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Biography

Dr. Jaime Hernandez has more than 25 years of experience across a broad range of roles in education. He currently serves as a consultant examining systemic problems related to special education programs and issues regarding disproportionality.

Hernandez previously served as the Research Director for the Office of the Independent Monitor (OIM), the court appointed agency tasked with overseeing the implementation and disengagement of the *Chanda Smith Modified Consent Decree v. Los Angeles Unified School District (LAUSD)*. For 15 years, Dr. Hernandez led the establishment and renegotiation of 18 data-based outcomes, developing monitoring systems and program evaluations to measure compliance with special education law and progress towards satisfying the requirements of the consent decree for a special education system with over 80K students with disabilities. This included extensive monitoring efforts of the LAUSD's compliance with the program accessibility requirements of the Americans with Disabilities Act of 1990.

During his tenure with the OIM, Dr. Hernandez worked collaboratively with notable researchers, consultants, and scholars to create systems change in the LAUSD. This involved collaborating with nonprofit research organizations, including the American Institutes for Research and SRI International.

Dr. Hernandez has also worked as a general and special education teacher, school psychologist, adjunct professor, advocate, and consultant and expert on special education litigation and compliance reviews.



EQUAL JUSTICE SOCIETY

March 28, 2022

Via Certified Mail & E-mail

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Re: Various Compliance Complaint, 34 C.F.R. § 300.153, 5 C.C.R. § 3202; Request for Direct State Intervention to Investigate Disability Discrimination, 5 C.C.R. § 4650.

On Behalf of All Students with Disabilities Against the Antelope Valley Union High School District

To Whom It May Concern:

Please see enclosed Various Compliance Complaint and Request for Direct State Intervention to Investigate Disability Discrimination against Antelope Valley Union High School District.

Sincerely,

Disability Rights California, Neighborhood Legal Services of Los Angeles County, Equal Justice Society, and Kilpatrick Townsend & Stockton LLP

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I. Introduction

Cancel the Contract-Antelope Valley (“CTC”) and students, V.X., Z.R., L.W., B.Y., and K.D., file this various complaint against the Antelope Valley Union High School District (“AVUHSD” or “District”) on behalf of all students with disabilities, and Black students with disabilities in particular. The Complaint alleges that the District’s entire special education system is punitive, segregated, ableist, and racist. It is a system devoid of meaningful emotional or behavioral support, in which District policies encourage staff to call the police on students, remove them from the classroom through formal and informal suspensions, and place them in highly restrictive settings where they are deprived of contact with nondisabled peers.

For years, these policies and unchecked staff racism have created alarming disparities for Black students with disabilities. For instance, the District suspends **more than one in four** Black students with disabilities (27.2%), a rate **nearly seven times** that for their white nondisabled peers (3.9%). The District has twice admitted to CDE that its discipline policy is a root cause of these racial disparities. Yet, it has continued to implement this and other racist policies.

Students are most successful in schools that are nurturing, inclusive, academically rigorous, and supportive. By contrast, punitive approaches such as suspension, expulsion, school policing, and segregation frustrate student success and entrap students in the pipeline to prison. Black students with disabilities are most likely to be harmed by these practices due to the compounding effects of race and disability discrimination. Despite evidence of the resulting harm, the District continues to implement policies that punish and segregate students with disabilities, especially Black students with disabilities, for disability-related behaviors. In doing so, it is squandering the potential of thousands of students entrusted to its care. This is not just contrary to best practice, it is illegal.

The Complaint alleges that the District’s policies, practices, and procedures regarding discipline, policing, and segregation of students with disabilities violate the Individuals with Disabilities Education Act (“IDEA”), California Education Code Section 56000 et seq., California Education Code Sections 200 and 220, California Government Code Section 11135, Section 504 of

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the Rehabilitation Act (“Section 504”), and Title II of the Americans with Disabilities Act (“Title II”). The Complaint asks CDE to order the District to make systemic changes that end racial disparities and transform its special education system into one that honors its students’ humanity and potential.

II. Parties

A. Complainants

Complainants include five AVUHSD students¹ and CTC. *The five students bring this Complaint solely to challenge the District’s unlawful policies. They do not allege any individual violations.*

V.X. is a Latino tenth-grade public-school student. His mother, T.X., is his education rights holder and files this complaint on his behalf. At all relevant times, V.X. has been enrolled in the District and has had an IEP with an eligibility of Specific Learning Disability (SLD) and Other Health Impairment (OHI).² V.X.’s disability substantially limits major life activities including communication, concentration, and reading. Thus, V.X. is a qualified individual under Title II³ and Section 504.⁴

Z.R. is a Black twelfth-grade public-school student. His mother, F.R., is his education rights holder and files this complaint on his behalf. At all relevant times, Z.R. has been enrolled in the District and has had an IEP with an eligibility of SLD and OHI.⁵ Z.R.’s disability substantially limits major life activities including reading, communication, and self-direction. Thus, Z.R. is a qualified individual under Title II and Section 504.

L.W. is a Black eleventh-grade public-school student. His mother, O.W., is his education rights holder and files this complaint on his behalf. At all relevant times, L.W. has been enrolled in the District and has had an IEP

¹ The Complaint refers to the students by pseudonyms. As detailed in Section III.C, the students request anonymity due to fears of retaliation. The students disclose their names and contact information in Confidential Attachment A filed with CDE.

² Decl. of T.X. at ¶ 2.

³ 42 U.S.C. § 12102(2)(A).

⁴ 34 C.F.R. § 104.3(j).

⁵ Decl. of F.R. at ¶ 3.

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with an eligibility of SLD and OHI.⁶ L.W.'s disability substantially limits major life activities including learning, concentration, and communication. Thus, L.W. is a qualified individual under Title II and Section 504.

B.Y. is a Black eleventh-grade public-school student. His mother, C.Y., is his education rights holder and files this complaint on his behalf. At all relevant times, B.Y. has been enrolled in the District and has had an IEP with an eligibility of SLD and the label Emotional Disturbance (ED).⁷ B.Y.'s disability substantially limits major life activities including language, learning, and concentration. Thus, B.Y. is a qualified individual under Title II and Section 504.

K.D. is a white twelfth-grade public-school student. His mother, A.D., is his education rights holder and files this complaint on his behalf. At all relevant times, K.D. has been enrolled in the District and has had an IEP with an eligibility of autism and the label of ED.⁸ K.D.'s disability substantially limits major life activities including communication, self-care, and concentration. Thus, K.D. is qualified under Title II and Section 504.

Cancel the Contract-Antelope Valley is a project of Reform L.A. Jails. CTC is a coalition of community organizations and leaders from the Antelope Valley calling for an end to law enforcement violence and presence in schools, a remedy for disparate exclusionary discipline and segregation of students with disabilities, and cessation of racism in the community. It files this complaint on behalf of all students with disabilities in the District.⁹

B. Respondent

AVUHSD is a public school district in Lancaster, California. As such, it is a local educational agency, subject to the requirements of the California

⁶ Decl. of O.W. at ¶ 3.

⁷ Decl. of C.Y. at ¶ 3.

⁸ Decl. of A.D. at ¶ 2.

⁹ 34 C.F.R. § 300.153(a) ("an organization...may file a signed written complaint"); *Everett H. v. Dry Creek Joint Elementary Sch. Dist.*, 5 F. Supp. 3d 1184, 1188 (E.D. Cal. 2014) (a various compliance complaint "need not involve an allegation regarding a specific student").

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Education Code and the IDEA.¹⁰ AVUHSD is subject to Government Code Section 11135 and Education Code Section 220 because it receives state funding. It is also subject to Section 504 and Title II because it receives federal financial assistance and is a local government entity providing public education.

III. Jurisdiction

A. Subject Matter and Personal Jurisdiction

This Complaint is filed pursuant to the CDE Uniform Complaint Procedures¹¹ and IDEA Complaint Procedures.¹² The Complaint alleges that various District policies, practices, and procedures violate the IDEA and California Education Code Section 56000 et seq. The Complaint requests a various investigation and systemic remedies. CDE's Special Education Division has jurisdiction over claims that a district is violating IDEA and Education Code Section 56000 et seq.¹³ Further, as the U.S. Department of Education has long maintained, CDE must investigate and resolve complaints that raise systemic allegations.¹⁴

In addition, the Complaint alleges that the District's policies, practices, and procedures violate Education Code Section 220, Government Code Section 11135, Title II, and Section 504. CDE is charged with investigating UCP complaints alleging violations of Education Code Section 220 and Government Code Section 11135.¹⁵ These laws incorporate the protections in Title II and Section 504.¹⁶ Indeed, CDE's Office of Equal Opportunity (OEO) has long maintained that violations of Title II and Section 504 fall within its jurisdiction.¹⁷

¹⁰ 5 C.C.R. §§ 3200(i), (j).

