because the ING RFSB is so flexible, it's easy for elementary or middle schools to qualify. Start with at least 25 K-8 students ready to commit, and you're ready to go!

Due: May 15, 2012

***Funding opportunities***  
*Continued on page 11*

## Funding Opportunities

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### Best Buy Community Grants

[http://www.bestbuy-communityrelations.com/community\\_grants\\_rfp.htm](http://www.bestbuy-communityrelations.com/community_grants_rfp.htm)

Through the Community Grants program, Best Buy teams across the United States select non-profit organizations that provide positive experiences to help teens to excel in school and develop life and leadership skills. This year, Best Buy Children's Foundation will give \$2 million in Community Grants.

Due: check the web site for the next opportunity

### CVS Caremark Community Grants

<http://info.cvscaremark.com/community/our-impact/community-grants>

The CVS Caremark Community Grants program awards funds to nonprofit organizations for programs targeting children with disabilities, programs focusing on health and rehabilitation services, public schools promoting a greater level of inclusion in student activities and extra-curricular programs, and initiatives that give greater access to physical movement and play. Grants are up to \$5,000.

Due: Grant application process open from January 1st to October 31st.

### Innovative Worthy Projects Foundation

<http://www.iwpcf.org/application/index.html>

The IWP Foundation makes grants to organizations throughout the US dedicated to serving developing innovative programs, disseminating ideas, or providing direct care or services for children with special needs, acute illnesses or chronic disabilities. Average grant is about \$5,000.

Due: Applications accepted January 1st through August 31st each year.

### The Lawrence Foundation

<http://www.thelawrencefoundation.org/>

The Lawrence Foundation is a private family foundation focused on making grants to support environmental, education, health, human services and other causes.

Due: Letters of inquiry are due April 30 and October 31 for the two grant cycles.

### Wal-Mart Foundation

<http://walmartstores.com/CommunityGiving/203.aspx>

The Wal-Mart Foundation emphasis is on their associates, children, families, the local community and other local programs that improve quality of life. Giving is specifically focused on: Community, Education, Environment and Children. All requests for funding must be directed through Wal-Mart Stores, SAM'S CLUBS, Neighborhood Markets and Distribution Centers.

Due: Open--call local store for more information.



Order Free U.S. Department  
of Education Publications

## Free Publications on Safety

The challenges facing administrators, teachers and parents regarding safety concerns and issues have become increasingly important in our complex world. In order to assist the academic community, the Department of Education has over the past several years produced a variety of free publications on the topic of Safety which we hope will be of interest to you.

We look forward to your utilization of the following free publications.

- ED000561P *School Programs Give Us Wings, Let Us Fly! Communities And Schools Working Together*
- ED001340P *Early Warning, Timely Response: A Guide To Safe Schools*
- ED001366B *Bullying: A Manual For Schools And Communities*
- ED001424B *For Helping Students Recovering From Traumatic Events*
- ED002182P *Stories '94: A Guide To Safe, Disciplined, And Drug-Free Schools*

Please note certain order limits apply.

Website: <http://www.edpubs.gov>

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California Association of Supervisors of  
Child Welfare & Attendance

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### STATE BUDGET UPDATE

The 2011-12 state budget assumed the state would receive an additional \$4 billion in revenues over May Revision and included "trigger" provisions that would impose further budget cuts if some or all of the revenue did not materialize. On December 13, Governor Brown announced that the state will not realize the full \$4 billion and the 2011-12 trigger reductions will go into effect. However, as we suspected, the reductions to K-12 schools will be dramatically less than some have projected.

For schools, the trigger reductions will include the following:

- 1) \$79.6 million reduction to K-12 revenue limits. According to the Department of Finance, this is less than a quarter of one percent of the revenue limit funding. This works out to about \$13 per student on average statewide. This reduction will go into effect February 1, 2012.
- 2) Elimination of the remainder of the Home-to-School Transportation funding (\$248 million statewide). This reduction goes into effect January 1, 2012 and is effectively half of what districts expected to receive during the fiscal year.

The trigger provisions also provide the authority for schools to further reduce the school year by  $\frac{1}{2}$  of a day.

In his presentation to the press, the governor said his budget proposal in January will provide a choice to voters, either agree to an additional \$7 billion in taxes to shore up schools and other vital services, or face cuts of an equal amount. We expect to learn more about the specifics of the proposal as January 10 nears, but it appears the January budget will unfortunately contain additional uncertainty for schools in 2012-13.

When asked if he could say there will be no additional mid-year budget reductions, the governor said he expects the state to make it through the remainder of the year without additional reductions, "absent a major catastrophe."

### LEGISLATION

October 9 was the deadline for Governor Brown to take action on legislation sent to his desk by the legislature. While the weak economy continues to hold down the state's finances, most legislative efforts to address meaningful issues in education failed to make it out of the legislature in 2011 due to cost concerns.

**The following bills were signed into law and take effect January 1, 2012:**

- ⇒ **AB 9 (Ammlano) Pupils: Bullying** – Requires a school district to include information in its policies and procedures regarding discrimination, harassment, intimidation and bullying, and requires a complaint procedure and alternative discipline policy for pupils who engage in this behavior.



