

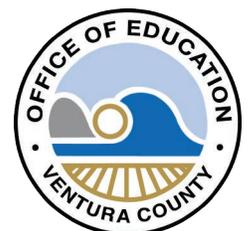
# VENTURA COUNTY Plan for Expelled Students

## TRIENNIAL UPDATE JUNE 2018-2021



**Ventura County Office of Education**  
Stanley C. Mantooth, County Superintendent of Schools

5189 Verdugo Way • Camarillo, CA 93012  
805-383-1900 • [www.vcoe.org](http://www.vcoe.org)



## Collaborative Plan By

Ventura County Office of Education  
Briggs Elementary School District  
Conejo Unified School District  
Fillmore Unified School District  
Hueneme School District  
Mesa Union School District  
Moorpark Unified School District  
Mupu Elementary School District  
Oak Park Unified School District  
Ocean View School District  
Ojai Unified School District  
Oxnard School District  
Oxnard Union High School District  
Pleasant Valley School District  
Rio School District  
Santa Clara Elementary School District  
Santa Paula Unified School District  
Simi Valley Unified School District  
Somis Union School District  
Ventura Unified School District

## Acknowledgements

### Student Services Collaborative Team

Dr. Juan Santos, Conejo Valley Unified School District  
Stefan Cvijanovich, Fillmore Unified School District  
Denise Hicklin, Hueneme School District  
Irma Villanueva, Hueneme School District  
Teresa Cortes, Moorpark Unified School District  
Donna Welch, Moorpark Unified School District  
Ian McGugan, Oak Park Unified School District  
Maria Elena Plaza, Ocean View School District  
Chris Ridge, Oxnard School District  
James Koenig, Oxnard Union High School District  
Carol Bjordahl, Pleasant Valley School District  
Rebecca Rocha, Rio School District  
Wendy Mayea, Simi Valley Unified School District  
Kenneth Loo, Ventura County Office of Education  
Dr. Roger Rice, Ventura County Office of Education  
Ralph Velarde, Ventura County Office of Education  
Cynthia Frutos, Ventura Unified School District

### Community Stakeholders

Pam Darby, City Impact  
Leoda Valenzuela, California Rural Legal Assistance  
Franchesca Verdin, California Rural Legal Assistance  
Stacy Ratner, Ventura County District Attorney  
Lupe Paz, Ventura County Probation Agency  
Gina Johnson, Ventura County Probation Agency  
Mark Varela, Ventura County Probation Agency  
Matt Benitez, Ventura County Public Defender  
Michael Rodriguez, Ventura County Public Defender

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## Legal Requirements of a Countywide Expulsion Plan

On July 1, 1996 California Education Code section 48926 became operational. California Education Code 48926 states, “each county superintendent of schools in counties that operate community schools pursuant to section 1980, in conjunction with superintendents of the school districts within the county shall develop a plan for providing education services to all expelled students in that county. The plan shall be adopted by the governing board of each school district within the county and by the county board of education.” California Education Code section 48926 required county superintendents to submit a plan to the Superintendent of Public Instruction, no later than June 30, 1997 regarding the provisions of educational services to all expelled students in the county.

Section 48926 further provides that each county superintendent of schools, in conjunction with district superintendents in the county, shall submit to the Superintendent of Public Instruction a triennial update to that plan on June 30 thereafter. The first triennial update was due no later than June 30, 2000, the second triennial update no later than June 30, 2003, the third triennial update was due no later than June 30, 2006, the fourth triennial update was due no later than June 30, 2009, the fifth triennial update was due no later than June 30, 2012, the sixth triennial update was due June 20, 2015 and the most current plan is to be submitted no later than June 30, 2018. A list of the board approval dates for each triennial update is contained in this document.

Education Code section 48926 requires that the following components be contained in this plan;

- a. An enumeration of existing educational alternatives for expelled students
- b. The identification of gaps in educational services for expelled students
- c. Proposed strategies for fulfilling said gaps
- d. Alternative placements for those expelled students who have failed to meet the terms and conditions of their rehabilitation plan

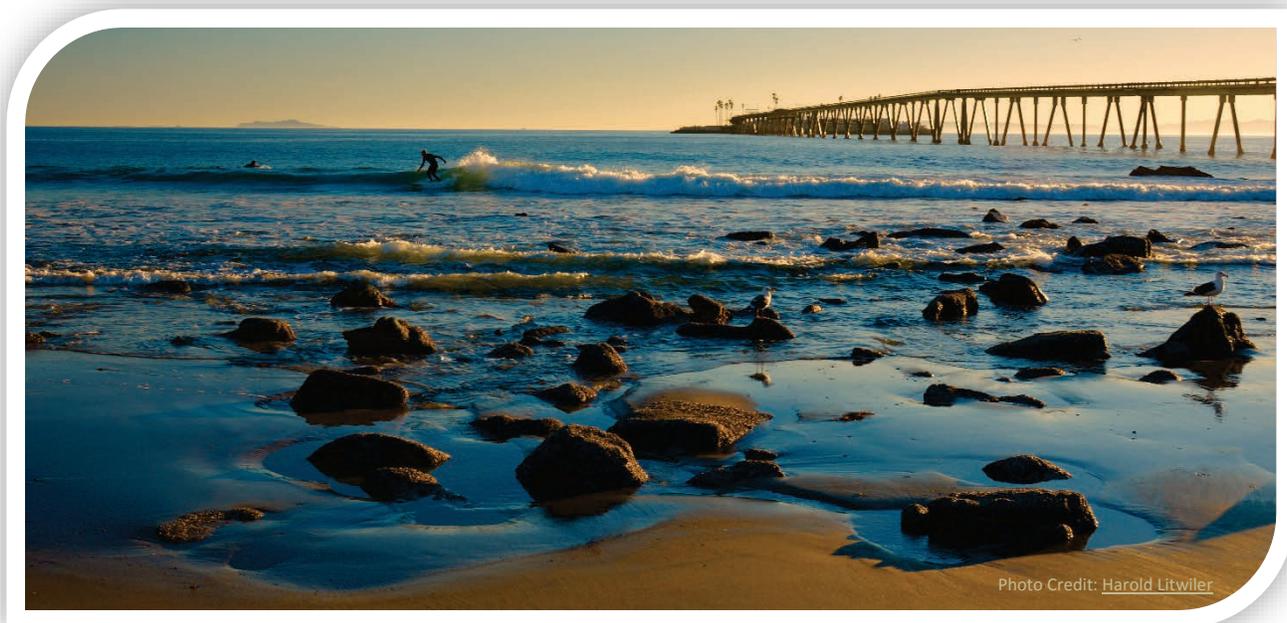
California Education Code section 4816.1 states, “At the time an expulsion of a pupil is ordered, the governing board of the school district shall ensure that an educational program is provided to the pupil who is subject to the expulsion order for the period of the expulsion....” Therefore, every Ventura County School District governing board will refer each expelled student to an appropriate educational placement for the period of the expulsion. The educational placement will be determined on an individual basis by the school district’s governing board based on;

1. The educational needs of students
2. The seriousness of the offense
3. Available educational alternatives
4. Other related factors

## Factors Impacting District-level Alternatives

District-level alternatives for expelled students will vary from one district to another depending on such factors as:

1. District size
  - a. Larger districts may have more options than smaller districts.
  - b. Smaller districts may need to rely on county-operated programs or partner with other small districts to develop viable in-district options.
2. District philosophy and approach to student discipline which may include varying degrees of:
  - a. Restorative practices
  - b. Alternative means of correction
  - c. Staffing
3. Individual student academic needs and current skill levels as determined by the student's:
  - a. Grades
  - b. State standardized assessments
  - c. Formative and summative assessments
  - d. Quality of school work
  - e. Other formal and informal assessments which may contribute to better understanding the individual student's level of academic skills
4. Attendance patterns demonstrated by the student's excused and unexcused absences as well as tardies.
5. Behavior in and out of class
6. Communication: Student's ability to communicate and navigate through the formal and informal curriculum and culture of the school
7. Discipline: Discipline history including patterns of past disciplinary offenses and the severity of those offenses.
8. Health and medical status which may include:
  - a. Health limitations
  - b. 504 accommodations if any
  - c. Drug and/or alcohol dependence or abuse
  - d. Physical limitations and/or mobility needs
9. Social/emotional well-being including:
  - a. Level of student engagement with peers
  - b. Pattern of conflicts with other students and staff
10. Response to Instructional approaches - based on existing evidence



## Background and Context

Ventura County covers an area of 1,843 square miles and ranks 26<sup>th</sup> in size and 11<sup>th</sup> in population among California’s 58 counties (pop. 850,000). It is bordered on the north by Kern County, on the west by Santa Barbara County, and on the south and east by Los Angeles County. The Pacific Ocean provides the county’s southwestern border stretching along 42 miles of coastline. There are ten incorporated cities in the county. The five cities with populations of 50,000 or more are Oxnard, Simi Valley, Ventura, Thousand Oaks, and Camarillo. Ventura is the County seat.

A total of twenty school districts in Ventura County (eleven elementary school districts, eight unified school districts, and one high school district) provide services to over 137,000 students. School districts range in size from the smallest with fifty students to the largest with enrollments of over 20,000 students.

**Table 1. 3-Year Ventura County Student Demographics**

Year	Total	African American	American Indian or Alaska Native	Asian	Filipino	Hispanic or Latino	Pacific Islander	White	Two or More races	Not Reported
2016-17	139,104	1.2%	.3%	4.4%	1.9%	58.3%	.2%	30.7%	3%	0%
2015-16	140,548	1.3%	.3%	4.4%	1.9%	57.7%	.2%	31.3%	2.8%	.1%
2014-15	141,899	1.4%	.3%	4.4%	1.9%	56.5%	.2%	32.5%	2.5%	.2%

**Table 2. 2016-2017 English Learner Population**

2016-2017 Enrollment by English Language Acquisition Status and Grade - Ventura County Report						
Grade	English Only (EO)	Initial Fluent English Proficient (IFEP)	English Learner (EL)	Reclassified Fluent English Proficient (RFEP)	To Be Determined (TBD)	Total
KN	6,685	130	4,198	3	268	11,284
01	5,599	165	4,060	26	12	9,862
02	5,602	195	3,977	144	9	9,927
03	5,766	179	3,868	235	3	10,051
04	5,956	217	3,594	741	5	10,513
05	6,267	221	3,302	1,327	8	11,125
06	6,103	302	2,402	1,923	6	10,736
07	6,120	304	1,909	2,382	10	10,725
08	6,256	314	1,587	2,561	7	10,725
09	6,434	340	1,351	2,791	12	10,928
10	6,448	370	1,145	2,965	9	10,937
11	6,747	633	974	2,740	6	11,100
12	6,621	659	798	2,870	3	10,951
US	156	4	30	50	0	240

Report Totals						
Name	English Only (EO)	Initial Fluent English Proficient (IFEP)	English Learner (EL)	Reclassified Fluent English Proficient (RFEP)	To Be Determined (TBD)	Total
<u>Ventura County</u>	80,760	4,033	33,195	20,758	358	139,104
<u>State</u>	3,556,229	276,570	1,332,405	1,047,267	15,764	6,228,235

Educators in Ventura County recognize the need for a continuum of educational services for all students, including expelled students. It is important to provide support and service to the expelled student while recognizing the rights of others to be safe. Local educators also recognize the seriousness of expulsion and are committed to applying careful thought, with an emphasis on fairness and consistency during the decision-making process.

Educational programs within Ventura County provide numerous opportunities for students who are in need of traditional and/or alternative educational programs. Individual school districts offer a spectrum of educational alternatives, and the Ventura County Office of Education (VCOE) offers options via court and community school programs. In addition, the county's public charter schools offer a wide variety of educational options for students in all grades K-12. Together, the local school districts and VCOE attempt to provide the needed range of services for expelled students.

## Legal Update

In recent years, including the time since the last update (2015-2018) was developed, the State of California has enacted numerous legislative changes that have impacted the way that schools and districts deal with the issue of student suspensions (which often lead to expulsion) and expulsions. An effective plan aimed at better serving expelled students must take these changes into account in addition to relevant sections of the education code that are worthy of note and may assist schools and districts in their efforts to better serve students subject to expulsion. Therefore, this section highlights some of the most important legislative changes as they impact student suspension and expulsion.

### Suspension

1. [Education Code 48900 \(k\)\(2\)](#)
  - a. Limits the ability of schools and districts to suspend students for willful defiance in grades K-3. This code also precludes any school district from recommending a student for expulsion under this provision. These two restrictions are operative through July 1, 2018 at which time it becomes inoperative unless replaced or amended.
2. [Education Code 48900 \(v\):](#)
  - a. Provides school administrators the discretion to impose age appropriate alternatives to suspension and expulsion on students subject to discipline so long as the alternative is designed to address the specific behavior of the student.
3. [Education Code 48900 \(w\):](#)
  - a. Expresses the legislature's intent that alternative means of correction are used in place of suspension and expulsion for students who are tardy, truant, or otherwise absent from school activities.
4. [Education Codes 48900.5 and 48900.6](#)
  - a. These codes together present strong guidance on alternative means of correction including making numerous suggestions for such alternatives including restorative approaches and community service.