¹¹ 5 C.C.R. §§ 3200 *et seq.*

¹² 34 C.F.R. §§ 300.151-153.

¹³ 5 C.C.R. §§ 3201(a), (b).

¹⁴ 71 Fed. Reg. 46605.

¹⁵ Cal. Educ. Code § 33315(a)(1)(F).

¹⁶ Cal. Educ. Code § 201(g) (incorporating violations of Section 504 and Section 11135); Cal. Gov't Code § 11135(b) (incorporating violations of Title II and Section 504).

¹⁷ See CDE, *K.C. Settlement Agreement & Legal Advisory* (Nov. 17, 2020), <https://www.cde.ca.gov/ls/he/hn/legaladvisory.asp> ("As required by the [UCP], CDE's

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B. Timeliness of Complaint

This Complaint alleges that the District's existing policies, practices, and procedures violate the IDEA, California Education Code Section 56000 et seq., California Education Code Sections 200 and 220, California Government Code Section 11135, Title II, and Section 504. As detailed below, these policies are currently harming students with disabilities in the District and denying them their rights under these laws. Thus, this Complaint is timely filed.

C. Basis for Direct State Intervention

Complainants seek direct state intervention on two grounds. First, the Students request anonymity because they would be in danger of retaliation and would suffer immediate and irreparable harm if they filed the complaint with the District.¹⁸ The Students are aware of instances in which District staff and community members have harassed and intimidated parents, guardians and students who filed discrimination complaints.¹⁹ Thus, the Students request that OEO directly intervene in this matter without waiting for an LEA investigation.²⁰

Second, as explained *infra*, Students will continue to suffer immediate and irreparable harm as a result of the application of the District's systemic policies that are in conflict with the state and federal disability rights laws covered by the UCP. The District has long been aware that its policies are unlawful, including through the IDEA significant disproportionality process. To date, the District has not corrected these unlawful policies. Thus, filing a complaint with the District would be futile.

///

Office of Equal Opportunity will continue to accept and investigate complaints pursuant to Section 504[.]").

¹⁸ Confidential Exhibit A lists the Students' names and contact information.

¹⁹ Decl. of T.X. at ¶ 1; Decl. of F.R. at ¶ 1; Decl. of O.W. at ¶ 1; Decl. of C.Y. at ¶ 1; Decl. of A.D. at ¶ 1.

²⁰ 5 C.C.R. § 4650(a)(2).

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IV. Factual Background

The District is located in Lancaster and Palmdale, California, in a region of north Los Angeles County called the Antelope Valley. It serves 22,476 students in grades nine through twelve. 63.3% of District students identify as Latinx, 16.7% identify as Black, 12.3% identify as white, 4.4% identify as multiple races, 2.8% identify as Asian-Pacific Islander, and 0.3% identify as American Indian or Alaska Native. 70% of District students are eligible for free and reduced-price meals.

Nearly 3,400 students, 15.1% of the population District-wide, are eligible for IEPs. Of these students, 53.9% identify as Latinx, 27% identify as Black, 12.9% identify as white, and 4.6% identify as multiracial.

The following subsections detail District policies, practices, and procedures (collectively referred to as “Policies”) regarding formal and informal discipline, referrals to Probation and police, threat assessments, and segregated placements. Data and student stories show that these Policies single out students with disabilities, especially Black students with disabilities, subject them to punitive treatment, and prevent them from accessing an inclusive and academically rigorous education.

A. The District’s Policies for suspensions and expulsions

The District’s Policies disproportionately subject students with disabilities, particularly Black students with disabilities, to exclusionary discipline.

For instance, the District publishes a matrix specifying the minimum and maximum disciplinary actions authorized for violations of various Education Code provisions.²¹ This matrix gives school staff discretion to recommend students for suspension or expulsion for *any* Education Code violation,

²¹ Exhibit B; Antelope Valley High School, Student Planner, Minimum/Maximum Penalties (2019-20), *available at* https://www.antelopevalleyhs.org/uploaded/Antelope_Valley_HS/Students/2019-2020_AVHS_Planner.pdf; Lancaster High School, Discipline Policies, Minimum/Maximum Penalties, *available at* <https://www.lancasterhs.org/uploaded/Lancaster/Parents/mou.pdf>.

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including conduct as benign as profanity and “disrupting” the classroom.²² Such conduct is often disability-related. The matrix does not guide school staff about how to exercise their discretion in decisions about discipline and avoid bias in these decisions.²³

The District itself has twice admitted to CDE that this matrix contributes to racial disparities in discipline, yet it has failed to make any revisions. Beginning in 2018, the District reported significant disproportionality in the discipline of Black students with disabilities. In its subsequent 2020 Comprehensive Coordinated Early Intervening Services Plan (“CCEIS Plan”),²⁴ the District stated:

We identified that our current discipline policy [the matrix] contributes to root cause #2, inequitable campus discipline policies and practices. The current policy is outdated (revised in 2014) and subjectively inconsistent in its implementation from school to school.

Despite admitting that its discipline policy creates racial disparities, the District did not revise the policy. Nor did CDE require it to revise the policy. As a result, the District’s discipline data remained significantly disproportionate for Black students with disabilities, as detailed below. Then, in its 2021 CCEIS Plan,²⁵ the District *again* admitted that the matrix contributes to racial disparities:

While updating the SigDis Policies, Practices and Procedures Review Matrix 2021, we identified that the current policy continues to contribute to root cause #2, inequitable campus discipline policies and practices. Although the current policy continues to be outdated and subjective in its implementation from school to school, the district has made significant strides in hiring a Director of Equity to serve as a resource to organize and focus the district’s effort in examining all Policies, Practices, and Procedures to identify barriers hindering equitable access to supports and services and eradicating any

²² Id.

²³ Id.

²⁴ Exhibit C.

²⁵ Exhibit D.

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disparities in the discipline practices and procedures that have led to the LEA's significantly disproportionate identification.

The District went on to reiterate that "the current discipline policy, which was revised in 2014, is outdated and lacks specificity, therefore, discipline practices differ greatly from school to school." Nevertheless, the District again did not revise the matrix, nor did CDE require it to do so. **To date, the District has not revised the matrix, and it remains in effect.**

Under its punitive and discretionary Policies, including the matrix, the District suspends and expels students with disabilities, especially Black students with disabilities, at rates drastically higher than those for their nondisabled peers and particularly their white nondisabled peers.

1. Data Regarding Suspensions:

- At 8.3%, the District's suspension rate is **nearly 2.5 times** the state average (3.6%) and **over twenty times** the rate in Los Angeles Unified School District (0.4%);²⁶
- The District's suspension rate for students with disabilities (16.9%) is **over 2.5 times** its suspension rate for nondisabled students (6.7%);²⁷
- The District suspends **more than one in four** Black students with disabilities (27.2%). This rate is **nearly seven times** the suspension rate for white nondisabled students (3.9%);²⁸
- **47.6%** of Black students with disabilities who receive a suspension are suspended multiple times, compared to just 10.5% of white nondisabled students;²⁹
- In the 2018-19 and 2019-20 school years, Black students comprised **nearly two-thirds** of the students with disabilities suspended for more than ten days in a single school year.³⁰

²⁶ AVUHSD, DataQuest, 2018-19 Suspension Rate, *available at* <https://dq.cde.ca.gov/dataquest/dqCensus/DisSuspRate.aspx?year=2018-19&agglevele=District&cde=1964246>.

²⁷ Id.

²⁸ Id.

²⁹ Id.

³⁰ Exhibit E.

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2. Data Regarding Expulsions:

- The District's overall expulsion rate (2.6 per 1,000 students) is **nearly 29 times** the state average;³¹
- The District has a **higher number of expulsions** than Los Angeles Unified School District, a district which is twenty-one times its size;³²
- The expulsion rate for students with disabilities (3.3 per 1,000 students) is **32% higher** than the rate for nondisabled students;³³
- Black students with disabilities comprise **half** of the students with disabilities who are expelled, despite representing just 27% of students with disabilities District-wide;³⁴ and
- Between the 2018-19 school year and the present, **more than two-thirds (67.6%)** of students with disabilities who were expelled had no Behavior Intervention Plan in place at the time of expulsion.³⁵

Removals from the classroom create far-reaching consequences that extend beyond lost instructional time. Students who are frequently suspended are more likely to feel targeted, singled out, or unsupported by teachers and administrators. They may feel disconnected from school, fall behind on schoolwork, and ultimately drop out of school. Students affected by exclusionary discipline practices are less likely to attend college and more likely to experience economic insecurity.³⁶ Moreover, suspensions and expulsions often result in law enforcement contact and are thus an entry point to the school-to-prison pipeline.³⁷

³¹ AVUHSD, DataQuest, 2018-19 Expulsion Rate, *available at* <https://dq.cde.ca.gov/dataquest/dqCensus/DisExpRate.aspx?year=2018-19&agglevel=District&cde=1964246>.