- ⇒ **AB 25 (Hayashi) Athletics: Concussions and Head Injuries** – This bill requires a school districts to remove youth from a school-sponsored athletic activity for the remainder of the day if an athlete is suspected of having a concussion. The injured athlete would have to be evaluated and cleared by a licensed health care provider before returning to the activity.
- ⇒ **AB 207 (Ammiano) School Attendance: Residency Requirements** – This bill expands the list of documents a school district must accept to show a pupil meets residency requirements to including, but not limited to, property tax payment receipts, rental property contract, lease or payment receipts, utility service contract, statement, or payment receipts, pay stubs, voter registration, correspondence from a government agency, or a declaration of residency.
- ⇒ **AB 387 (Bonilla) Pupils: Excused Absences: Military Deployment Activities** – This bill expands the list of excused absences to include spending time with an immediate family member who is an active duty member of the uniformed services and has been called to duty, is on leave, or has immediately returned from deployment to a combat zone or combat support position.
- ⇒ **SB 48 (Leno) Pupil Instruction: Prohibition of Discriminatory Content** – This bill directs revision of the social science curriculum in the state to include the contributions of LGBT and disabled individuals throughout history. The bill also prohibits the state and local boards from adopting materials that negatively portray LGBT or disabled individuals.
- ⇒ **SB 381 (Pavley) School Attendance: Residency Requirements** – This bill extends authorization, until July 1, 2017, for a pupil to enroll in school where the parent or guardian of that pupil is employed within the boundaries of that school district for at least 10 hours during the school week, rather than where the pupil resides.
- ⇒ **SB 161 (Huff) Schools: Emergency administration of epilepsy medication** – This bill allows school employees to volunteer to administer anti-seizure medication to students with epilepsy.

**The following bills were vetoed:**

- ⇒ **AB 47 (Huffman) Schools: Open Enrollment** – This bill would have modified the open enrollment process to exempt schools with Academic Performance Index scores of at least 700, schools with at least 50 points growth, certain special education schools, and make charter schools subject to being on the list of low-achieving schools. In his veto message, the governor said he was returning the bill because the State Board of Education had the appropriate authority to resolve any changes to the open enrollment process.
- ⇒ **AB 165 (Lara) Pupil Fees** – This bill would prohibit public schools, including charter and alternative schools, from charging a fee for students to participate in educational activities and includes accountability measures. In his veto message, the governor said the bill goes too far in requiring school districts to perform certain notification requirements when no complaints have been made and there is no evidence of a violation.

- ⇒ **AB 202 (Brownley) Reimbursable State Mandates** – Among other things, this bill would authorize a local education agency (LEA) test claimant to designate another LEA to draft the proposed parameters and guidelines to the Commission on State Mandates and establish a timeline and an arbitration process for reasonable reimbursement methodology development if the test claimant and Department of Finance reach an impasse during RRM development. The governor's veto message indicated his belief that the bill creates a new avenue for deciding the costs of state mandates which may prove to be more complicated and costly than the existing process.
- ⇒ **AB 446 (Carter) Juveniles: Restorative Justice Program** – This bill would have authorized a county to adopt a restorative justice program to address the needs of minors, victims, and the community. In his veto message, the governor said courts already have this and this bill may create the expectation that the courts create new programs when they are already struggling with painful budget cuts.

# Upcoming Conferences

## **Center for Excellence in School Counseling and Leadership**

*Supporting Students—Saving Lives (LGBTQIA Youth)*

February 17-19, 2012—San Diego, CA

[www.cescal.org](http://www.cescal.org)

## **California Association of School Psychologists**

*Alcoholism and Other Chemical Substance*

*Dependency Training*

February 4-5, 2012—Los Angeles, CA

February 24-25, 2012—San Jose, CA

[www.caspwebcasts.org](http://www.caspwebcasts.org)

## **California League of Middle/High Schools**

*Creating a Climate of Achievement*

February 24-26, 2012—Sacramento, CA

[www.leagueofschools.org](http://www.leagueofschools.org)

## **8th Annual California Conference**

*Childhood Grief and Traumatic Loss*

March 22, 2012—Pasadena, CA

[www.ican4kids.org](http://www.ican4kids.org)

## **CASCWA State Conference**

*Stick Your Neck Out for Kids*

April 18-20, 2012—Garden Grove, CA

[www.cascwa.org](http://www.cascwa.org)

## **School Climate and Safety Summit**

*Bully, Victim, Bystander: Preventing and Responding to Bullying on Campus and Online*

April 29-30, 2012—North Lake Tahoe, NV

[www.leagueofschools.org](http://www.leagueofschools.org)









## CASCWA Mission

CASCWA is an organization comprised of school and community professionals who are dedicated to improving school climate, safety, and increasing school attendance. We create a network of professional support, mentors and educators, and we influence relevant legislation and advocate for the needs of the students, families, and schools.

## CASCWA State Executive Board 2011-2012

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## Not Yet a Member? JOIN CASCWA!

- CASCWA is the only state organization that focuses on the specific needs of the Supervisors of Child Welfare and Attendance personnel.
- CASCWA offers the opportunity for like-minded professionals to develop a personal support network, particularly in these trying times.
- CASCWA offers the opportunity for professional growth through meetings, workshops and conferences.
- CASCWA is becoming more involved in the legislative process, by monitoring and advising on existing legislation being presented.

**Annual dues:**

Active - \$50  
Retired - \$20  
Student - \$20

[www.cascwa.org/membershipPrint.php](http://www.cascwa.org/membershipPrint.php)