### Expulsion

5. [Education Code 48915](#)
  - a. Details provisions related to student expulsion including differentiating between “may” and “shall” expel offenses.
  - b. Provides the Superintendent to impose alternative means of correction

## Enrollment and Transfer

### 6. Education Code 1981

- a. Details the conditions under which a county board of education may enroll students in a county community school program as follows:
  - i. Expelled from a school district for any reason other than those specified in subdivision (a) or (c) of Section 48915.
  - ii. Referred to a county community school by a school district as a result of the recommendation by a school attendance review board.
  - iii. On probation, with or without the supervision of a probation officer and consistent with an order of a juvenile court, who are considered to be wards of the court under Sections 601 and 602 of the Welfare and Institutions Code and ordered placed pursuant to Sections 725, 729.2, and 791 of, and paragraph (2) of subdivision (a) of Section 727 of, the Welfare and Institutions Code.
  - iv. When a school district of attendance, has, at the request of the pupil's parent, guardian, or responsible adult, approved the pupil's enrollment in a county community school.

### 7. Education Code 48201

- a. Details notice provisions related to transfers of expelled students as follows:

(b) (1) Upon a pupil's transfer from one school district to another, the school district into which the pupil is transferring shall request that the school district in which the pupil was last enrolled provide any records that the district maintains in its ordinary course of business or receives from a law enforcement agency regarding acts committed by the transferring pupil that resulted in the pupil's suspension from school or expulsion from the school district. Upon receipt of this information, the receiving school district shall inform any teacher of the pupil that the pupil was suspended from school or expelled from the school district and shall inform the teacher of the act that resulted in that action.

### 8. Education Code 48915.1

- a. Details the responsibilities and procedures of an LEA that receives a student under an expulsion agreement from another LEA.

(a) If the governing board of a school district receives a request from an individual who has been expelled from another school district for an act other than those described in subdivision (a) or (c) of Section 48915, for enrollment in a school maintained by the school district, the board shall hold a hearing to determine whether that individual poses a continuing danger either to the pupils or employees of the school district. The hearing and notice shall be conducted in accordance with the rules and regulations governing

procedures for the expulsion of pupils as described in Section 48918. A school district may request information from another school district regarding a recommendation for expulsion or the expulsion of an applicant for enrollment. The school district receiving the request shall respond to the request with all deliberate speed but shall respond no later than five working days from the date of the receipt of the request.

(b) If a pupil has been expelled from his or her previous school for an act other than those listed in subdivision (a) or (c) of Section 48915, the parent, guardian, or pupil, if the pupil is emancipated or otherwise legally of age, shall, upon enrollment, inform the receiving school district of his or her status with the previous school district. If this information is not provided to the school district and the school district later determines the pupil was expelled from the previous school, the lack of compliance shall be recorded and discussed in the hearing required pursuant to subdivision (a).

(c) The governing board of a school district may make a determination to deny enrollment to an individual who has been expelled from another school district for an act other than those described in subdivision (a) or (c) of Section 48915, for the remainder of the expulsion period after a determination has been made, pursuant to a hearing, that the individual poses a potential danger to either the pupils or employees of the school district.

(d) The governing board of a school district, when making its determination whether to enroll an individual who has been expelled from another school district for these acts, may consider the following options:

- (1) Deny enrollment
- (2) Permit enrollment
- (3) Permit conditional enrollment in a regular school program or another educational program

## Credits and Graduation Requirements

### 9. [Education Code 48645.5](#)

- a. Details the requirement that LEA's must accept partial credit as follows:

(a) Each public school district and county office of education shall accept for credit full or partial coursework satisfactorily completed by a pupil while attending a public school, juvenile court school, or nonpublic, nonsectarian school or agency. The coursework shall be transferred by means of the standard state transcript. If a pupil completes the graduation requirements of his or her school district of residence while being detained, the school district of residence shall issue to the pupil a diploma from the school the

pupil last attended before detention or, in the alternative, the county superintendent of schools may issue the diploma.

- b. Details that a pupil shall not be denied enrollment or readmission to a public school solely on the basis that he or she has had contact with the juvenile justice system, including, but not limited to:
  - (1) Arrest
  - (2) Adjudication by a juvenile court
  - (3) Formal or informal supervision by a probation officer
  - (4) Detention for any length of time in a juvenile facility or enrollment in a juvenile court school
  - (5) Pursuant to subparagraph (B) of paragraph (8) of subdivision (f) of Section 48853.5, a pupil who has had contact with the juvenile justice system shall be immediately enrolled in a public school.
- c. Details the requirement that if a pupil completes the statewide coursework requirements for graduation specified in Section 51225.3 while attending a juvenile court school, the county office of education shall issue to the pupil a diploma of graduation and shall not require the pupil to complete coursework or other requirements that are in addition to the statewide coursework requirements.

9. **Education Code 51225.1**

- a. Outlines graduation requirements for Foster Youth including expelled Foster Youth in custody and students transferring to school districts from juvenile court schools.

## **School Accountability System**

10. **Education Code 52066**

- a. Details the requirements of what must be included in a County Office of Education Local Control Accountability Plan including a provision that requires such plans to detail how the COE will coordinate services for expelled students.
- b. To view the VCOE LCAP which details goals related to serving expelled students, please refer to [www.vcoe.org/School-Accountability/VCOE-LCAP](http://www.vcoe.org/School-Accountability/VCOE-LCAP) for the most recent VCOE LCAP.

11. **California School Dashboard**

- a. The State of California has embarked upon the implementation of a new school accountability system using a Dashboard format showing how schools perform on multiple measures of practice including academics, school climate and culture, attendance and student discipline.

- b. To view a local district or VCOE Dashboard please refer to [www.caschooldashboard.org/#/Home](http://www.caschooldashboard.org/#/Home) on the CDE web page and enter the name of the educational agency you wish to view. On this page, you will also find a quick guide and tutorial video to help you understand the California School Dashboard system of accountability.
- c. It is also important to note that Gateway Community School qualifies and is designated by the California Department of Education as an Alternative Education School and as such will participate in the accountability model reflecting modified methods of determining performance on state-mandated areas of the Dashboard. This model is called the Dashboard Alternative School Status (DASS). For eligibility requirements related to schools participating in DASS click here.

## Joint Transition Policy

### 12. [Education Code 48647](#)

- a. Details recommendations related to data sharing and requires County Offices of Education and Probation Departments to develop a joint transition policy detailing best practices related student records, communications, timely school placement and other important items ensuring students transitioning out of court schools are able to re-enroll in their schools of residence in an efficient manner. Provisions include:
  - i. (a) Local educational agencies are strongly encouraged to enter into memoranda of understanding and create joint policies, systems, including data sharing systems, transition centers, and other joint structures that will allow for the immediate transfer of educational records, create uniform systems for calculating and awarding course credit, and allow for the immediate enrollment of pupils transferring from juvenile court schools.
  - ii. (b) As part of their existing responsibilities for coordinating education and services for youth in the juvenile justice system, the county office of education and county probation department shall have a joint transition planning policy that includes collaboration with relevant local educational agencies to improve communication regarding dates of release and the educational needs of pupils who have had contact with the juvenile justice system, to coordinate immediate school placement and enrollment, and to ensure that probation officers in the community have the information they need to support the return of pupils who are being transferred from juvenile court schools to public schools in their communities.
- b. Please see attached Memorandum of Understanding between Ventura County Office of Education and the Ventura County Probation Agency herein incorporated as Appendix IV. The MOU serves as the joint policy required under Education Code 48647 (b) noted above.

## Provisions for Foster, Homeless Youth

### 13. Education Code 48918.1

(a) (1) If the decision to recommend expulsion is a discretionary act and the pupil is a foster child, as defined in Section 48853.5, the governing board of the school district shall provide notice of the expulsion hearing to the pupil's attorney and an appropriate representative of the county child welfare agency at least 10 calendar days before the date of the hearing. The notice may be made using the most cost-effective method possible, which may include, but is not limited to, electronic mail or a telephone call.

(2) If a recommendation of expulsion is required and the pupil is a foster child, as defined in Section 48853.5, the governing board of the school district may provide notice of the expulsion hearing to the pupil's attorney and an appropriate representative of the county child welfare agency at least 10 calendar days before the date of the hearing. The notice may be made using the most cost-effective method possible, which may include, but is not limited to, electronic mail or a telephone call.

(b) (1) If the decision to recommend expulsion is a discretionary act and the pupil is a homeless child or youth, as defined in Section 11434a(2) of Title 42 of the United States Code, the governing board of the school district shall provide notice of the expulsion hearing to the local educational agency liaison for homeless children and youth designated pursuant to Section 11432(g)(1)(J)(ii) of Title 42 of the United States Code at least 10 calendar days before the date of the hearing. The notice may be made using the most cost-effective method possible, which may include, but is not limited to, electronic mail or a telephone call.

(2) If a recommendation of expulsion is required and the pupil is a homeless child or youth, as defined in Section 11434a(2) of Title 42 of the United States Code, the governing board of the school district may provide notice of the expulsion hearing to the local educational agency liaison for homeless children and youth designated pursuant to Section 11432(g)(1)(J)(ii) of Title 42 of the United States Code at least 10 calendar days before the date of the hearing. The notice may be made using the most cost-effective method possible, which may include, but is not limited to, electronic mail or a telephone call.

(3) If a recommendation of expulsion is required and the pupil is a foster child or youth as defined in Section 48853.5(a) and a change in schools occurs, the child shall be enrolled immediately. School districts must request records within 2 days of the foster youth's enrollment. School districts must forward education records to a requesting school within 2 business days of receiving a request. EC 48853.5 (e)(8). If a recommendation of expulsion is required and the pupil is a homeless child or youth, as defined in Section 11434a(2) of Title 42 of the United States Code and a change in schools occur, the enrolling school must immediately admit the student and must contact the previous school for records. 42 U.S.C. 11432(g)(3)(D). Although the Act is silent on the definition of "immediate", the standard dictionary definition is without delay.

## High Impact Strategies and Best Practices

In addition to the changing legal landscape, there have been numerous developments in the area of student support services in recent years that have great potential for limiting expulsions and positively impacting Ventura County students more generally. Among the most promising developments are:

1. **Multi-Tiered System of Support and Response to Instruction and Intervention** - Ensuring the success of all students requires meeting the needs of students, academically, behaviorally and social-emotionally. VC educators remain committed to implementing programs and interventions that will ensure all students can succeed. A conceptual framework for how best to view MTSS and RTII can be found [here](#). Another resource from the California Department of Education can be found [here](#).
2. **PBIS** - Positive Behavior Intervention and Support (PBIS) relates to a multi-tiered approach to social, emotional and behavior support. The broad purpose of PBIS is to improve the effectiveness, efficiency and equity of schools and other agencies. PBIS improves social, emotional and academic outcomes for all students, including students with disabilities and students from underrepresented groups. This description is provided by and more information can be found at: [www.pbis.org](http://www.pbis.org)
3. **CHAMPS** - CHAMPS is a research and evidence-based approach to Positive Behavior Intervention and Support (PBIS) designed by [Safe and Civil Schools](#). The “CHAMPS Proactive and Positive Approach to Classroom Management” leads teachers through a process of identifying and maintaining the effective aspects of their current management plan while adding and/or strengthening any missing or less-effective aspects. With an emphasis on preventing misbehavior before it occurs and a tireless focus on respectful interactions with children, CHAMPS is designed to reduce classroom disruptions and office referrals, improve classroom climate, increase student on-task behavior, and establish respectful and civil interactions.
4. **Restorative Practices** - Restorative Justice is an approach to school discipline that moves away from traditional punishment and provides for families, schools and communities a way to ensure accountability and repair the harm caused by someone's behavior. It requires students to think about themselves and how they deal with others in their community and to work on developing healthy relationships and learning how to manage conflict in a healthy manner. It allows for students to develop self-discipline and self-awareness and promote positive behavior in a caring, supportive environment. Restorative Justice is increasingly being used in schools in California to promote positive school climates and as an alternative to suspension/expulsion. Resources and more additional information provided by the Ventura County Office of Education can be found at: [www.vcoe.org/Leadership-Support-Services/Restorative-Justice](http://www.vcoe.org/Leadership-Support-Services/Restorative-Justice)
5. **Trauma Informed Care** - Traumatic stress can arise from a variety of sources: bullying at school, dramatic weather events, and school shootings— even the day-to-day exposure to events such as

divorce or homelessness. Children *and* adults can be affected by traumatic stress. Having the tools to manage traumatic stress empowers the members of the school community.