³² Id.

³³ Id.

³⁴ Id.

³⁵ Exhibit F.

³⁶ K.D. Bacher-Hicks, Stephen B. Billings & David Deming, *The School to Prison Pipeline: Long Run Impacts of School Suspension on Adult Crime*, National Bureau of Economic Research (2019) https://www.nber.org/system/files/working_papers/w26257/w26257.pdf.

³⁷ ACLU, *No Police in Schools: A Vision for Safe and Supportive Schools in CA* (2021) https://www.aclusocal.org/sites/default/files/field_documents/no_police_in_schools_report_aclu_082421.pdf.

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B. The District's Policies for on-campus detention and the Student Support Center

The District reports fewer suspensions and expulsions than actually occur because it uses several types of informal disciplinary removals to exclude students from school without documentation and reporting.

1. On-Campus Detention

First, many District sites operate on-campus detention rooms, which are holding spaces where staff can send students out of class. The District has no written policy dictating when staff may refer students to on-campus detention. In practice, the District allows staff to send students to on-campus detention for behaviors as minor as cellphone use during class. It also permits staff to send students to on-campus detention for disability-related behaviors, even if the student needs reasonable accommodations or their IEP requires other methods to support behavior.

The District delegates surveilling on-campus detention rooms to campus security. Students have no access to teachers or service providers and sit in the room without schoolwork or special education services.

2. The Student Support Center

Second, many District sites also operate Student Support Centers ("SSCs"). SSCs claim to provide positive behavioral interventions and supports, but in practice, they function as rooms for informal and sometimes multiple day-long, in-school suspensions. As with on-campus detention, District Policy permits staff to send students to the SSC for disability-related behaviors, regardless of IEP provisions or reasonable accommodations needs.³⁸ Students have access to a special education teacher in the SSC for just one class period per day, even if their IEP requires more minutes of Specialized Academic Instruction (SAI).

³⁸ Exhibit G.

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Further, the District's SSC Fidelity Inventory encourages schools to ensure that "security has a clearly define[d] role in student pickup."³⁹ Using security to escort students to the SSC stigmatizes students and institutionalizes the SSC as a punitive, rather than restorative, intervention. **Some school sites also allow the School Resource Officer to be present while the staff member running the SSC questions the student about their behavior.**

3. Data Regarding Removals to On-Campus Detention and the SSC

District Policy does not require staff to document removals to on-campus detention and the SSC as suspensions and report them to CDE as such.⁴⁰ Nor does it require staff to document these removals in students' educational records, track the total days of removal, or hold Manifestation Determination Reviews (MDRs) for students with disabilities whose removals exceed ten school days.⁴¹

However, the District does maintain internal logs tracking referrals to the SSC, including the length of the removal and the student's name, race, gender, and disability status. Consistent with the disparities in formal discipline, this data shows that the District disproportionately removes students with disabilities, especially Black students with disabilities, to the SSC. During the 2019-20 school year:⁴²

- The District removed **284 students** with disabilities to the SSC, a rate of **83.6 per 1,000 students**;
- The District removed Black students with disabilities to the SSC at an even more excessive rate of **149.4 per 1,000 students**,⁴³

³⁹ Exhibit H.

⁴⁰ Exhibits G & H.

⁴¹ A.R. 5144.2 is the District's Suspension & Expulsion policy that discusses MDR requirement. It does not mention in-school suspensions, and does not require that the District hold MDRs for in-school suspensions that amount to a total of more than ten days in the aggregate over the school year. AVUHSD, A.R. 5144.2, "Suspension/Expulsion Due Process (Students with Disabilities)" (Apr. 3, 2013), available at <http://www.gamutonline.net/district/antelopevalley/DisplayPolicy/728153/5>.

⁴² Exhibit I.

⁴³ Id. These rates would have been even higher had the District not transitioned to distance learning in March 2020.

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- **48.2%** of students with disabilities removed to the SSC were Black, though Black students comprise just 27% of students with disabilities and 16.7% of all students District-wide;
- **84.9%** of students with disabilities removed to the SSC had no Behavior Intervention Plan in place at the time of removal.

4. Student Experiences in On-Campus Detention and the SSC

District staff have sent all five individual complainants to the SSC.⁴⁴ The District repeatedly referred B.Y. to on-campus detention for disability-related behaviors, such as talking during class and struggling to focus.⁴⁵ Security and Probation have also sent B.Y. to on-campus detention several times in order to search him.⁴⁶ B.Y. spent approximately one hour in detention each time he was searched, losing valuable instructional time.⁴⁷ B.Y.'s probation officer then reported the on-campus detention referrals to the juvenile court, negatively impacting his delinquency case.⁴⁸

Similarly, Z.R.'s teachers have repeatedly sent him to the SSC for daydreaming in class or not completing work due to lack of academic support.⁴⁹ Teachers characterized these disability-related behaviors as "disruptive."⁵⁰ While in the SSC, he fell further behind and did not receive any SAI.⁵¹ K.D.'s teachers have also sent him to the SSC for disability-related behaviors and to separate him from peers who themselves are not receiving appropriate behavioral supports.⁵² None of those referrals have been appropriate, and all of them have deprived him of class time.⁵³

⁴⁴ Decl. of T.X. at ¶ 3; Decl. of F.R. at ¶¶ 5, 7, 9; Decl. of O.W. at ¶ 5; Decl. of C.Y. at ¶ 6; Decl. of A.D. at ¶ 9.

⁴⁵ Decl. of C.Y. at ¶ 6.

⁴⁶ Id. at ¶¶ 6-7.

⁴⁷ Id. at ¶ 7.

⁴⁸ Id.

⁴⁹ Decl. of F.R. at ¶¶ 5, 7, 9.

⁵⁰ Id.

⁵¹ Id.

⁵² Decl. of A.D. at ¶ 9.

⁵³ Id.

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C. The District's Policies for involuntary transfers

Similar to its practice of underreporting suspensions, the District underreports expulsions by using involuntary transfers. Through involuntary transfers, the District removes students from general education campuses and sends them to an alternate setting – often the same setting to which they would have been sent had they been expelled. The District's policies regarding these transfers permit staff to shuffle students to alternative schools as punishment for minor disability-related behaviors, such as school avoidance or “disrupting” the classroom. The policies also permit involuntary transfer for disability-related academic challenges.

The Policies do not provide students subjected to involuntary transfer with procedural protections, such as an expulsion hearing and MDR. The District's Involuntary Transfer policy, Administrative Regulation (A.R.) 6185,⁵⁴ does not mention MDRs and does not require school sites to hold an MDR before involuntarily transferring a student with a disability. The District's implementation guide for transfers also does not require school sites to implement these protections.⁵⁵

Relatedly, on information and belief, the District has implemented a “waiver” system. This system permits staff to use coercion, intimidation, and misrepresentation to convince parents and students to waive due process protections and consent to immediate “voluntary” transfer to an alternative school. Staff portray these waivers as a way to avoid expulsions. However, voluntary transfers are functionally similar to expulsions because they remove students from the general education setting and place them in academic settings that are less supportive, less resourced, and less academically rigorous. Again, these are often the same settings to which students would have been sent had they been expelled. District Policy does not require IEP teams to discuss the appropriateness of the new placement before a voluntary transfer.

Data regarding transfers to alternative schools shows:

⁵⁴ AVUHSD, A.R. 6185, “Community Day School (Involuntary Transfer)” (Dec. 12, 2019) available at <http://www.gamutonline.net/district/antelopevalley/DisplayPolicy/728302/6>.

⁵⁵ Exhibit J.

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- In the 2018-19 school year the District transferred **573 students** to alternative schools;⁵⁶
- Between 2016 and 2019, it averaged **623 transfers per year**. This is **7.5 times** the average number of formal expulsions in the District during this time period;⁵⁷
- The rates of transfers for Black students are even more disproportionate than those for formal expulsions. In the 2018-19 school year, Black students were **59%** of the 29 students voluntarily transferred, despite comprising just 16.7% of students District-wide;⁵⁸
- Black and Latinx students received all but two of the voluntary transfers that school year.⁵⁹

Students transferred to alternative school campuses are denied the full educational opportunities and experiences available on general education campuses. District alternative schools do not offer competitive athletics, honors or advanced placement courses, elective courses, or even all courses necessary to enroll in college. Students at alternative school campuses also do not consistently receive special education services. For instance, while at an alternative school in the District, Z.R. received no IEP services and was left to work on packets independently.⁶⁰

From the 2018-19 school year to the present, Black students comprised **nearly two-thirds (62.5%)** of students with disabilities subjected to a voluntary or involuntary transfer, disciplinary placement, or IEP team placement at an alternative school site.⁶¹ **93.8%** of students with disabilities sent to an alternative site were students of color.⁶² **Over two-thirds** had no Behavior Intervention Plan in place at the time of placement.⁶³

⁵⁶ Exhibit K.

⁵⁷ Id.

⁵⁸ Id.

⁵⁹ Id.

⁶⁰ Decl. of F.R. at ¶ 16.

⁶¹ Exhibit L.

⁶² Id.

⁶³ Id.

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After years of placement in alternative schools, students' academic deficits can become insurmountable, leading to higher drop-out rates. In 2016-17, the last year that data was available, the average drop-out rate at the District's four⁶⁴ alternative campuses (14.2%) was **nearly eleven times higher** than the dropout rate at its comprehensive campuses (1.3%).⁶⁵

D. The District's School Resource Officer and campus security programs

The District contracts with the Los Angeles County Sheriff's Department ("LASD") to place School Resource Officers (SROs) on each high school campus.⁶⁶ The District spends about \$1.7 million per year on this contract.⁶⁷ In addition to the SRO program, the District employs dozens of "Campus Security Supervisors," who are responsible for "assist[ing] in the supervision and control of persons in or around campus buildings, facilities, and areas adjacent to the school sites" and possessing knowledge of "customs and activities indicative of undesirable youth groups."⁶⁸

District Policies empower SROs and campus security to intervene in minor and disability-related school discipline incidents, incidents which would be

⁶⁴ Data for Desert Pathways High School, a highly restrictive small site placement for students with emotional and behavioral needs, is reported to the state with Desert Winds High School's data.

⁶⁵ AVUHSD, DataQuest, 2016-17 Dropout Rate, <https://dq.cde.ca.gov/dataquest/DropoutReporting/DrpByEth.aspx?cDistrictName=ANTELOPE%20VALLEY%20UNION%20HIGH&CDSCCode=19642460000000&Level=District&TheReport=EthSex&ProgramName=All&cYear=2016-17&cAggSum=DTotGrade&cGender=B>.

⁶⁶ Exhibit M; AVUHSD, "Our LASD Partnership" (last accessed Nov. 25, 2020), available at <https://www.avdistrict.org/community/our-lasd-partnership>.

⁶⁷ Id.; Julie Drake, "Alumni: No deputies in schools: Three AVUHSD grads want partnership ended," ANTELOPE VALLEY PRESS (Jun. 22, 2020), available at: https://www.avpress.com/news/alumni-no-deputies-in-schools/article_1c5ef96e-b431-11ea-a019-fb4c73eca0a5.html. On February 9, 2022, CTC and an AVUHSD parent filed an LCAP UCP complaint with AVUHSD, arguing that the District illegally spent Supplemental & Concentration funds on law enforcement. On March 23, 2022, the District issued a report finding no illegal expenditures.

⁶⁸ AVUHSD, "Vacancy Announcement #19-20-80, Position: Campus Supervisor" (Jan. 30, 2020), available at <https://www.edjoin.org/JobDescriptions/362/19-20-80%20Campus%20Supervisor-20200129144131.pdf>.

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better handled by teachers and administrators. Officer involvement often escalates these situations, with officers criminally citing students or using force, such as restraint or handcuffs, against students. Officers disproportionately target students with disabilities, especially Black students with disabilities, with these traumatic interventions.

1. The District's Policies for referrals to police

The same matrix discussed in Section IV.A above also governs referrals to police in the District.⁶⁹ As with expulsions, this matrix gives school staff the discretion to refer students to police for *any* Education Code violation, including conduct as benign as profanity or “disrupting” the classroom. Such conduct is largely non-criminal and often disability-related.⁷⁰

The matrix also fails to reference legal requirements to make reasonable modifications for students with disabilities and to implement Behavior Intervention Plans.⁷¹ In fact, A.R. 5144.2 explicitly denies accommodations, stating that “law enforcement notification requirements involving students with disabilities shall be the same as those specified for all students[.]”⁷²

2. The District's Policies for restraint

A.R. 5131.41 describes the District’s “Use of Seclusion and Restraint” policy.⁷³ The policy does not incorporate any of the procedural requirements for students with disabilities in Education Code Section 56520, *et seq.*⁷⁴ For instance, it does not require staff to complete a Behavioral Emergency Report (BER), notify the parent/guardian/residential care provider within one school day, or hold an IEP meeting within two school days after restraining or secluding a student with a disability.⁷⁵

⁶⁹ Exhibit B.

⁷⁰ *Id.*

⁷¹ *Id.*; 28 C.F.R. § 35.130(b)(7) (describing the requirement to reasonably modify policies, practices, and procedures for students with disabilities).

⁷² AVUHSD, A.R. 5144.2.

⁷³ AVUHSD, A.R. 5131.41, “Use of Seclusion and Restraint” (Oct. 10, 2019), *available at* <http://www.gamutonline.net/district/antelopevalley/DisplayPolicy/1148922/5>.

⁷⁴ *Id.*

⁷⁵ *Id.*; E 5145.6 also fails to incorporate most procedural and documentation requirements in Educ. Code § 56521.1, mentioning only the requirement to notify

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Due to this policy, staff fail to complete BERs for **at least one-third** of all incidents of restraint. Although the District reported 71 incidents of restraint of students with disabilities between the 2018-19 school year and the present,⁷⁶ it completed just 47 BERs during this time period. As an example, in September 2021, a classroom aide tackled Z.R. to the floor and pinned him face down in a prone restraint.⁷⁷ School staff did not create a BER or notify his parent of the restraint.⁷⁸

Further, A.R. 5131.41 does not prohibit staff from using seclusion or restraint “as a substitute for a systematic behavioral intervention plan.”⁷⁹ As a result, **over half (57.7%)** of the 71 reported incidents of restraint involved students with disabilities who had no BIP in place at the time of restraint.⁸⁰

District Policy also allows security staff to use physical force, including on students with disabilities, “to the extent reasonably necessary to maintain order,”⁸¹ even where there is no “clear and present danger of serious physical harm” to the student or others.⁸²

3. As a result of its Policies, the District disproportionately restrains students with disabilities, particularly Black students with disabilities, and refers them to police

Data confirms that the District refers students with disabilities, and Black students with disabilities in particular, to police at disproportionate rates:

parents of the use of an emergency behavioral intervention within one school day. AVUHSD, E 5145.6, “Parental Notifications” (Jun. 11, 2018), *available at* <http://www.gamutonline.net/district/antelopevalley/DisplayPolicy/728167/>.

⁷⁶ Exhibit N.

⁷⁷ Decl. of F.R. at ¶ 10.

⁷⁸ Id. at ¶ 10.

⁷⁹ AVUHSD, A.R. 5131.41.

⁸⁰ Exhibit N.

⁸¹ AVUHSD, “Vacancy Announcement #19-20-80, Position: Campus Supervisor” (Jan. 30, 2020), *available at* <https://www.edjoin.org/JobDescriptions/362/19-20-80%20Campus%20Supervisor-20200129144131.pdf>.

⁸² Cal. Educ. Code § 56521.1(a).

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- Further, the District referred 298 students to police during the 2017-18 school year, 124 of whom had disabilities.⁸³ This means that disabled students were **nearly three times as likely** to be referred to police as compared to their nondisabled peers;⁸⁴
 - Of the students with disabilities that the District referred to police during the 2017-18 school year, **44% were Black**, compared to just 17% of students District-wide who are Black;⁸⁵
- In the first two months of the current school year, SROs issued at least **70 citations/arrests** to students with disabilities on campus;⁸⁶
 - Of these citations/arrests, **nearly two-thirds** (62.9%) were issued to Black students with disabilities;⁸⁷
 - Of these citations/arrests, **almost three-fourths** (72.9%) were issued to students who had no Behavior Intervention Plan in place at the time of referral.⁸⁸

Data also shows that SROs and other District staff restrain students with disabilities at excessively high rates:

- According to the U.S. Department of Education, District staff or SROs handcuffed **41 students** during the 2017-18 school year and **48 students** during the 2015-16 school year;⁸⁹
- Of the students handcuffed in the 2015-16 school year, **half** were students with disabilities;⁹⁰

⁸³ AVUHSD, Civil Rights Data Collection, Discipline Report (2017-18), *available at* <https://ocrdata.ed.gov/profile/9/district/26617/disciplinereport>.

⁸⁴ 3.75% of students with disabilities were referred to law enforcement, versus a referral rate of only 1.3% of students as a whole.

⁸⁵ AVUHSD, Civil Rights Data Collection, Discipline Report (2017-18), *available at* <https://ocrdata.ed.gov/profile/9/district/26617/disciplinereport>.

⁸⁶ Exhibit O.

⁸⁷ Id.

⁸⁸ Id.