In a trauma-informed school, the adults in the school community are prepared to recognize and respond to those who have been impacted by traumatic stress. Those adults include administrators, teachers, staff, parents, and law enforcement. In addition, students are provided with clear expectations and communication strategies to guide them through stressful situations. The goal is to not only provide tools to cope with extreme situations but to create an underlying culture of respect and support. The above description is provided by, and more information can be found at: [www.first5la.org/files/Trauma.pdf](http://www.first5la.org/files/Trauma.pdf) and [traumaawareschools.org/traumainschools](http://traumaawareschools.org/traumainschools)

6. **Career Education** - The State of California has emphasized the importance of career readiness in a variety of ways including substantial funding of career pathways and career and technical education incentive grants. In addition, California's new Accountability System includes Career Readiness indicators. Such indicators will also be included in the DASS as outlined above. As such, Gateway Community School will continue to expand opportunities for expelled students to participate in career pathways and exploratory career education course. Resources in Ventura County include:
  - a. Web:
    - i. [www.vcoe.org/cec](http://www.vcoe.org/cec)
    - ii. [www.vcinnovates.org](http://www.vcinnovates.org)
  - b. Social Media:
    - i. [www.facebook.com/vcinnovates](http://www.facebook.com/vcinnovates)
    - ii. [twitter.com/vcinnovates](http://twitter.com/vcinnovates)
  - c. CTE Model Standards:
    - i. [www.cde.ca.gov/ci/ct/sf/ctemcstandards.asp](http://www.cde.ca.gov/ci/ct/sf/ctemcstandards.asp)
7. **Student Resilience** - Much [recent research](#) has been done recently and much attention has been paid to issues related to student success. The field of asset building is concerned with what assets students need to be successful and which serve students best as they work to overcome the many challenges they face. Among the most impactful assets a student can have is "Resilience". VC Educators are committed to continuing to build students' assets with a special emphasis on resilience.
8. **Inter-agency Collaboration** - Serving expelled students requires interagency collaboration and to that end, the committee developing this plan wishes to acknowledge its appreciation to all agencies working to make a difference in the lives of VC expelled students. In addition to the many agencies represented by committee members, we wish to acknowledge ongoing efforts that demonstrate such collaboration including:
  - a. [The Ventura County Student Services Collaborative](#)
  - b. [The Juvenile Justice Coordinating Council](#)
  - c. [The Juvenile Detention Alternatives Initiative](#)

- d. The [VCOE Special Populations Department](#) focusing on serving Foster, Homeless and Migrant Youth
- e. [The Ventura County School Attendance Review Board](#)
- f. The THRIVE (Truancy Habits Reduced Increases Vital Education) Project focusing on improving student attendance
- g. VC Community based agencies and public advocates including [CRLA](#) and [City Impact](#)
- h. The Ventura County Special Education Local Planning Area focusing on serving the needs of students with exceptional needs.
- i. The numerous collaborative efforts involving our County's School Districts and especially the leadership of the Superintendent's.
- j. And finally, for the leadership and support of:
  - i. Local Law Enforcement
  - ii. [VC Probation Agency](#)
  - iii. [VC District Attorney's Office](#)
  - iv. [VC Public Defender's Office](#)
  - v. [VC Human Services Agency](#)
  - vi. [VC Health Care Agency](#)
  - vii. [VC Juvenile Court Judges](#) and the [JJDCP](#) (Juvenile Justice Delinquency Prevention Commission).

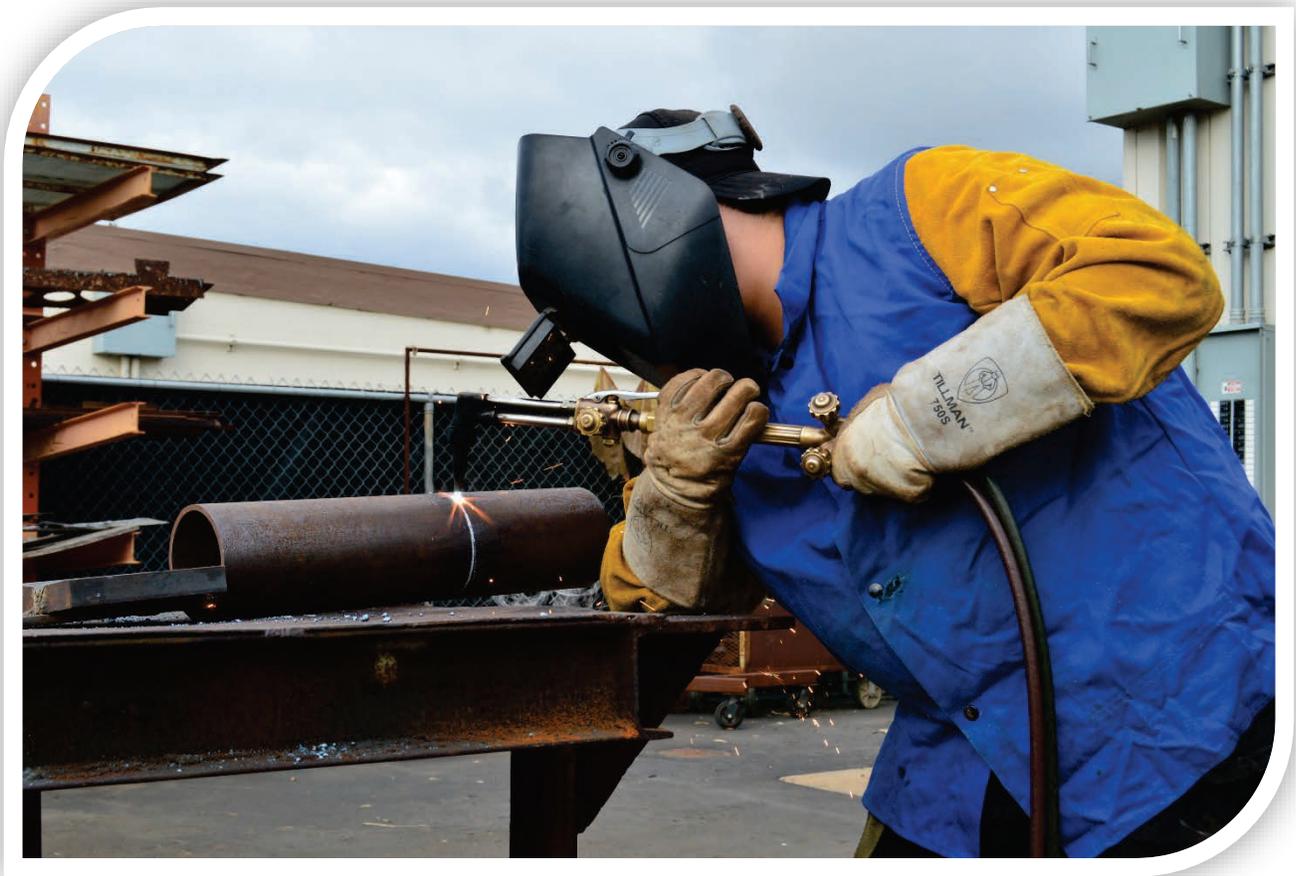
Ventura County is an exceptional place to live and work and the collaborative spirit exemplified by all these agencies and their collaborative efforts are second to none. The continued excellence of our services to expelled youth will require the ongoing commitment of the entire community.

9. **Regular review of county discipline data:** At least once a year, members of the Student Services Collaborative will review and analyze suspension and expulsion data, including an analysis of student subgroups. Members of the Student Services Collaborative will then have an opportunity to share the findings with their local stakeholders. The compilation of five years of suspension and expulsion data will be available online at the [VCOE Student Services Collaborative webpage](#).
10. **Cultural Proficiency:** Cultural proficiency is an approach to education and school leadership that centers on understanding, valuing, and talking about differences in ways that are respectful. A core component of this approach to make explicit the implicit values of a school community to ensure that the values of schools are aligned with the actual practices related to its treatment of all students and families. In practice, culturally proficient schools deeply examine practices such as school discipline, grading policies, curriculum, transportation, school activities/ceremonies, and family events to ensure equity of access and representation of diverse values and cultures. More information can be found at: [Culturally Proficiency: Tools for School Leaders](#). VCOE offers trainings related to cultural proficiency through the [L3 and L3 Team Professional Learning Series](#).
11. **Rehabilitation Plans:** A critical component to preparing students to return to district following expulsion is the development and implementation of an appropriate and individualized rehabilitation plan that is designed to address the students' strengths and needs and works to

provide the student with an attainable set of goals necessary to achieve in order to return to district. See Appendix VI for Model Rehabilitation Plan.

**Education Code 48916**

(b) The governing board shall recommend a plan of rehabilitation for the pupil at the time of the expulsion order, which may include, but not be limited to, periodic review as well as assessment at the time of review for readmission. The plan may also include recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service, or other rehabilitative programs.



## Existing School District Educational Alternatives for Expelled Students

Each school district shall ensure that instructional services are provided for pupils who have been recommended for expulsion hearing and/or awaiting placement. A student whose behavior has resulted in expulsion, including a stipulated expulsion, shall be given a rehabilitation plan that is designed by the district of residence. Student progress towards meeting the requirements of the rehabilitation plan should be monitored by the district of residence and the site of placement alike. Appropriate documentation should be maintained by the school of placement and presented to the district of residence upon a recommendation to return to district.

The governing board of each school district will determine which educational alternatives are appropriate and available. Educational alternatives throughout Ventura County for students recommended for expulsion included, but are not limited to, the following options:

- Expulsion, suspended order, with placement on the same campus. E.C. 48917(a)
- Expulsion, suspended order, with placement on a different school campus within the district. E.C. 48917(a)
- Expulsion, suspended order, with placement in district independent study, if it is determined that independent study is an appropriate alternative for the student and the parent consents.
- Expulsion, suspended order, with subsequent transfer to another district.
- Expulsion with referral to a district community day school, if available.
- Expulsion, suspended order, with subsequent transfer to a charter school
- Expulsion, suspended order, with subsequent transfer to private school
- Expulsion with subsequent transfer to another district.
- Expulsion with subsequent transfer to a charter school
- Expulsion with subsequent transfer to a private school
- Expulsion with referral to the Ventura County Office of Education Gateway Community School Program (grades 6-12).

Note: Parents may elect to enroll in a charter or private school. While charter schools are cost-free public schools, any costs associated with private schools, are the responsibility of the parent. School districts will always offer a public school option for expelled students. A list of current charter schools in Ventura County can be found in Appendix II on page 38 and 39.

The Ventura County Office of Education (VCOE) is committed to providing educational services for students expelled or referred from Ventura County school districts. Educational services for expelled Ventura County students are provided through Gateway Community School. Additionally, expelled students who are in custody while awaiting adjudication, or who are wards of the juvenile court serving a commitment in the Ventura County Juvenile Facility are provided educational services through Providence School.

## Gateway Community School

### Purpose

Gateway Community School was established in 1980 by the Ventura County Office of Education. It is located in Camarillo, CA off Pleasant Valley Road at the Camarillo Airport Campus. Gateway serves students in grades 6-12. Students enrolled at Gateway are generally in need of more intensive support services and are referred based on their current status with their home district, probation and the Student Attendance Review Board. Gateway accepts referrals from districts for reasons of expulsion, chronic truancy, severe misbehavior, need for a smaller and more structured setting or are referred by probation. Gateway emphasizes to all of the students that regardless of what city they live in, Gateway is everyone’s community.



The primary goal at Gateway is preparing students for academic success and for eligibility to return to their local public school districts. Students who do well at Gateway may choose to stay and graduate with their high school diploma from Ventura County Office of Education. Gateway prepares students to be respectful, positive, productive and proud.

Gateway Community School is a national visitation site recognized by [Safe & Civil Schools](#) for its successful implementation of positive behavior intervention and supports. Gateway is also fully accredited by the Western Association of Schools and Colleges (WASC).