⁸⁹ AVUHSD, Civil Rights Data Collection, Restraint and Seclusion – Instances (2015-16), *available at* <https://ocrdata.ed.gov/profile/8/district/26617/restraints/instances>; AVUHSD, Civil Rights Data Collection, Restraint and Seclusion – Instances (2017-18), *available at* <https://ocrdata.ed.gov/profile/9/district/26617/restraints/instances>.

⁹⁰ AVUHSD, Civil Rights Data Collection, Restraint and Seclusion – Instances (2015-16).

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- During the 2017-18 school year, District staff or SROs physically restrained an additional eleven students, **all of whom had disabilities**;⁹¹
- Black students with disabilities are most likely to be subjected to this on-campus trauma. From the 2018-19 school year to the present, **nearly two-thirds** of the students with disabilities who were handcuffed were Black and **nearly three-quarters** of students with disabilities who were physically restrained were Black.⁹²

One of these students is B.Y., who has been arrested twice on campus, including once merely for being late to class.⁹³ The District did not attempt any alternative interventions before resorting to law enforcement referrals and arrests.⁹⁴ During both incidents, officers handcuffed B.Y. in front of his peers.⁹⁵ These interactions with law enforcement were not simply humiliating for B.Y., they were traumatizing – in an out-of-school interaction with LASD (which is not uncommon for Black youth in the Antelope Valley), deputies used such extreme force on him that they fractured his hips.⁹⁶

Another student, L.W., was recently restrained by campus security after they escalated a simple truancy issue by harassing, insulting, and goading L.W. to the point of anger.⁹⁷ The District's problematic restraint practices have also garnered public attention. As described by a mother of a Black student with disabilities, SROs handcuffed and arrested her daughter on campus for minor misbehavior.⁹⁸ Her daughter felt so stigmatized that she later dropped out of school.

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⁹¹ AVUHSD, Civil Rights Data Collection, Restraint and Seclusion – Instances (2017-18).

⁹² Exhibit N.

⁹³ Decl. of C.Y. at ¶ 9.

⁹⁴ Id.

⁹⁵ Id.

⁹⁶ Id.

⁹⁷ Decl. of O.W. at ¶ 7.

⁹⁸ <https://www.newsweek.com/students-teachers-fight-police-antelope-valley-school-california-1602562>

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4. The District's lack of training for officers

On information and belief, the District does not provide security staff with any training related to students with disabilities. None at all. It does not train security staff regarding how to effectively meet the needs of students with disabilities or even regarding the special legal protections that exist for students with disabilities.⁹⁹

It also appears that the District fails to provide many security staff with training on how to use physical restraints, such as Nonviolent Crisis Intervention ("NCI") training. For example:¹⁰⁰

- Only four of the twelve security officers currently staffed at Antelope Valley High School have received NCI certification at any time. Of those four officers, two of the officers' certifications are out of date;
- Only two of the seven security officers currently staffed at Lancaster High School have received NCI certification at any time. Both officers' certifications are out of date;
- Only four of the twelve security officers currently staffed at Palmdale High school have received NCI certification at any time. All four officers' certifications are out of date.

District training for security staff regarding physical interventions also fails to include the requirements in Education Code Section 56520, *et seq.* The training does not instruct security staff to create a BER, notify the parent/guardian/residential care provider within one school day, or hold an IEP meeting within two school days after restraining a disabled student.¹⁰¹

⁹⁹ Exhibit P. AVUHSD's list of security training online modules does not include any training sections related to students with disabilities.

¹⁰⁰ Exhibits Q & R. Exhibit Q is a list of NCI certified staff in AVUHSD and their certification dates. Exhibit R includes sign-in sheets listing names of security staff who completed training on handcuffing. Complainants' Counsel cross-referenced these two exhibits to identify security staff who were trained on handcuffing but not NCI certified.

¹⁰¹ Exhibit S.

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Security and other staff also place students in prone restraint, even though, on information and belief, they do not have the required training to do so.¹⁰² For instance, in September 2021, an aide pinned Z.R. in a prone restraint on the floor of his classroom.¹⁰³ Security staff also restrain students with metal handcuffs, even though they have received no formal training from the District on the use of mechanical restraints, and only informal training from SROs or other campus security on how to use handcuffs.¹⁰⁴ The District also permits security staff to choose whether to use District-issued handcuffs or handcuffs they bring from home, suggesting that the District does not verify that mechanical restraints used on its students are safe.¹⁰⁵

Finally, the District does not ensure that security staff comply with the minimal training requirements that are in place. For instance, in 2012 (the most recent year for which the District provided a report), security staff had failed to complete nearly half of the required training modules almost two years after they were due.¹⁰⁶ It does not appear that the District disciplined security staff for this noncompliance.

5. The District fails to investigate officers' use of force against its students

On information and belief, SROs and security staff use uncertified restraints on students without consequence. For instance, in 2014, campus security allegedly placed a 17-year-old student in a chokehold, leaving red marks and bruising on his neck.¹⁰⁷ An AVUHSD teacher also reported witnessing an SRO pin down a student with a disability and place a knee in their back.¹⁰⁸ In 2021, an SRO was caught on video forcefully body slamming a female Black student with disabilities onto the concrete because she

¹⁰² On February 15, 2022, the District's counsel confirmed that AVUHSD has no documents regarding staff training on prone restraint.

¹⁰³ Decl. of F.R. at ¶ 10.

¹⁰⁴ Exhibit R.

¹⁰⁵ Id.

¹⁰⁶ Exhibit P.

¹⁰⁷ THE ANTELOPE VALLEY TIMES, "Student Allegedly Put in Chokehold by School Security" (Nov. 17, 2014), available at <http://theavtimes.com/2014/11/17/student-allegedly-put-in-chokehold-by-school-security/>.

¹⁰⁸ <https://www.newsweek.com/students-teachers-fight-police-antelope-valley-school-california-1602562>

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declined his demands to hand him her phone.¹⁰⁹ After this incident, school staff and the SRO mocked, bullied, harassed, and humiliated her on social media and on campus.¹¹⁰

B.Y. also reports seeing campus security and law enforcement use force on students at his school. A police officer slammed B.Y.'s brother, who also has disabilities, to the ground.¹¹¹ Campus security slammed another classmate to the ground for resisting going to on-campus detention.¹¹² In each of these violent incidents, it appears the officers did not attempt to deescalate the situation or implement other reasonable accommodations before using force.

On information and belief, the District does not investigate or discipline SROs who use force on students with disabilities or fail to make reasonable accommodations for students with disabilities. The District also discourages staff from reporting police violence to Child Protective Services.¹¹³

E. The District's Policies for on-campus Probation officers

In addition to SROs and campus security, the District stations Los Angeles County Probation Department ("Probation") juvenile probation officers on each campus. The District permits staff to refer students to Probation, yet it has no formal memorandum of understanding in place to govern the relationship with Probation. Often, referrals to Probation punish students for disability-related behaviors or for using accommodations, such as taking a break from class. District Policy does not require staff to send a student's special education file to Probation after a referral.

¹⁰⁹ https://www.avpress.com/news/student-files-claim-against-avuhsd/article_1a582e52-28ba-11ec-bf28-efaa985e8356.html

¹¹⁰ Id.

¹¹¹ Decl. of C.Y. at ¶ 10.

¹¹² Id.

¹¹³ Exhibit T; District training materials state that abuse and neglect (for purposes of the mandated reporting requirement) does not include: "Injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of [their] employment." The training materials do not explain how an employee would determine whether the officer's use of force was "reasonable and necessary," nor do they require employees to consult with other staff for assistance in making that determination.

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B.Y. reports that his ninth-grade special education teacher threatened to call his probation officer because he was talking to his peers.¹¹⁴ At the time, B.Y. had already finished his work and his peers – who were not court-involved – were not penalized for the same behavior.¹¹⁵ Moreover, his probation officer continually harasses and intimidates him. Once, she cited B.Y. for a probation violation because he was outside of class, despite the fact that B.Y. has an accommodation in his IEP allowing him to take breaks outside of the classroom as needed.¹¹⁶ The harm and humiliation he experienced from being formally cited by his probation officer for using his accommodations makes him afraid to access other supports in his IEP.¹¹⁷

F. The District's Policies for threat assessments

“Threat assessments” refer to a growing and problematic practice, which varies widely in implementation.¹¹⁸ The stated intent of threat assessments is evaluating and responding to communicated and perceived “threats” to a campus.¹¹⁹ But, “in the field, ‘threat assessment’ is used in a broad range of circumstances, including in circumstances involving no actual threat. It is often an informal process that varies not only from district to district, but also from day to day and child to child within the same district.”¹²⁰

As part of the threat assessment process, threat assessment teams must distinguish “transient” threats from substantive threats.¹²¹ Transient threats are “an expression of anger or frustration that can be quickly or easily

¹¹⁴ Decl. of C.Y. at ¶ 6.

¹¹⁵ Id.

¹¹⁶ Id. at ¶ 8.

¹¹⁷ Id.