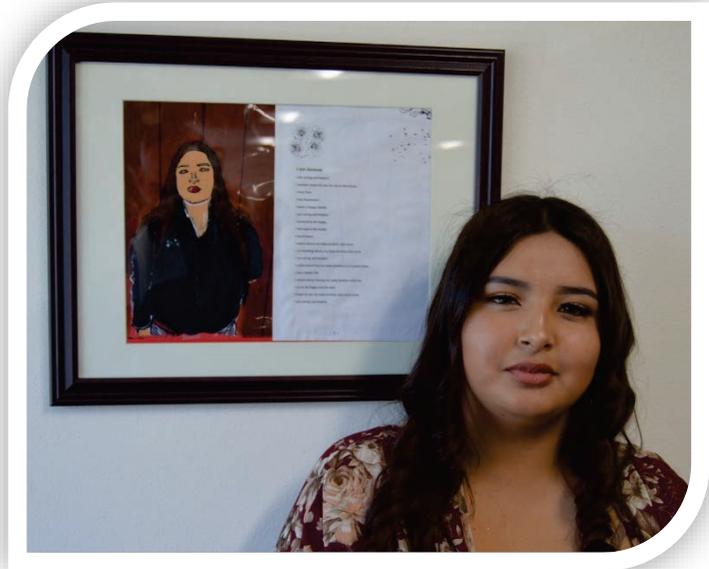
Prospective students and families are always encouraged to check out the [“Prospective Students” webpage](#) and to schedule a tour of the school.

**Table 3. Three-Year Analysis: Attendance, Enrollment, Suspensions**

	Attendance Rate	Average Enrollment	Suspensions
<b>2014-2015</b>	74.06%	116.4	102
<b>2015-2016</b>	75.63%	102.2	124
<b>2016-2017</b>	76.94%	106.2	59

### Gateway Community School: Key Characteristics

- **Positive Behavior Intervention Support:** Gateway Community School is locally and nationally recognized for its implementation of *CHAMPS*.
  - **History and Awards:** In 2011, Gateway began a school wide implementation of the *CHAMPS* through the *Safe and Civil Schools* approach to positive behavior interventions and support (PBIS). In 2013 and 2017, the founder of *Safe and Civil Schools* designated Gateway as a national visitation school for best-practices in PBIS.
  - **PBIS Approaches:**  
Gateway utilizes the STOIC acronym to engage students in ways that are positive, proactive, and instructional. Staff participate in ongoing reflection, analysis, and professional development to ensure fidelity of implementation. A core principle to these approaches rests in the belief that all students at Gateway should be treated with dignity and respect.
    - S - Structure the learning environment. All staff create an array of classroom and schoolwide routines and procedures provide a foundation for students at Gateway.
    - T - Teaching expectations. All staff do not assume that students know their behavioral expectations. Rather, the school staff work proactively to explicitly state expectations and then regularly teach students how to meet those expectations.
    - O - Observe student. All staff are responsible for actively observing and supervising student behavior in the classroom, office, and common areas.
    - I - Interact positively. All staff strive for a 3 to 1 ratio of positive to negative interactions. Building relationships between students and staff is essential to creating a harmonious and positive school culture.
    - C - Correct Fluently. All staff respond to student misbehavior by providing corrections that are: immediate, brief, calm, consistent, and private when possible.

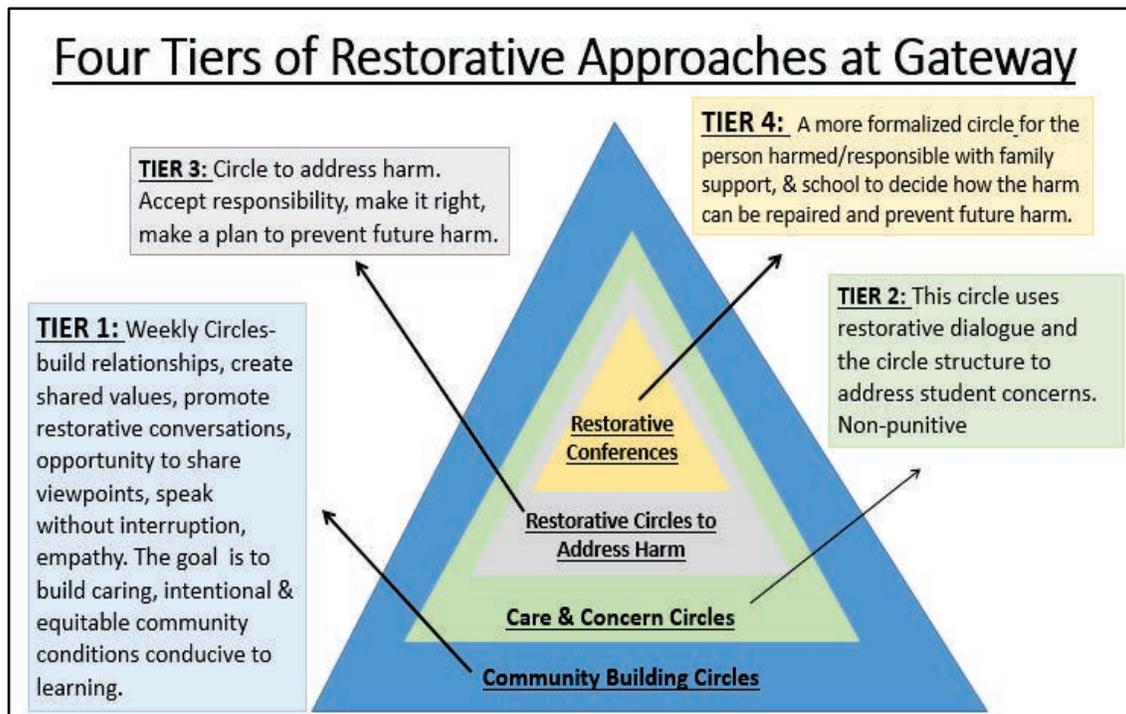


- **Community Service Agencies:** Gateway Community School is proud to partner with a host of community-based service agencies that provide essential support to students.
  - VCOE and Ventura County Probation Agency provides one full-time deputy probation officer assigned to Gateway. This person serves as a liaison between probation and the students who are currently on probation. The deputy probation officer also provides resources and support to both students and staff.
  - The Ventura County SELPA provides part-time Social/Emotional Services Specialists for special education and general education students. These services include individual counseling as well as group counseling focused on social skills, positive choices, or anger management.

**Table 4. Socio-emotional Services Offered to Students at Gateway Community School**

Counseling Service	Agency/Provider
Anger Management	Coalition for Family Harmony
Drug & Alcohol	Ventura County Behavioral Health
Grief Services	Livingstone Memorial
Health Education	VCOE
Healthy Choices	Cal-Safe
Individual Counseling	Clinicas del Camino Real, VC SELPA
Mentoring/Pathways	United States Navy Volunteers
Career Counseling	VCOE Career Education Center

- **Restorative Justice:** Gateway Community School employs a schoolwide approach to building a strong community that effectively addresses harm to others.
  - Gateway uses Restorative Justice practices to effectively address harms and conflicts that have taken place on the school campus and in the community. Restorative Justice focuses on repairing the harm caused by inappropriate behavior. People who have been harmed have a say in how the person who behaved hurtfully should “make it right”. Individuals who acted wrongfully take responsibility for the hurt they have caused, and take steps to repair the harm. This firm but fair approach works with disciplinary action in a more caring, healthy manner.
  - 4 separate tiers of Restorative Approaches have been adopted and implemented by Gateway students and staff. The graphic below describes each of the tiers and indicates a progression of need and support offered through a variety of these restorative approaches.

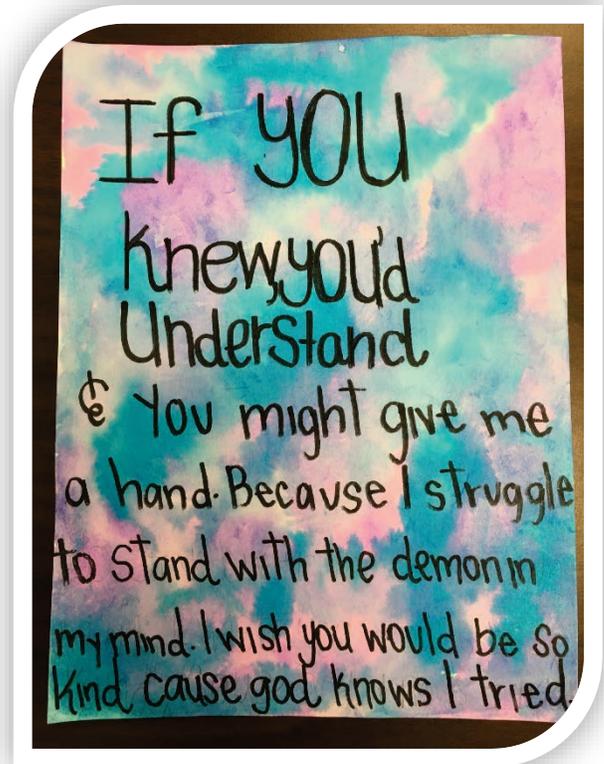


**Academics:** Gateway Community School students are offered with supports and opportunities to engage in relevant and meaningful learning.

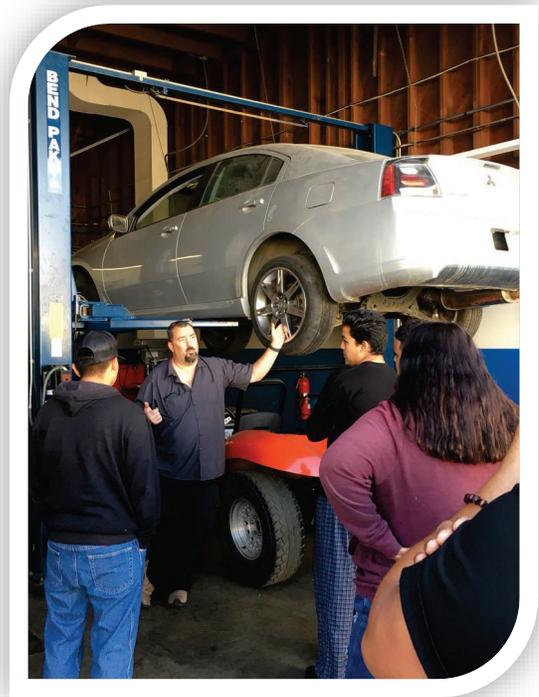
- Students at Gateway benefit from a small learning environment that provides the supports necessary for students to succeed. On average, there are 15 students or less in each classroom. 5 full-time paraeducators work inside of the classrooms to provide students with individual and group support.
- Project-based learning is one approach that Gateway teachers utilize to create more meaningful and relevant instruction related to the CA state standards. Teachers receive ongoing professional development in create units of learning that contain the following: public product, challenging question or problem, sustained inquiry, authenticity, student voice and choice, reflection, as well as critique and revision. In addition, VCOE Curriculum and Instruction regularly provides teaches with visitations, feedback, and traditional workshops in all the core content areas.
- Gateway students are offered essential opportunities and exposure to Career Technical Education. All students have an opportunity to participate in the nearby VCOE Career Education Center (CEC). Students can take CEC classes during the regular school day. Current and previous courses include: Horticulture, Emergency Medical Response, Screen-printing, Auto body/Auto paint, Aviation, Cosmetology, Medical Terminology and Senior Seminar. Students can also concurrently enroll in semester-long CEC courses after the Gateway school day, or participate in the range of CEC summer camps offered in July.
- The CEC and Gateway also partner to create project-based units planned and coordinated by an industry liaison that specializes in engineering, energy, environmental

resources, and transportation. This project focus on teams of students creating entrepreneurial solutions to real world community problems with the support of a workplace mentor.

- **Pro-Social Activities:** Gateway Community School student participate in a host of activities throughout the year that intentionally bring students closer to their school and local communities.
  - Gateway Leadership Class - High school students interview and apply to participate in the Gateway Leadership Class. This group of students plans a variety of pro-social and educational experiences for the entire school, such as Red Ribbon Week. These students also engage in leadership training opportunities and field trips to the Reagan Library.
  - Intramural sports - Students compete during lunch in 3 on 3 soccer, handball, basketball, and kickball. Each year, Gateway competes with other alternative high school programs in basketball, flag football, and dodgeball.
  - Holidays - Students celebrate the holidays together by participating in a host of activities, including a Thanksgiving Feast, Halloween costume contest, and Valentine's Day grams.
  - Community service - Students are regularly given opportunities to give back to and learn about their community. In the past, students have facilitated food drives or a collection of items for families during the holiday season. Students have also volunteered at the nearby animal shelter. The Gateway Leadership Class is now responsible for creating at least one community service opportunity for all students each quarter.
  
- **Transition:** Gateway Community School is focused on providing essential supports for students to successfully transition back to their home districts and into the community.



- A full-time Induction/Transition Specialist at Gateway works to ensure the timely enrollment and return of students to their home districts. This includes working with students who have been detained in the Juvenile Facilities, no matter the length of their stay. This person conducts in-person orientations for students and families, provides ongoing communication with home districts, and regularly monitors each student's' expulsion rehabilitation plans.
- Some districts regularly meet with their students who are enrolled at Gateway. During these visits, the district representative is able to review the student's progress and receive accurate information from the Gateway staff.
- Gateway students regularly are exposed to experiences that support their career/college readiness. In partnership with the VCOE Education Center (CEC), students tour local businesses/industries as well as participate in job fairs for a variety of career fields. Students also tour local colleges, universities, and trade schools in Ventura and Santa Barbara County. A full-time school counselor supports seniors and their families with one on one assistance in applying for financial aid and college enrollment.