¹¹⁸ National Disability Rights Network, *K-12 Threat Assessment Processes, Civil Rights Impacts* (February 2022), available at <https://www.ndrn.org/wp-content/uploads/2022/02/K-12-Threat-Assessment-Processes-Civil-Rights-Impacts-1.pdf>.

¹¹⁹ Id.

¹²⁰ Id.

¹²¹ National Association of School Psychologists, *Threat Assessments for School Administrators and Crisis Teams*, available at <https://www.nasponline.org/resources-and-publications/resources-and-podcasts/school-climate-safety-and-crisis/systems-level-prevention/threat-assessment-at-school/threat-assessment-for-school-administrators-and-crisis-teams>.

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resolved,” which includes: non-genuine expression, non-enduring intent to harm, temporary feelings of anger, tactic in an argument, words intended as a joke or figure of speech, incidents that are resolved on the scene, or statements that end with an apology, retraction, or clarification.¹²²

The District uses “threat assessments” to punish and exclude students for disability-related behaviors. Although its threat assessment team includes both law enforcement and mental health professionals, the District’s first call when handling a student experiencing a mental health crisis is to law enforcement. Law enforcement, who are not trained in identifying or supporting students with disabilities or in need of mental health interventions, have total discretion on whether to handle the issue within the Department or reach out to mental health providers. This exacerbates and escalates mental health emergencies by removing a supportive safety net and replacing it with criminal legal system contact.

In addition, on information and belief, the District’s threat assessment policies do not require staff to document and consider students’ disabilities, obtain parental consent to assess, incorporate input from parents and the IEP team, or use objective tools to distinguish substantive threats from transient threats. Nor does the District count its threat assessments as “referrals to law enforcement” for purposes of reporting to the U.S. Department of Education’s Civil Rights Data Collection, even though SROs are members of the threat assessment teams at several school sites.¹²³

G. The District’s Policies for the Special Day Class-Behavioral (SDC-B)

The SDC-B program is a placement into which the District segregates students with emotional and behavioral disabilities. Most or all District campuses have at least one SDC-B, and District Policy ensures that these classrooms remain segregated and punitive. For instance, the District locates most SDC classrooms, including SDC-B classrooms, in portable buildings, physically segregated from the main campus.

¹²² Id.

¹²³ On February 15, 2022, District’s counsel confirmed that the District does not count threat assessments as referrals to law enforcement for CRDC collection and reporting.

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The District also implements a “level system” in all SDC-B classrooms. Based on a student’s behavior, the teacher places them on level one through four. Students who have not met behavioral expectations – levels one and two – must remain in the SDC-B during lunch and passing period. Unlike the positive behavior supports widely proven effective with disabled students, this level system punishes students for disability-related behavior by depriving them of contact with their peers. The result is to keep them in the SDC-B, segregated from nondisabled peers, for most of the day. Because the level system is built into the structure of each SDC-B, all students in the SDC-B are automatically subject to this system, regardless of whether it is appropriate to their unique individual needs.

In addition, the District places students enrolled in different courses into the same SDC-B classroom. For instance, in a third-period SDC-B classroom, one student is enrolled in Biology while another is enrolled in Geometry. This often precludes teachers from providing live instruction to students because it is unfeasible to do so when students are simultaneously enrolled in different courses. Instead, teachers mostly provide students with packet work, which they complete independently. The District does not maintain a similar practice in general education (GE) classes. As a result, GE classes are more likely to offer live instruction than are SDC-B classes.

The District segregates students with disabilities from nondisabled peers at rates far exceeding the targets set by the State. The District places **less than one-third** of students with disabilities in general education classes for the majority of the day.¹²⁴ This is about half the target rate set by the State.¹²⁵ Further, the District segregates **nearly one in three** students with disabilities into special education classes for the majority of the day.¹²⁶ This is over 10 percentage points higher than the target rate set by the State.¹²⁷

¹²⁴ The District places just 28.9% of students with disabilities in the general education classroom for more than 80% of the day. AVUHSD, Annual Performance Report Measures (2019-20), available at <https://www.cde.ca.gov/sp/se/ds/leadatarpts.asp>.

¹²⁵ The State’s target rate for this data point is 53.2%. Id.

¹²⁶ The District segregates 31.7% of students with disabilities into special education classes for at least 60% of the day. Id.

¹²⁷ The State’s target rate for this data point is 20.6%. Id.

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The District segregates Black students with disabilities into the SDC-B at disproportionate rates. Of the students currently enrolled in the SDC-B, **43.3% are Black**, even though Black students comprise just 27% of students with disabilities and 16.7% of all students District-wide.¹²⁸ Further, nearly half of the students currently enrolled in the SDC-B have no BIP.¹²⁹

B.Y. is currently enrolled in an SDC-B, and his experiences show the harm that students are subjected to in this setting. Before the District segregated B.Y. into the SDC-B, it offered him just sixty minutes *per month* of counseling services.¹³⁰ This was plainly not enough to meet his significant social and emotional needs.¹³¹ Rather than providing B.Y. more intensive supports, the District segregated him into the SDC-B for more than half his school day.¹³² In the SDC-B, he is subject to the punitive level system, which is inappropriate to his needs.¹³³

Other students may be at risk of placement in the SDC-B due to inadequate mental health support:

- The District has never offered counseling services to F.R.¹³⁴ Due to unmet emotional needs, he has fallen behind academically and faced disciplinary action and police referrals;¹³⁵
- Until this month, the District offered L.W. just 30 minutes *per month* of counseling services.¹³⁶ Due to unmet emotional needs, he received repeated probation violations on campus, fallen behind academically, and experienced harassment and restraints by security.¹³⁷

Finally, although K.D. enrolled in Lancaster High School optimistic about his chances of engaging with non-disabled peers and taking classes with

¹²⁸ Exhibit U.

¹²⁹ Id.

¹³⁰ Decl. of C.Y. at ¶ 4.

¹³¹ Id.

¹³² Id. at ¶ 5.

¹³³ Id.

¹³⁴ Decl. of F.R. at ¶ 6.

¹³⁵ Id. at ¶¶ 5-16.

¹³⁶ Decl. of O.W. at ¶ 8.

¹³⁷ Id. at ¶¶ 5-7.

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diverse groups of students, he receives limited live instruction in his SDC-B classes and has next to no opportunities to learn alongside students taking the same courses or subjects as him.¹³⁸ He now has trouble engaging with the material and reports low motivation.¹³⁹ His grades and test scores have plummeted in the last year at Lancaster High School.¹⁴⁰ He has very limited interaction with students outside of his SDC-B classes, and again finds himself a frequent victim of bullying and harassment from peers.¹⁴¹

H. The District's Policies for Desert Pathways

The District offers an even more segregated and restrictive placement than the SDC-B: Desert Pathways. There are no nondisabled students at Desert Pathways; all attending students have emotional and behavioral disabilities. The District refuses to offer intensive behavioral and emotional supports in general education classrooms and campuses, so IEP teams have no choice but to segregate students needing these supports into Desert Pathways. This also complicates students' ability to return to less restrictive settings; leaving Desert Pathways ensures more access to rigorous curriculum and nondisabled peers, but it also means losing intensive behavioral and emotional supports that are only offered in that setting.

District Policy separates and stigmatizes Desert Pathways students. While Desert Pathways is located on the campus of Quartz Hill High School (QHHS), a comprehensive high school, it is entirely segregated in a dirt parking lot adjacent to the QHHS football field. It is at least a five to ten-minute walk to the QHHS main campus. Further, under District Policy, Desert Pathways students are not enrolled at QHHS, even though Desert Pathways is physically located on QHHS' campus.¹⁴² As a result, the District denies Desert Pathways students the opportunity to participate in enriching activities available to their QHHS peers, such as rallies, clubs, and competitive athletics. The District will not even permit Desert Pathways students to eat lunch with QHHS peers.

¹³⁸ Decl. of A.D. at ¶ 8.

¹³⁹ Id.

¹⁴⁰ Id.

¹⁴¹ Id.

¹⁴² Desert Pathways does not have its own SARC – although it is physically located on QHHS' campus, the District classifies it as part of Desert Winds, an alternative school.

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The District segregates Black students with disabilities into Desert Pathways at a rate even more disproportionate than that for the SDC-B. In the current school year, **nearly half** of the 32 students enrolled at Desert Pathways are Black (46.8%), despite Black students comprising just 27% of students with disabilities and 16.7% of all students District-wide. In previous years, Black students have comprised up to **71%** of students enrolled at Desert Pathways. By contrast, just 9.4% of Desert Pathways students are white, even though white students comprise 12.9% of students with disabilities District-wide.