### **For Special Education Students: Academic Program Provisions**

Gateway has historically served students with mild/moderate disabilities. Gateway continually monitors students with IEPs, and when necessary convenes an IEP team to discuss students who are not making significant progress on their educational goals.

The middle school is a 100% general education program and provides specialized academic instruction (SAI) in English, Math, Science, and Social Studies via a push in model. Services are delivered by a credentialed Special Education teacher or paraeducator under the supervision and guidance of the Special Education teacher.

The high school offers SAI in English, Directed Studies, and Math inside the special education classroom. SAI in Science and History are delivered inside the general education classroom via

a push in model with support from a credentialed Special Education teacher or paraeducator under the supervision and guidance of the Special Education teacher.

Speech and occupational therapy services are available in small group (when applicable and appropriate) or individual sessions during the school day. (These staff are not "housed" at Gateway and have multiple sites; therefore, they are not available on a daily or "as needed" basis).

Educationally Related Social Emotional Services (ERSES) are available from an Intensive School Based Therapist (ISBT). However, Gateway does not have "in house" ISBT's and the ISBT may not be accessible throughout the school day to the student.

#### *Independent Study*

Any student with an IEP will not be provided independent studies by Gateway. If a student with an IEP requires an independent study-like program they will be referred back to their home district at which point the district and the IEP team may determine the student's placement.

#### *Home Instruction*

CCR section 3051.4 states that a student can be placed on home instruction through an IEP team decision. If a student is placed on home instruction, student will be unenrolled from Gateway and re-enrolled in District of Residence (DOR) during the interim period of home instruction.



## County and District Gaps and Strategies Regarding the Provision of Education Services to Expelled Students

Per Education Code 48926, “The plan shall enumerate existing educational alternatives for expelled pupils, identify gaps in educational services to expelled pupils, and strategies for filling those service gaps.” Five gaps have been identified with respect to providing educational services to expelled students.

Service Gaps	County / District Strategies
<p><b>Service Gap #1</b>                      Serving expelled students who refuse to attend or who refuse program services or instruction such that instruction cannot occur. (<a href="#">Education Code 48926</a>)</p>	<p><b>Service Gap #1 Options</b>                      Options for serving expelled students who refuse to attend or who refuse program services or instruction such that instruction cannot occur. (<a href="#">Education Code 48926</a>)</p>
<p>A student is expelled from the district under Education Code 48915 and after being accepted at Gateway Community School refuses to attend or refuses services and instruction to such a degree that the student cannot benefit from placement in any way.</p>	<p>A collaborative effort will be made to address the underlying causes and in an effort to identify additional services which will serve the student’s academic and behavioral needs. Services currently offered at Gateway will be provided by Gateway to the greatest extent possible. Additional services necessary will be the responsibility of the referring district.</p> <ul style="list-style-type: none"> <li>a. The county and district will exhaust their existing options to include collaborating with partner agencies such as VC Probation, VC SARB, VC SELPA, and VC Behavioral Health to determine an educational program that will provide the student with educational options.</li> <li>b. The district may approve additional services such as additional support staff dedicated to the student, or augmented social-emotional or substance interventions beyond what is already provided at Gateway.</li> <li>c. The district may approve alternative placement such as a non-public school or camp setting with more restrictive settings.</li> <li>d. Students can apply to a charter school at no expense to the parent or to a private school where any costs would be borne by the parent. Neither the charter school or private school is obligated to accept the student.</li> </ul>

<p><b>Service Gap # 2</b>  <b>Serving Students Expelled from Elementary School Districts</b></p>	<p><b>Service Gap #2 Options</b>  <b>Options for serving students expelled from elementary school districts.</b></p>
<p>Elementary school districts in Ventura County expel very few students. Some elementary districts have virtually no history of expulsion. The scarcity of expulsion cases presents a challenge to the establishment of a program to serve this group.</p>	<ul style="list-style-type: none"> <li>a. The elementary districts may use their local alternatives in providing educational programs for their expelled students. In the event the numbers countywide would warrant the establishment of a separate program, the Ventura County Office of Education could enter into a cooperative agreement with the elementary districts to establish an alternative program.</li> <li>b. The affected districts could enter into a cooperative agreement to establish a program to serve the elementary schools districts in one their local settings.</li> </ul>
<p><b>Service Gap #3</b>  <b>Student options grades 4-5</b></p>	<p><b>Service Gap #3 Options</b>  <b>Student options grades 4-5</b></p>
<p>Expelled students in grades 4-5 do not have the same educational options available as do expelled students in grades 6-12.</p>	<ul style="list-style-type: none"> <li>a. The elementary districts will use their local alternatives in providing educational programs for their expelled students' grades 4-5. In the event the numbers countywide would warrant the establishment of a separate program, the Ventura County Office of Education could enter into a cooperative agreement with the elementary districts to establish an alternative program.</li> </ul>

<p><b>Service Gap #4</b>  <b>Serving expelled students from geographically isolated or distant locations</b></p>	<p><b>Service Gap #4 Options</b>  <b>Options for serving expelled students from geographically isolated or distant locations</b></p>
<p>Ventura County is a large county and numerous districts are far enough from the county-operated community school that transportation distance and logistics present challenges to serving these communities. Some districts in Ventura County may not refer students to Gateway in part because of this challenge.</p>	<ul style="list-style-type: none"> <li>a. Districts so impacted will continue to use local options, such as district community day schools, until and unless the number of students expelled from these locales warrants the establishment of a satellite program.</li> <li>b. If the numbers warrant the establishment of a satellite program, VCOE may collaborate with local districts who will contribute to the development of the program which could include transportation, facilities, technology, and/or related needs. Depending on the size of the program, an excess costs model may be developed as agreed upon between districts and VCOE.</li> <li>c. Students can apply to a charter school at no expense to the parent or to a private school where any costs would be borne by the parent. Neither the Charter School or private school is obligated to accept the student.</li> </ul>
<p><b>Service Gap #5</b>  <b>Serving expelled students who may reside in local Mixteco communities.</b></p>	<p><b>Service Gap #5 Options</b>  <b>Options for serving expelled students who may reside in local Mixteco communities.</b></p>
<p>Expelled students residing in Mixteco communities often lack services to make educational services transparent and accessible including due process in expulsion cases.</p>	<ul style="list-style-type: none"> <li>a. Translation services will be provided and representation encouraged for expelled students from these communities to ensure parents and students understand their due process rights during the expulsion process.</li> <li>b. All materials will be provided in the language of the parents' choice.</li> <li>c. For students served at Gateway, every effort will be made to make instruction accessible and translation services provided during all events and meetings as is necessary or requested.</li> </ul>

## County and District Agreement on Alternative Placements

### Gateway Community School: Referral Process

Gateway accepts Ventura County students in grades 6-12. Students are accepted from districts on an as needed basis, but if registration peaks, students with expulsions are given preference (See EC 1981(b)(1)(A)). Gateway strives to expedite student processing and to ensure good customer service to districts, parents, and students.

1. An expelled student's home district is required to provide educational services to the student until a student enrolls at Gateway or another educational alternative.
2. Home district should complete and submit the "Referral Recommendation Form" signed by the parent/guardian and student. This form is located at [www.vcoe.org/Gateway-Community-School/Referral-Process](http://www.vcoe.org/Gateway-Community-School/Referral-Process). In addition to the completed form, the following corresponding documents should also be sent to Gateway:
  - Documentation of prior interventions. See Appendix VII for a sample form.
  - Transcript
  - All testing records (SBAC, CELDT, ELPAC, etc.)
  - Immunization records w/ TDAP
  - Discipline/behavior records
  - School attendance records
  - Expulsion documents (if student is expelled)
  - Rehabilitation plan to return to district (if student is expelled)
  - Most recent annual IEP (if student has IEP)
  - Most recent Psych Report (if student has IEP)
3. Upon receiving the referral and corresponding documents from the home district, the school Psychologist, Deputy Probation Officer, and site administrator will review the information and determine a student's eligibility.
4. Once a completed packet has been received, the referring school district shall be notified as soon as possible but no longer than five working days if the Gateway staff does not believe that Gateway is the appropriate setting for the student. A written explanation for the decision will be provided.
5. Once the student has been accepted, parent is invited to an orientation meeting at Gateway. Gateway staff will notify district if the parent misses two enrollment appointments or is not responsive to multiple phone calls. Gateway staff and the district will then determine next steps.
6. Once the parent participates in the orientation meeting, student begins school on the following day. Student will attend Transition Class during their first week of school. Special education services will be provided during this time.

**For Special Education Students: Referral Process Provisions**

In addition to steps above, home districts shall follow these provisions outlined below when referring a special education student to Gateway Community Schools. These provisions allow for the due process rights of the student and family, as well as ensures that the expelled student is placed in an appropriate environment that can meet the educational needs of the student per his or her IEP.

- **Referral Form: Additional Information Required**
  - The most current IEP. If at the most recent triennial review new assessment was not administered, attach copy of Triennial Review Worksheet/letter and Summary of Review.
  - The most recent Psychoeducational Assessment reports. If applicable, the Manifestation Determination Review Worksheet.
  - The Behavioral Analysis Review Worksheet (BARW) or a Functional Behavior Assessment (FBA) should be completed for students exhibiting primarily externalizing behaviors with a resulting Comprehensive Behavior Intervention Plan (CBIP) or Positive Behavior Intervention Plan (PBIP).
  - For students with primarily internalizing symptoms, a completed BARW, a CBIP or PBIP could be included as a result of the worksheet.
  - For students with social-emotional needs, social-emotional goal(s) as necessary. Other psychological, medical and educational and behavioral records, including all standardized required Statewide assessments (CAASPP, CELDT, ELPAC)
  - A summary of any district interventions that have been tried and why they were not successful.
  - The name, phone and e-mail of the district's designated special education contact person.
- **Transition IEP Meeting**
  - Once the student's referral has been reviewed and deemed appropriate by Gateway's special education team and school administration, Gateway staff contacts the student's home district to arrange an IEP meeting to discuss school placement and services.
  - Gateway staff must be in attendance at the student's Transition IEP.
  - If the student's IEP stipulates services or materials not available on the Gateway campus, it shall be the responsibility of the referring district to provide and or fund the identified services and materials (i.e. SCP, Level 1 transportation).
  - IEP Placement meeting will be held to discuss service and programs. When developing the IEP for new placement, include the Worksheet for Specialized Out of District Program for non-expelled referrals. District of Service will be changed in SIRAS.
- **Initial/Annual/Triennial Evaluations**
  - Any SST recommended or parent requested special education initial assessment should be completed with final determination as to whether the student is eligible for services prior to student being referred to Gateway.

- If a triennial evaluation is due within 90 days of the student enrollment in Gateway, the referring district is responsible for completing the assessment.
- If a triennial evaluation is due beyond 90 days of the student enrollment in Gateway, the Ventura County Office of Education is responsible for completing the assessment.
- For annual IEPs due within 30 days of entering Gateway or returning to district, every effort will be made to hold the annual IEPs within the timeline.
- **Referral Process for Special Education Students at Providence School**
  - When a student has been enrolled in Providence an IEP must be held prior to referring to Gateway. If the student has been sentenced and committed to the Juvenile Facilities, Gateway will be responsible for the IEP. However, if the student has only been detained, the student's home school/district is responsible for the IEP.



### For Incarcerated Students Enrolled at Providence School

- Students who are still expelled and pending release from the Juvenile Facilities will be directed by the Induction/Transition Specialist at Providence to immediately re-enroll at Gateway Community School, if that was the student's previous school. Students who are expelled but have not attended Gateway will be directed to the student's respective district office to learn about educational options.
- Per [Education Code 48645.5](#), A pupil shall not be denied enrollment or readmission to a public school solely on the basis that he or she has had contact with the juvenile justice system, including, but not limited to: (1) Arrest. (2) Adjudication by a juvenile court. (3) Formal or informal supervision by a probation officer. (4) Detention for any length of time in a juvenile facility or enrollment in a juvenile court school.
- When a student has been enrolled in Providence an IEP must be held prior to referring to any other placement beyond the district of residence. If the student has been sentenced and committed inside the juvenile facility, Gateway will be responsible for the IEP. However, if the student has only been detained, the student's home school/district is responsible for the IEP.

### Gateway Community School: Appeal Process

#### *Appeal Process*

1. The district of residence shall have the option to challenge the denial of enrollment.
2. Within five days of the denial of enrollment the district of residence shall request a review meeting with the Ventura County Office of Education Student Services Division administration. If the meeting between the representative of the referring district and the Student Services administration does not end in consensus, the referring school district shall have the right to appeal to the Ventura County Office of Education administration.
3. The referring school district representative and the representative of Gateway shall meet with the Ventura County Office of Education to resolve the dispute.

4. The Gateway representative shall present documentation and a rationale as to why Gateway is not the appropriate educational placement option for the student and the referring district shall have the opportunity to present evidence as to why Gateway is the appropriate placement.
5. The Ventura County Superintendent of Schools or Designee shall hear all relevant evidence and render a final decision within seven calendar days.

### **Gateway Community School: Return to District Process**

District will be provided with a 30-day notice (unless it is an emergency situation) by Gateway staff if student is being considered for return to district for expelled students or non-expelled students.

#### *Expelled Students* [Education Code 48916](#)

1. The student has met the terms of the expulsion and rehabilitation plan.
2. A student is expelled from the district under Education Code 48915 and after being accepted at Gateway refuses to attend or refuses services and instruction to such a degree that the student cannot benefit from placement in any way. In such cases, a collaborative effort will be made to address the underlying causes and in an effort to identify additional services which will serve the student's academic and behavioral needs.

#### *Non-Expelled Students: Involuntary Transfer Students* [Education Code 1981\(b\)\(c\)](#)

1. The student has completed middle school and is transitioning to high school.
2. The student has completed a semester following the semester when the acts leading to the referral occurred.
3. A student is expelled from the district under Education Code 48915 and after being accepted at Gateway refuses to attend or refuses services and instruction to such a degree that the student cannot benefit from placement in any way. In such cases, a collaborative effort will be made to address the underlying causes and in an effort to identify additional services which will serve the student's academic and behavioral needs.
4. The student has committed an expellable offense while enrolled at Gateway.

#### *Non-Expelled Students: Voluntary Referrals* [Education Code 1981\(d\)\(2\)](#)

1. A parent, guardian, or responsible adult of a pupil enrolled in a county community school pursuant to this subdivision may rescind the request for the placement, and the pupil shall be immediately re-enrolled in the school that the pupil attended at the time of the referral, or, with the consent of the parent, guardian, or responsible adult, another appropriate school.

### **Special Education Students: Return to District**

- When considering returning a Special Education student to district, Gateway and district of residence will agree on an appropriate date and time to convene an IEP meeting. Special Education Students may be returned to the district of residence if determined by the IEP team for the following examples:

- *Expelled Students:*
  - The expelled student has committed an expellable offense while enrolled at Gateway (*Education Code 48915(c)*). Manifest Determination meeting will be scheduled through the student's district of residence. District of residence will continue with the expulsion procedures/process if IEP team is in agreement.
  - A student is expelled from the district under Education Code 48915 and after being accepted at Gateway refuses to attend or refuses services and instruction to such a degree that the student cannot benefit from placement in any way. In such cases, a collaborative effort will be made to address the underlying causes and in an effort to identify additional services which will serve the student's academic and behavioral needs.
  - Expelled student has attended Gateway one semester past return to district date and is not showing sufficient progress towards the rehabilitation plan. An IEP meeting will be held with home district to discuss matter and facilitate return of student. Student will only be returned to district at start of semester if IEP team is in agreement.
  
- *Involuntary Transfer Students:*
  - The student has completed middle school and is transitioning to high school. IEP meeting will be held to discuss progress and possible placement recommendations.
  - The student has completed a full semester at Gateway and is being recommended for possible return to district by Gateway team. This recommendation may be made if the student has passed all classes with a C or above *and* behavior or attendance issues have been decreased by at least 50%. IEP meeting will be scheduled to discuss recommendations.
  - The student's educational needs as defined in the IEP are not being met. IEP meeting will be scheduled to discuss areas of need.
  - The student has exhibited severe behavioral or attendance issues and Gateway interventions are not working. IEP meeting will be scheduled to discuss areas of concern.

## Appendix I: Previous Triennial Updates

### Seventh Triennial Update - June 2018

During the Fall of 2017, VCOE, local school districts and community stakeholders began the process of formulating the first major revision the plan to serve expelled students in many years. Past revision cycles have incorporated minor language changes and updated practices in isolated areas. This year's revision was driven by major changes in recent years to the law as well as emerging best practice for working with expelled students.

As such, this revision incorporates a new section which highlights pertinent sections of the California Education Code outlining legal requirements related to student suspensions and expulsions. The section also seeks to summarize changes in the educational landscape to include the new Local Control Funding Formula (LCFF), Local Control Accountability Plan (LCAP). Further highlighted is the emergence of the state's new accountability model including one in development that will serve as the model for alternative schools serving expelled students across the state.

In addition to the changing landscape associated with legislation, much attention has been placed on serving students more holistically in California, including addressing root causes for academic and behavioral issues facing expelled students. Such initiatives include restorative practices, positive behavioral supports and interventions (PBIS), cultural awareness, appreciation and literacy, as well as addressing disproportionality in the realm of student discipline. As such, this plan incorporates an entirely new section highlighting and encouraging the implementation of these high-impact strategies.

Finally, this revision seeks to assist districts by including appendices that may serve as resources including a model rehabilitation plan which details prevailing law and makes recommendations around potential items to include in such plans. The Ventura County Student Services Collaborative members are proud of this year's edition of the plan and look forward to continuing to make this plan a rich and robust resource that will guide the practice of serving expelled student well into the future.

### Sixth Triennial Update – June 2015

Representatives from all twenty local school districts in Ventura County participated in the development of the triennial update. The newly formed Ventura County Student Services Collaborative met on February 11, 2015 and March 11, 2015 to revise and update the plan. Updates and revisions were made to the plan regarding the commitment of county school districts to utilize the Ventura County Office of Education Community School for placement of expelled youth as opposed to creating district operated community days schools.

A listing of all educational options currently available to expelled youth in Ventura County is contained in the new plan. District superintendents submitted a signed and dated update to the county plan that indicated either:

1. The program would continue as it has been, or
2. There would be changes to the plan (see enclosed updated forms)

The approval of the Ventura County Board of Education and submission of the plan to the superintendent of Public Instruction prior to June 30, 2015 shall satisfy requirements associated with the “county plans for provision of educational services to expelled students.” In addition, this plan shall be distributed to each district superintendent in Ventura County and uploaded into the VCOE website.

### **Fifth Triennial Update – June 2012**

Gateway Community School operates from one central campus located at the Camarillo Airport. Gateway recently restructured to include the following programs: Transition, Independent Studies, Recovery Classroom, and middle School. Special Education programs and specific support for English Language Learners are available at Gateway. Gateway students also have access to Career Technical Education through the VCOE Career Education Center.

### **Fourth Triennial Update – June 2009**

Gateway Community School Moved into one central campus located at the Camarillo Airport. All previously operated satellite sites were merged into the main Camarillo campus to offer a full range of services at one location. Gateway launched a program called Recovery Classroom to serve chemically dependent incarcerated minors willing to work on their recovery and educational goals.

Additional changes contained in the 2009 Triennial County Plan included the Oxnard Union High School District ceasing operations of Pacific View Community Day School in the summer of 2007. Ventura Unified School District established the Ventura Unified Community Day School in November of 2006. The Rio School District opening the Rio Community Day School in September 2008 to serve grades 6-8.

### **Third Triennial Update - June 2006**

Due to NCLB teacher certification and high school graduation requirements, plus the desire to provide a more comprehensive educational program, VCOE closed existing community school satellite sites. Pre the 2006 Plan, VCOE operated two clustered campuses, located in Camarillo and Ventura.

Gateway Community School staff members have further refined the referral process guidelines to Gateway (COE-operated community schools). The referral process guidelines are contained in this document. In addition, the Ventura County SELPA, Ventura County Office of Education, and local school districts collaborated on the development of a referral process for special education students to attend Gateway. This referral process was approved by the Superintendents’ Policy Council on January 6, 2006.

Services to expelled students remain unchanged from the 2003 Plan to the 2006 Plan for all other local school districts in Ventura County.

### **Second Triennial Update – June 2003**

Four local school districts (Fillmore, Oak Park, Ocean View, and Santa Paula Elementary) submitted revised sub-plans. In addition, VCOE established four more county community school extension sites since the first Triennial update. County community school extension sites were established in the

following three cities; Oxnard, Simi Valley, and Santa Paula. The expanded county community school services in Santa Paula included an additional extension campus and a mobile unit.

In 2003 the Ventura County Board of Education and VCOE took action to adopt “Providence School,” as the name of the educational facility to be housed in the new Justice Steven Z. Perren Juvenile Justice Complex. Providence School opened in March of 2004. The new Providence School encompasses the three former VCOE juvenile court schools: Marguerite McBride School, Frank A Colston School, and Work Education Restitution Competency (WERC). McBride and Colston Schools had been located in Ventura and WERC was located in Camarillo at the Camarillo Airport.

### **First Triennial Update – June 2000**

Two local districts, Oxnard Union High School and Santa Paula Elementary School District, established community day schools to expand their menu of services to expelled students. (The Santa Paula Elementary Community Day School was later closed due to financial reasons). The superintendents from the remaining local school districts indicated that their plan had remained unchanged since the original adoption of the county plan in 1997. The Ventura County Office of Education (VCOE) established three additional county community school extension sites. New Community school extension sites were established in Ojai, Santa Paula, and West Ventura. Juvenile Restitution Program (JRP), a VCOE operated juvenile court school was relocated to a larger facility at the Camarillo Airport in order to better serve a greater number of minors (the JRP was later renamed to WERC). In addition, VCOE established a community school to serve expelled students in grades K-6. However, operation of this program was discontinued June 1999 due to lack of participation and insufficient ADA.

## Appendix II: Board Approval Record

School District	Original Plan	1 <sup>st</sup> Triennial	2 <sup>nd</sup> Triennial	3 <sup>rd</sup> Triennial	4 <sup>th</sup> Triennial	5 <sup>th</sup> Triennial	6 <sup>th</sup> Triennial	7 <sup>th</sup> Triennial
	1997	2000	2003	2006	2009	2012	2015	2018
Briggs Elementary	Feb. 13	Apr. 6	Mar. 21	Apr. 10	Mar. 9	Mar. 13	Apr 22	May 9
Conejo Unified	Mar. 20	Apr. 18	Apr. 10	May 9	Mar. 16	Mar. 26	May 5	
Fillmore Unified	Mar. 18	Apr. 11	May 6	Apr. 11	Apr. 21	Apr. 30	May 19	Jun. 19
Hueneme Elementary	May 27	Apr. 24	Apr. 22	Apr. 6	Apr. 27	Feb. 24	Apr. 24	Jun. 25
Mesa Union	Feb. 18	Apr. 5	Apr. 2	Apr. 17	Mar. 4	May 1	May 19	
Moorpark Unified	Apr. 8	Apr. 6	Mar. 28	Apr. 7	Mar. 5	Mar. 5	May 19	May 22
Mupu Elementary	Mar. 13	Apr. 5	Mar. 31	Apr. 11	Mar. 9	Feb. 24	Apr. 16	May 16
Oak Park Unified	Mar. 18	Apr. 12	May 20	Apr. 7	May 1	Mar. 1	Apr. 15	May 17
Ocean View	Mar. 11	Apr. 13	Jun. 10	Apr. 7	Mar. 10	Feb. 24	May 12	May 8
Ojai Unified	Feb. 18	Apr. 6	May 8	Jun. 26	May 6	Feb. 24	May 5	Jun. 5
Oxnard Elementary	May 21	Apr. 10	May 27	Apr. 10	May 20	Apr. 30	May 20	Jun. 20
Oxnard Union High	Mar. 26	May 24	May 7	Apr. 10	May 13	May 9	May 27	April 25
Pleasant Valley	Apr. 3	May 5	Apr. 28	Apr. 7	Apr. 7	Feb. 24	Apr. 16	May 17
Rio Elementary	Mar. 27	Apr. 6	Apr. 2	Apr. 7	Jun. 4	Apr. 26	Apr. 15	May 16
Santa Clara Elementary	Mar. 19	Apr. 27	May 2	May 5	Mar. 4	Mar. 23	Apr. 22	May 16
Santa Paula Elementary	Mar. 25	Apr. 10	May 8	Apr. 13	Apr. 29	Mar. 28	N/A	N/A
Santa Paula Union High	Jan. 15	Apr. 7	Mar. 24	Apr. 20	Apr. 13	Mar. 23	N/A	N/A
Santa Paula Unified	N/A	N/A	N/A	N/A	N/A	N/A	May 6	
Simi Valley Unified	May 6	Apr. 12	Apr. 2	Apr. 20	May 29	Mar. 26	May 12	Jun. 26
Somis Union	Jan. 22	Apr. 7	May 5	Apr. 7	Mar. 4	Mar. 22	Apr. 14	
VCOE	May 27	Jun. 13	Jun. 23	Jun. 28	Jun. 22	Mar. 29	May 26	Jun. 25
Ventura Unified	Mar 25	Apr. 10	Mar. 24	Apr. 20	Jun. 23	Apr. 5	May 15	May 22