Before transferring to an SDC-B, K.D. was segregated at Desert Pathways for two years.¹⁴³ The District never suggested or considered any programs for K.D. besides Desert Pathways, even though K.D. could have succeeded with supports in a less restrictive setting.¹⁴⁴ The District's justification for this restrictive placement was that it offered intensive behavioral supports and therapies that were not available at other District campuses, such as elevated access to Educationally Related Intensive Counseling Services, individualized SAI, and enrollment in Boys Town.¹⁴⁵ Now, back on a comprehensive campus, K.D. is in a less segregated setting, but he has lost supports that are only available at Desert Pathways.¹⁴⁶ The District offers no option for him to receive these supports and also learn alongside nondisabled peers.

V. The District's Policies violate the IDEA and California Education Code Section 56000 et seq.

The District's policies, practices, and procedures violate the IDEA and the California Education Code, as described below.

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¹⁴³ Decl. of A.D. at ¶ 5.

¹⁴⁴ Id.

¹⁴⁵ Id.

¹⁴⁶ Id. at ¶¶ 7-9.

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1. The District's Policies violate the IDEA's requirement to hold MDRs before placement changes based on discipline code violations.

Districts must hold an MDR within 10 school days of changing a disabled student's placement due to a code of conduct violation.¹⁴⁷ If the MDR team determines that the behavior at issue was caused by the student's disability or the district's failure to implement the IEP, then the student must return to the placement from which they were removed.¹⁴⁸

These provisions still apply when districts exclude students from the classroom without initiating formal discipline proceedings. A removal from the classroom counts for purposes of the MDR requirement when it interferes with the student's opportunity to: (1) be involved in and make progress in the GE curriculum; (2) receive the instruction or services specified in their IEPs; or (3) participate with nondisabled peers to the same extent they would have in their current placement.¹⁴⁹ A district must hold an MDR when it subjects a student to a pattern of classroom removals amounting to more than ten days of lost instruction.¹⁵⁰

Here, while the District does not formally record removals to on-campus detention and the SSC as suspensions, they function as such. In these settings, the District denies students full access to the GE curriculum. Students in on-campus detention are surveilled by campus security and sit without instruction or classwork. Students in the SSC have access to special education teachers for just one period per day. In both settings, students do not receive all of the SAI and related services in their IEPs, and they interact with few nondisabled peers. Thus, these informal removals trigger procedural protections, including MDRs.

¹⁴⁷ 34 C.F.R. § 300.530(e).

¹⁴⁸ 34 C.F.R. § 300.530(e), (f)(2).

¹⁴⁹ OSERS, Inclusion of Behavioral Supports in Individualized Education Programs (August 1, 2016), available at <https://sites.ed.gov/idea/files/dcl-on-pbis-in-ieps-08-01-2016.pdf>; 71 Fed. Reg. 46715 (Aug. 14, 2006).

¹⁵⁰ Id.

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However, District Policy does not require school sites to hold MDRs when staff remove students with disabilities to on-campus detention or the SSC for more than ten days. The District does not require staff to log these removals as suspensions, record them in a student's educational file, or track total days of removal. Thus, District Policy violates IDEA's requirement to hold MDRs before effecting placement changes for code of conduct violations.

In addition, District Policy does not require school sites to hold MDRs for students involuntarily transferred as a result of code of conduct violations. This policy also violates the IDEA provision described above.¹⁵¹

2. The District's Policies violate the IDEA's requirement to implement the instruction, services, and accommodations in students' IEPs.

After an IEP is written, the District must provide the special education and related services listed in the IEP.¹⁵² A District's material failure to implement the IEP denies FAPE, regardless of whether the student experiences "demonstrable educational harm."¹⁵³ Here, the three sets of District Policies described below violate the IDEA requirement to fully implement IEPs.

a. The District's Policies encourage staff to refer students to on-campus detention, the SSC, and police rather than implementing students' IEPs and BIPs.

District Policy permits staff to send students to on-campus detention or the SSC for disability-related behaviors, even when the student's IEP requires alone time for a break or other accommodations that are not provided in these settings. Thus, District Policy violates the IDEA by allowing, and even encouraging, staff to fail to implement the instruction, services, and accommodations in students' IEPs and BIPs.

¹⁵¹ See *Student v. Lompoc Unif. Sch. Dist.*, OAH Case No. 2019040859/2019070446 (finding that a district violated the IDEA when it transferred a student with a disability to a continuation school for code of conduct violations without holding an MDR).

¹⁵² 34 C.F.R. § 300.323(c); Cal. Educ. Code § 56043(i).

¹⁵³ See *Van Duyn v. Baker Sch. Dist.* 5J, 502 F.3d 811, 812 (2007).

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Similarly, the Minimum/Maximum Penalties matrix permits school staff to refer students to police for minor, disability-related behaviors, such as profanity or disruption. A.R. 5144.2 specifically states that staff are to refer students with disabilities to law enforcement just as they would their nondisabled peers. This policy violates the IDEA by encouraging staff to refer students to police instead of implementing the instruction, services, and accommodations in students' IEPs and BIPs.

- b. The District's Policies deny students access to their IEP instruction, services, and accommodations while they are in on-campus detention and the SSC.

District Policy denies students any access to teachers or service providers while they are in on-campus detention, and it largely denies students in the SSC access to these resources as well. Thus, in both settings, the District materially denies students the instruction and services in their IEPs.

These IEP implementation failures are material and trap students in a vicious cycle. Students often end up in on-campus detention or the SSC due to unmet disability-related academic, emotional and behavioral needs. But, in these settings, the District denies them the very supports that they require to address these needs. After returning to the classroom, students are even further behind academically than they were before and have received the message that they are unwelcome in the classroom.

Further, on-campus detention and the SSC are counterproductive to the goal of encouraging positive student behavior. District Policy permits staff to use on-campus detention and the SSC even if it is inappropriate to the student's needs, such as where these interventions reinforce student behaviors that are motivated by a desire to escape the classroom setting.

- c. The District's Policies deny students access to SAI in the SDC-B.

The District has a practice of placing students enrolled in different courses into the same SDC-B classroom, which renders live instruction unfeasible. Even if a student's IEP requires all-day SAI, in practice, students in the SDC-B often spend much of their day working independently on packets,

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with minimal access to meaningful SAI. Thus, District Policy violates the IDEA's requirement to implement IEPs for SDC-B students.¹⁵⁴

3. The District's Policies violate California Education Code Section 56521.1.

The circumstances in which districts may use emergency interventions, including restraint and seclusion, are few and narrowly defined by law. Staff may never use emergency interventions as a “substitute for a systematic positive behavior plan which is designed to change, replace, modify, or eliminate a target behavior” or to control predictable behaviors.¹⁵⁵ In the rare situations where staff can use emergency interventions, they shall not use an amount of force “exceeding that which is reasonable under the circumstances.”¹⁵⁶ To “prevent emergency interventions from being used in lieu of planned, systematic behavioral interventions,” the district must notify parents within one school day of an emergency intervention.¹⁵⁷

The district must also immediately create a BER to be maintained in the student's file.¹⁵⁸ Staff must immediately forward the report to a designated school administrator, who must then review the report.¹⁵⁹ Each BER must contain at a minimum: (1) the name and age of the child with disabilities; (2) the setting and location of the incident; (3) the name of the staff or other persons involved; (4) a description of the incident and the emergency intervention used, and whether the child with disabilities is currently engaged in any systematic behavioral intervention plan; and (5) details of any injuries to the child with disabilities, or others, during the incident.¹⁶⁰

¹⁵⁴ Courts have held that providing packet-based instruction rather than teacher-led instruction violates the IDEA. See *Charles H. v. District of Columbia*, 2021 WL 2946127 at *7-10 (D.C. Jun. 16, 2021); *V.W. by & through Williams v. Conway*, 236 F. Supp. 3d 554, 567, 589 (N.D.N.Y. 2017); *Buckley v. State Corr. Inst.-Pine Grove*, 98 F. Supp. 3d 704, 708, 709, 719 (M.D. Pa. 2015).

¹⁵⁵ Cal. Educ. Code § 56521.1(a), (b).

¹⁵⁶ *Id.* at (c), (d)(3).

¹⁵⁷ *Id.* at (e).

¹⁵⁸ *Id.*

¹⁵⁹ *Id.* at (f).

¹⁶⁰ *Id.* at (e)(1)-(5).

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If the incident involves a student who does not have a BIP, who experiences a “previously unseen behavior problem” or “where a previously designed intervention is ineffective,” the student’s IEP team must meet to discuss the incident.¹⁶¹

The District’s Policy regarding restraint and seclusion, A.R. 5131.41, does not incorporate *any* of these requirements. Thus, the policy violates the California Education Code.

4. The District’s Policies violate the IDEA by permitting staff to refer students with disabilities to Probation without transmitting their special education records.