## Appendix III - Charter Schools Operated in Ventura County

School	Grades	Description	Address	Phone	Website
<b>Bridges Charter</b>	K-8	Classroom-based, independent study component	1335 Calle Bouganvilla Thousand Oaks, CA 91360	805-492-3569	<a href="http://www.bridgescharter.org">www.bridgescharter.org</a>
<b>MATES Charter</b>	K-5	Classroom-based	2000 La Granada Drive Thousand Oaks, CA 91362	805-495-7037	<a href="http://www.matescharter.org">www.matescharter.org</a>
<b>River Oaks Charter</b>	TK-12	Independent study	920 Hampshire Rd, Ste X Westlake Village, CA 91360	805-777-7999	<a href="http://www.riveroakscharter.com">www.riveroakscharter.com</a>
<b>Ventura Charter</b>	K-8	Classroom-based, independent study component	2060 Cameron Street Ventura, CA 93002	805-648-5503	<a href="http://www.venturacharterschool.org">www.venturacharterschool.org</a>
<b>Vista Real Charter</b>	9-12	Independent study	401 S. A Street, Suite 3 Oxnard, CA 93030	805-486-5449	<a href="http://www.vrchs.org">www.vrchs.org</a>
<b>Compass Charter</b>	TK-12	Independent study	850 Hampshire Rd, Ste. P. Thousand Oaks, CA 91361	855-937-4227	<a href="http://www.compasscharters.org">www.compasscharters.org</a>
<b>Options for Youth</b>	7-12	Classroom-based, independent study component	1731 E. Ventura Blvd. Oxnard, CA 93036	888-389-9992	<a href="http://www.ofy.org">www.ofy.org</a>
<b>Opportunities for Learning</b>	7-12	Independent study	2585 Cochran Street Simi Valley, CA 93065	805-577-6808	<a href="http://www.emsofl.com">www.emsofl.com</a>
<b>Golden Valley Charter</b>	TK-12	Home School / independent study	2421 Portola Rd, Suite C Ventura, CA 93003	805-642-3435	<a href="http://www.goldenvcs.org">www.goldenvcs.org</a>
<b>Ivy Tech Charter</b>	7-12	Home School / independent study	6591 Collins Dr, Suite E-4 Moorpark, CA 93021	805-222-5188	<a href="http://www.ivytechcs.org">www.ivytechcs.org</a>
<b>Valley Oaks</b>	K-12	Home School / independent study	907 El Centro Street Ojai, CA 93023	805-640-4421	<a href="http://www.valleyoakcharter.org">www.valleyoakcharter.org</a>
<b>ACE Charter HS</b>	9-12	Classroom-based	570 Airport Way Camarillo, CA 93010	805-437-1410	<a href="http://www.acecharterhigh.org">www.acecharterhigh.org</a>
<b>Camarillo Academy for Progressive Education</b>	K-8	Classroom-based	777 Aileen Street Camarillo, CA 93010	805-384-1415	<a href="http://www.camarillocharter.org">www.camarillocharter.org</a>
<b>University Charter</b>	K-8	Classroom-based	500 Temple Ave Camarillo, CA 93010	805-482-4608	<a href="http://universitychartschools.csuci.edu">universitychartschools.csuci.edu</a>
<b>California Virtual Academies</b>	K-12	Home School / independent study	50 Moreland Rd. Simi Valley, CA 93065	805-581-0202	<a href="http://cava.k12.com">cava.k12.com</a>

## Appendix IV

### MEMORANDUM OF UNDERSTANDING BETWEEN VENTURA COUNTY OFFICE OF EDUCATION AND VENTURA COUNTY PROBATION DEPARTMENT RELATING TO A STUDENT TRANSITION PLANNING POLICY

#### RECITALS

R1. The U.S. Department of Education (“US DOE”) and U.S. Department of Justice (“US DOJ”)

published “Guiding Principles for Providing High-Quality Education in Juvenile Justice Secure Care Settings” (“Guiding Principles”) in 2014. The publication includes the following:

The Guiding Principles include the following:

I. A safe, healthy facility-wide climate that prioritizes education, provides the conditions for learning, and encourages the necessary behavioral and social support services that address the individual needs of all youths, including those with disabilities and English learners.

II. Necessary funding to support educational opportunities for all youths within long-term secure care facilities, including those with disabilities and English learners, comparable to opportunities for peers who are not system-involved.

III. Recruitment, employment, and retention of qualified education staff with skills relevant in juvenile justice settings who can positively impact long-term student outcomes through demonstrated abilities to create and sustain effective teaching and learning environments.

IV. Rigorous and relevant curricula aligned with state academic and career and technical education standards that utilize instructional methods, tools, materials, and practices that promote college- and career-readiness.

V. Formal processes and procedures – through statutes, memoranda of understanding, and practices – that ensures successful navigation across child-serving systems and smooth reentry into communities.

R2. California Assembly Bill 2276 (“AB 2276”) amended certain sections of the Education Code and generally requires that a pupil who has had contact with the juvenile justice system be immediately enrolled in a public school and that county offices of education and county probation departments have a “joint transition planning policy” that includes collaboration with relevant local educational agencies relating to pupils who are being released from juvenile court schools.

(Legislative Counsel’s Digest)

R3. California Senate Bill 1111 amended and added certain sections of the Education Code relating to “county community schools” (Ch. 6.5, Part 2 of Division 1 of the Education Code).

R4. The Ventura County Office of Education (“VCOE”), in collaboration with the Ventura County Probation Department (“Probation”), and in consultation with all forty-two school districts in Ventura County, are committed to ensuring every student involved in the juvenile justice system retains access to the highest quality, personalized instructional support and service in preparation for college, career, and citizenship.

R5. This joint Student Transition Planning Policy specifically addresses Guiding Principle Five (V) above and is intended to ensure full compliance with AB 2276 (California Education Code Sections 48645.5, 48647, 48648, and 49069.5) and SB 1111, and as permitted by Welfare & Institutions Code section 827.

## **AGREEMENT**

### **1. VCOE**

VCOE agrees to:

1.1 Provide select Probation staff and administrators with necessary access to the Juvenile Community and Court Schools (JCCS) Student Information System.

1.2 Identify JCCS staff responsible for student/parent transition support for each of the court and community school programs operated by the Ventura County Office of Education (VCOE).

1.3 Provide relevant academic information to Probation Officers to ensure they have necessary information to support the return of pupils transitioning from juvenile court schools to public schools in their communities.

1.4 Maintain list of school district contacts responsible for facilitating student enrollment and placement upon release from court school.

1.5 Provide list of school district contacts to VC Probation, Juvenile Court Judges, Public Defender's Office, and District Attorney's Office.

1.6 Provide annual and ongoing training to Local Educations Agencies and relevant stakeholders of the Juvenile Justice System to include: Juvenile Court Judges, the District Attorney's Office, the Public Defenders' Office, and County Probation. The goal of such training will be to increase awareness, foster collaboration and maximize compliance with AB 2276.

1.7 Provide information and support to parents of students enrolled in the juvenile court schools to advise them of their rights regarding re-enrollment in public schools prior to and upon release from a court school.

1.8 Upon the minor's release from custody and checking out of the VCOE Court School, the VCOE Transition Liaison will actively seek out and receive confirmation from the School District of minor's enrollment or county community school as applicable. If not enrolled, the VCOE Transition Liaison will contact the Probation Officer will who will provide follow up with minor, parent, school of enrollment and VCOE Transition Liaison.

### **2. Probation**

Probation agrees as follows:

2.1 To identify Probation staff at each court and community school facility responsible for communicating student releases to VCOE staff.

2.2 NO less than weekly, provide to identified School Transition Liaisons a spreadsheet that includes each youth's name, date of birth ("DOB"), court dates that could potentially lead to release and if available, anticipated release dates. School Transition Liaisons are assigned the detention facility/court school and community school and will assist the Case Manager Probation Officer with educational planning and transition of youth into their community school or comprehensive school setting as appropriate.

2.3 All Booking staff will collect updated contact information from parents on all admissions and releases

and will provide this information the JCCS staff and the case manager Probation Officer.

2.4 Prior to the release of a youth, VC Probation and VCOE staff will collaborate to complete an initial Educational Placement Plan. The Educational Plan will be created to ensure the immediate return to/enrollment of a youth to a specific school upon release from a custodial setting. This plan will address the educational case plan early in the supervision process and engage the parent and the youth in an early stage to determine educational needs and appropriate educational placement upon release into the community.

2.5 Upon the minor's release from custody and checking out of the VCOE Court School, if the VCOE transition verifies to case manager probation officer that the student is not enrolled, the Probation Officer will provide follow up with minor, parent, school of enrollment and VCOE Transition Liaison.

2.6 Probation Officer will collaborate with the school district and site personnel to provide support to ensure the minor's educational needs are being met.

2.7 Probation Officer will contact the District's Foster Care Liaison to address any problematic issues and ensure the transitional plan is being implemented.

### **3.0 Period of Agreement - Inception and Termination Dates**

This Agreement is effective from July 1, 2015 through June 30, 2017.

### **4.0 Compensation/Costs and Payment Schedule**

There is no compensation involved in the performance of this operational agreement between the County and VCOE.

### **5.0 Defense and Indemnity**

#### **5.1 Claims Arising from Sole Acts or Omissions of County**

The County hereby agrees to defend and indemnify the VCOE, its agents, officers and employees (hereinafter collectively referred to in this paragraph as VCOE), from any claim, action or proceeding against VCOE, arising solely out of the acts or omissions of County in the performance of this Agreement. At its sole discretion, State may participate at its own expense in the defense of any claim, action or proceeding, but such participation shall not relieve County of any obligation imposed by this Agreement. VCOE shall notify County promptly of any claim, action or proceeding and cooperate fully in the defense.

#### **5.2 Claims Arising from Sole Acts or Omissions of VCOE**

VCOE hereby agrees to defend and indemnify the County, its agents, officers and employees (hereafter collectively referred to in this paragraph as 'County') from any claim, action or proceeding against County, arising solely out of the acts or omissions of VCOE in the performance of this Agreement. At its sole discretion, County may participate at its own expense in the defense of any such claim, action or proceeding, but such participation shall not relieve State of any obligation imposed by this Agreement. County shall notify VCOE promptly of any claim, action or proceeding and cooperate fully in the defense.

### **5.3 Claims Arising from Concurrent Acts or Omissions**

County hereby agrees to defend itself, and VCOE hereby agrees to defend itself, from any claim, action or proceeding arising out of the concurrent acts or omissions of County and VCOE. In such cases, County and VCOE agree to retain their own legal counsel, bear their own defense costs, and waive their right to seek reimbursement of such costs, except as provided in paragraph 5.5 below.

### **5.4 Joint Defense**

Notwithstanding paragraph 5.3 above, in cases where County and VCOE agree in writing to a joint defense, County and VCOE may appoint joint defense counsel to defend the claim, action or proceeding arising out of the concurrent acts or omissions of VCOE and County. Joint defense counsel shall be selected by mutual agreement of County and VCOE. County and VCOE agree to share the costs of such joint defense and any agreed settlement in equal amounts, except as provided in paragraph 5.5 below. County and VCOE further agree that neither party may bind the other to a settlement agreement without the written consent of both County and VCOE.<sup>4</sup>

### **5.5 Reimbursement and/or Reallocation**

Where a trial verdict or arbitration award allocates or determines the comparative fault of the parties, County and State may seek reimbursement and/or reallocation of defense costs, settlement payments, judgments and awards, consistent with such comparative fault.

### **6.0 Renewal Terms**

After the initial term of Agreement, the parties will review annually and amended, as needed by mutual consent of both parties.

### **7.0 Confidentiality of Services or Work**

Both parties will adhere to Welfare & Institutions Code section 827 and all other applicable laws or regulations regarding juvenile confidentiality to ensure confidentiality of students' names and academic records.

### **8.0 Contractor & County Contact Persons' Names & Addresses**

#### **County of Ventura**

Mark Varela, Chief Probation Officer  
800 S Victoria Ave, Ventura, CA 93009  
805-654-2106

#### **Other Party**

Stanley C. Mantooth, Ventura County Superintendent of Schools  
5189 Verdugo Way, Camarillo, CA 93012  
805-383-1902

### **10. Termination**

This Agreement may be terminated by either party with a thirty (30) day written notice.

**11. Final Approval**

This Agreement is of no force or effect until approved by signature by the County Office of Education or his designee, the Assistant Superintendent of Business Services.

**12. Entire Agreement**

This Agreement represents the entire Agreement and understandings of the parties hereto and no prior writings, conversations or representations of any nature shall be deemed to vary the provisions hereof. This Agreement may not be amended in any way except by a writing duly executed by both parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused this Contract to be duly executed, such parties acting by their representatives being thereunto duly authorized.

**VENTURA COUNTY PROBATION**

**VENTURA COUNTY SUPERINTENDENT OF SCHOOLS**

By (Authorized Signature)

By (Authorized Signature)

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Mark Varela  
Chief Probation Officer

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Stanley C. Mantooth  
Ventura County Superintendent of Schools

## Appendix V: Parental Rights and Responsibilities

1. **Parental Rights and Responsibilities for Gateway Community School - [VCOE Annual Notice](#)**
2. **General Provisions for Parental Involvement - Education Code 51101**
3. **Pupil Rights and Responsibilities - Education Code 48918**
  - a. Details the rights and responsibilities of students and the parent/guardian in the expulsion process.
  - b. Foster/Homeless pupil rights and responsibilities - [Education Code 48918.1](#)

### 4. **Parent/Guardian Request for Waiver of Administrative Hearing**

Under the California Education Code, all students recommended for expulsion are entitled to an impartial hearing. The timeline of steps taken to consider a recommendation for expulsion are also governed by the Education Code. The California School District respects and complies with the timeline and fact-finding requirements prescribed in the California Education Code.

In certain expulsion cases, students and their parents/guardians wish to expedite the expulsion process by waiving their right to the expulsion hearing and the timeline governing the expulsion process. When parents/guardians make such a request, an alternative process that eliminates the need for an expulsion hearing and expedites the timeline may be used. The advantages of this process include:

- Expedited placement of the student in an alternative educational program.
- Elimination of the need for the student and parent/guardian to appear before an administrative hearing panel to review the incident that led to the expulsion recommendation.

A request to waive an administrative hearing and timeline requirements can be considered when:

- The student and parent/guardian do not dispute the charges which led to the recommendation for expulsion.
- The student acknowledges responsibility for his/her behavior.

A request to waive the expulsion hearing will be approved when it is determined that the alternative process is in the best interest of the student and district.

A "Request for Waiver of Administrative Hearing" form must be completed, signed, and submitted to the appropriate administrator for the parent/guardian to initiate this process, If a request for a stipulated expulsion is approved by the administrator, it will be submitted to the Local School District Board of Trustees. The parents/guardians make a knowing and voluntary waiver of their right to have an expulsion hearing and therefore:

- Waive the right to all notices and timelines required by statute, rule or regulations;
- Waive the right to be represented by legal counsel at such expulsion hearing;
- Waive the right to inspect and obtain copies of documents which would have been used at the hearing;
- Waive the right to confront and question all witnesses who would have testified at the hearing;
- Waive the right to question all written evidence presented, and;
- Waive the right to present oral and documentary evidence on the student's behalf including witnesses.



## Appendix VI

### Model Rehabilitation Plan Provided to Expelled Student Pursuant to Education Code 48916

Name: Student Name Grade: 10  
School: Maple High School  
Expulsion Recommendation per Education Code: 48915 (b)  
Stipulated: Contested X  
Date of Administrative Hearing: May 10, 2017  
Board Approval Date: June 1, 2017

#### Background

California Education Code 48916 requires the governing board to recommend a plan of rehabilitation for the pupil at the time of the expulsion order, which may include, but not be limited to, periodic review as well as assessment at the time of review for readmission. The plan may also include recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service, or other rehabilitative programs.

In addition, the governing board is required to adopt rules and regulations establishing a procedure for the filing and processing of requests for readmission and the process for the required review of all expelled pupils for readmission. Upon completion of the readmission process, the governing board shall readmit the pupil, unless the governing board makes a finding that the pupil has not met the conditions of the rehabilitation plan or continues to pose a danger to campus safety or to other pupils or employees of the school district. A description of the procedure shall be made available to the pupil and the pupil's parent or guardian at the time the expulsion order is entered.

If the governing board denies the readmission of an expelled pupil it must make a determination either to continue the placement of the pupil in the alternative educational program initially selected for the pupil during the period of the expulsion order or to place the pupil in another program that may include, but need not be limited to, serving expelled pupils, including placement in a county community school.

The governing board shall provide written notice to the expelled pupil and the pupil's parent or guardian describing the reasons for denying the pupil readmittance into the regular school district program. The written notice shall also include the determination of the educational program for the expelled pupil as described above. The expelled pupil shall enroll in that educational program unless the parent or guardian of the pupil elects to enroll the pupil in another school program. ([Education Code 48915.1](#))

It is recognized that rehabilitation plans developed in compliance with these legal requirements, should be designed to promote the academic and social-emotional growth of the expelled student. Goals should:

1. Be tailored to each individual student's needs and strengths;
2. Be specifically related to the reasons for a student's expulsion and/or designed to directly support student success;
3. Be written in a comprehensible manner to families and translated to their preferred language;
4. Be attainable and provide motivation to the student and not present undue barriers to return to district; and,
5. Be monitored for progress by the District of Residence and Gateway Community School.

Now, therefore, the governing board of the **ABC School District** hereby lays out the following rehabilitation plan, which will include requirements for #1 and #2, as well as any and all pertinent requirements #3 through #8.

**1. Student is hereby assigned to attend: Gateway Community School**

- a. Required: Typically, the referral will be Gateway unless the expulsion order is suspended and the governing board places student at another district school site.

**2. Date of Readmission Hearing: January 25th, 2018**

- a. Required: Per Education Code 48916 must be included in the plan.

**3. Academic:**

- a. Recommended: Consider the student's current performance and set a target that shows growth but is still attainable. Goal may include a targeted grade point average (2.0 for example) and/or a limited number of failing grades (No more than 1 F, for example), or an amount of earned academic credits per semester or year for what would be expected if a student were progressing normally towards high school graduation (30 credits per semester or 60 credits per year, for example)

**4. Attendance:**

- a. Recommended: Consider the student's current attendance pattern and set a target that shows growth but is still attainable. Goal may include a targeted percentage (80%, for example) and/or a limited number of unexcused absences (no more than 5 unexcused absences, for example) or a percent of increased attendance for students with a history of very low attendance (20% increase for a student with 50% regular attendance on the year, for example). When using limited numbers of unexcused absences, districts should consider the length of the term of expulsion.

**5. Behavioral Goals and Supports:**

- a. Recommended: Consider the student's current discipline/behavior record and set a target that shows growth but is still attainable. It is also common to limit the numbers of suspensions and specify offenses (No more than 1 suspension for fighting, drugs/weapon possession, for example).

**6. Social-Emotional Services & Supports:**

- a. Recommended: Consider the student’s current social-emotional needs related to the expellable offense and design a plan tailored to the student’s needs that allows the student to show progress but is still attainable. Goal may include a target number of counseling sessions (completion of at least 10 counseling sessions designed to address impulsivity / anger management, and no more than 1 conduct referral for a specific behavior, for example). When requiring particular kinds of counseling, please be sure to incorporate the services provided at Gateway (see “Gateway: Community Service Agencies on page ##) after communicating with Gateway site administration and/or those services not provided at Gateway that the District may be willing to support.

**7. Substance Abuse Services & Supports:**

- a. Recommended: Consider the student’s current substance abuse record related to the expellable offense and design a plan tailored to the student’s needs that allows the student to show progress but is still attainable. Goal may include a target number of counseling sessions (completion of at least 10 counseling sessions designed to address substance abuse triggers and patterns, for example). When requiring particular kinds of counseling, please be sure to incorporate the services provided at Gateway (see “Gateway: Community Service Agencies”) after communicating with Gateway site administration and/or those services not provided at Gateway that the District may be willing to support.

**8. Other****a. Restorative Action:**

- i. Consider the student’s expellable offense and design a plan tailored to the needs of the student, the community, and/or those harmed. Goal may include a letter of apology, a restorative meeting with the student/staff involved, or a community service project. This goal should be developed on a case-by-case basis and should be attainable and provide motivation to the student and not present undue barriers to return to district.

**b. Community Service:**

- i. When considering the potential benefit student may gain through community service and design a plan tailored to the student’s needs that allows the student to show growth but is still attainable. Community service is not meant to be punitive but to be restorative in nature. Goal may include a target number of hours being careful to consider the length of time of the expulsion order (completion of at least 36 hours of community service for an average of two hours per week during a semester, for example). When requiring community service, please be sure to consider the locations available to the student and the availability of transportation. Age appropriateness and impact on the family should always be considered when selecting community service activities. For a list of recommended community service locations across Ventura County please go to the [VCOE Student Services Collaborative webpage](#).

c. **Parenting:**

- i. When considering the potential benefit a student may gain through the parent's or guardian's involvement and design a plan tailored to the student's and family's needs that allows the student and family to access important services but is still attainable. Parent classes or family counseling is not regularly offered at Gateway, and if recommended should be provided by the District. When recommending parent training such as the Parent Project, please be sure to consider the locations available to the family and the availability of transportation. Age appropriateness and impact on the family should always be considered when recommending family involvement. Per [EC 48917\(a\)](#), a parent's refusal to participate in the rehabilitation program shall not be considered in the governing board's determination as to whether the pupil has satisfactorily completed the rehabilitation plan.

9. **Evidence of Readiness for Readmission:**

- a. The student will prepare and present a portfolio of evidence responding to these areas and others that may demonstrate the student's readiness to return to District. This may be presented to the governing board or district staff pursuant to board policy and/or district practice. The student will be assisted in this process by the staff and administration at Gateway. Student portfolios at Gateway will include documentation of all requirements set forth in the district's rehabilitation plan. In addition, a student letter requesting readmission, student selected work samples, career/interest inventories, as well as any student certificates/awards will be included in this portfolio.

## Appendix VII

### Sample Documentation of Prior Interventions

School Records Review	Interventions Attempted	Placements Attempted
College and Readiness Plan (U-CCRP) CTE Pathway/Academy: _____ Transcript/ A-G requirements Total credits earned: ___ GPA ____ Current Grades School Attendance 2 <sup>nd</sup> semester Math requirement met Computer Literacy Met Standardized Test Scores: Math ____ English ____ Science ____ CELDT overall score: _____ Year: _____ EL Program: EO IFEP LTEL RFEP Discipline reviewed Probation: 602 ward Employed Foster Youth McKinney-Vento AB 167, 216, 1806 qualified Migrant IEP  SAI above 50% SAI below 50%  Section plan 504 General Education with Accommodations: Describe or attach: _____ Other:	Parent Conference Administrative Referral(s) (attach) Alternative Means of Correction: _____ Behavior Contract: (attach) Counseling: Academic PBSP other: _____ Peer Assistance/Mediation  Referral to School Psychologist Tutoring Credit Recovery: _____ Summer School Program Adjustment Reduced Day Attendance: Letter 1 Letter 2 Letter 3  SARB meeting: 1st 2nd 3rd SARB contract  SST: #1st meeting date _____  #2nd meeting date _____ #3rd meeting date _____  Other:	Adult Education Charter School _____ Independent Studies Options Middle College HS Continuation High School Gateway/Community School High School Equivalency Program Home/Hospital Teaching Independent Study Short Term Other/Previous schools:

Student areas of strength	Student areas of growth

Recommendations/Goals/Action Plan

## Appendix VIII

### Reporting to California Longitudinal Pupil Achievement Data System (CALPADS)

Find the “CALPADS Data Guide v.9.2” (Dated 19-Dec-2017) on the bottom of the following webpage:

[CALPADS System Documentation](#)

#### **CALPADS Data Guide**

##### **December 19, 2017 Release**

- [CALPADS Data Guide v9.2](#) (DOC; 2MB; Dated 19-Dec-2017)  
This document provides guidance for LEAs regarding the collection and submission of data for CALPADS.

##### **Previously Published Version (October 31, 2017 Release)**

- [CALPADS Data Guide v9.1](#) (DOC; 2MB; Dated 31-Oct-2017)  
Note: This is not the latest version of this document. Version 9.2 (posted directly above) supersedes this document.

To receive e-mail updates regarding CALPADS System Documentation, please subscribe to the appropriate [CALPADS Listserv](#).

**Questions: CALPADS/CBEDS/CDS Operations Office | [calpads@cde.ca.gov](mailto:calpads@cde.ca.gov) | 916-324-6738**

Last Reviewed: Thursday, January 4, 2018

#### **Pertinent sections include:**

- 2.1.4 Student Discipline (p. 86 - 99)
- 2.1.4.22 Disciplinary Action Modification Category for “Enforcement Suspended” (p. 89)
- Reporting Modified Expulsions: LEAs should report any expulsion, even if the enforcement of that expulsion has been suspended or shortened. If a given student ultimately violates the terms of a behavior contract and the student is expelled, then the LEA should report the expulsion without the expulsion modifications. (p. 95)

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