After a district reports a student for a “crime,” it must send copies of their special education records to the agency to which it made the report.¹⁶² Here, the District permits staff to refer students to Probation without sending special education records to the probation officer. This policy directly conflicts with IDEA regulations. Further, having never seen the student’s IEP or 504 plan, probation officers are more likely to cite students for disability-related behaviors and for using their accommodations.

5. The District’s Policies violate the IDEA’s Least Restrictive Environment requirement.

Districts must place students with disabilities in the least restrictive environment (LRE), meaning that they are educated alongside nondisabled peers to the maximum extent appropriate.¹⁶³ Districts may remove students with disabilities from GE only when “the nature or severity of the disability is such that education in [GE] classes *with the use of supplementary aids and services* cannot be achieved satisfactorily.”¹⁶⁴

¹⁶¹ Id. at (h).

¹⁶² 34 C.F.R. § 300.535(b)(1).

¹⁶³ 34 C.F.R. §§ 300.114, 300.116.

¹⁶⁴ 20 U.S.C. § 1412(a)(5)(A); Cal. Educ. Code § 56031; 34 C.F.R. § 300.114(a)(2)(ii) (emphasis added).

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District Policies segregate students, especially Black students, into the SDC-B. This segregation is needless and violates the LRE requirement. Most or all students in an SDC-B could be effectively served in a GE classroom with intensive aids and services. For instance, over half of the students currently enrolled in the SDC-B have no BIP in place.¹⁶⁵ Many receive only minimal mental health services.¹⁶⁶ These supports could enable students to progress in a less restrictive setting. Instead, the SDC-B is both highly segregated and devoid of any intensive supports. The main features that distinguish an SDC-B from a GE classroom are its punitive level system, location in portable buildings, and lack of live instruction, all of which harm students rather than serving them.

Similarly, the District needlessly segregates students, especially Black students, to Desert Pathways. Most or all Desert Pathways students could be effectively served on general education campuses, such as QHHS, with intensive aids and services. But, IEP teams often cannot offer this option because certain supports and services are only available at Desert Pathways. For instance, the District only offers the Boys Town social skills curriculum at Desert Pathways. As a result, if an IEP team determines that a student requires Boys Town, they have no choice but to place the student at Desert Pathways. If the District made Boys Town and other intensive supports available on general education campuses, this needless segregation would be reduced. Thus, District policies force IEP teams to place students in Desert Pathways, even if that placement is not the LRE.

6. The District's Policies violate IDEA's requirement that students with disabilities participate in nonacademic and extracurricular services and activities to the maximum extent appropriate.

Districts must ensure that students with disabilities participate in nonacademic and extracurricular services and activities with nondisabled peers to the maximum extent appropriate to the needs of the child.¹⁶⁷ These services and activities include meals, recess periods, athletics,

¹⁶⁵ Exhibit U.

¹⁶⁶ Decl. of C.Y. at ¶ 4.

¹⁶⁷ 34 C.F.R. § 300.117.

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clubs, and recreational activities.¹⁶⁸ The district must provide supplementary aids and services to enable the student's participation in nonacademic settings.¹⁶⁹

Here, District Policy denies SDC-B and Desert Pathways students the opportunity to participate in nonacademic and extracurricular activities to the maximum extent appropriate. The District places the majority of its SDCs in portable buildings, physically segregated from the main campus. The punitive leveling system in the SDC-B further segregates students from nondisabled peers during meals and passing periods. Similarly, the District segregates Desert Pathways students by prohibiting them from eating meals with nondisabled QHHS peers and from participating in other enriching activities, such as athletics, rallies, and clubs.

VI. The District's Policies violate Title II and Section 504.

The ADA and Section 504 prohibit districts from excluding students with disabilities from participating in services, programs, and activities; denying them the benefits of those services, programs, and activities; or subjecting them to discrimination on the basis of disability.¹⁷⁰ To prevent discrimination, districts must make reasonable modifications for students with disabilities.

Section 504 and the ADA also prohibit districts, either "directly or through contractual or other arrangements," from using "criteria or methods of administration" that: (1) have the effect of discriminating against students with disabilities; (2) have the purpose or effect of "defeating or substantially impairing accomplishment of the objectives of the public entity's program with respect to individuals with disabilities"; or (3) "perpetuate the discrimination of another public entity if both public entities are subject to common administrative control or are agencies of the same State."¹⁷¹

¹⁶⁸ Id.; 34 C.F.R. § 300.107.

¹⁶⁹ 34 C.F.R. § 300.117.

¹⁷⁰ Title II of the ADA, 42 U.S.C. §§ 12131 *et seq.*, 12181 *et seq.*, and Section 504 of the Rehabilitation Act, 29 U.S.C. § 794, 34 C.F.R. 104.4(a); Cal. Educ. Code § 201(g) (incorporating violations of Section 504 and Section 11135); Cal. Gov't Code § 11135(b) (incorporating violations of Title II and Section 504).

¹⁷¹ 28 C.F.R. § 35.130(b)(3); 34 C.F.R. § 104.4(b)(4).

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The District violates the ADA and Section 504 by:

1. Failing to make reasonable modifications to policies, practices, and procedures to avoid discrimination against students with disabilities;
2. Using methods of administration that discriminate against students with disabilities and have the effect of defeating or substantially impairing the accomplishment of the objectives of the District's programs for students with disabilities, including:
 - a. Implementing the matrix, which grants staff discretion to recommend students for expulsion and refer them to police for *any* Education Code violation, such that staff biases against students with disabilities, and Black students with disabilities in particular, influence these decisions;
 - b. Requiring staff to implement the same criteria for discipline and police referrals to student with disabilities as they do for their nondisabled peers;
 - c. Using police to enforce school rules, rather than teachers and administrators;
 - d. Removing students from the classroom to on-campus detention and the SSC based on behaviors caused by their disabilities;
 - e. Using threat assessments that fail to consider disability and use objective assessment tools; and
 - f. Reporting students to Probation for disability-related behaviors and for using their accommodations;
3. Denying students with disabilities an opportunity to participate in and benefit from educational services that is equal to that afforded to other students;
4. Denying students with disabilities at Desert Pathways and in the SDC-B an equal and equally effective educational opportunity in the most integrated setting appropriate, and instead providing a separate, unequal, and inferior educational experience;
5. Aiding or perpetuating discrimination against students with disabilities by providing significant assistance to the Los Angeles County Sheriff's Department, a public entity that discriminates based on disability;
6. Subjecting students with disabilities to disability-based harassment that is so severe and pervasive that it creates a hostile learning

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environment. This harassment includes referring students with disabilities to police, Probation, on-campus detention, and the SSC for behaviors caused by their disabilities;

7. Subjecting students with disabilities in SDCs to differential treatment, including denying them access to live instruction and extracurricular activities and placing them in portable classrooms; and
8. Denying students with disabilities an equal opportunity to participate in nonacademic and extracurricular activities, including meals, passing periods, athletics, rallies and clubs.

VII. Proposed Resolution

The violations here stem from the District's unlawful policies, rather than from decisions made by students' IEP teams. Thus, Complainants request that CDE order the District to implement the following systemic remedies:¹⁷²

1. Engage with a nationally recognized expert to assist the District in revising the following policies, such that they comply with the California Education Code, IDEA, Title II, and Section 504:
 - a. All policies, practices, and procedures for suspensions and expulsions, including the matrix of minimum/maximum disciplinary actions;
 - b. All policies, practices, and procedures for on-campus detention and the Student Support Center;
 - c. All policies, practices, and procedures for voluntary and involuntary transfers, including A.R. 6185;
 - d. All policies, practices, and procedures for the District's SRO and campus security programs, including the MOU with LASD, the matrix of minimum/maximum disciplinary actions, and A.R. 5144.2;
 - e. All policies, practices, and procedures for restraint and seclusion, including A.R. 5131.41;
 - f. All policies, practices, and procedures for on-campus probation officers;

¹⁷² See 34 C.F.R. §300.151(b)(2) ("In resolving a complaint in which the SEA has found a failure to provide appropriate services, an SEA...must address...[a]ppropriate future provision of services for all children with disabilities").

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- g. All policies, practices, and procedures for threat assessments;
 - h. All policies, practices, and procedures for the SDC-B, including the level system;
 - i. All policies, practices, and procedures for Desert Pathways; and
 - j. All policies, practices, and procedures for the provision of social and emotional supports on general education campuses and in general education classes.
- 2. Provide written notice, including social media postings, mailings, and email, to parents regarding the revised policies described above;
- 3. Provide ongoing biannual community forums to seek input from parents and students regarding the issues described in this Complaint;
- 4. Retain nationally recognized experts to monitor the implementation of the revised policies described above;
- 5. Disseminate to teachers and other District staff, parents, and students a new Board of Trustees-approved written policy statement, which must include the following, acknowledging the rights of Black students and students with disabilities as set forth in this complaint, and reasserting Defendants' commitment to honor those rights, including:
 - a. The right to access the same educational opportunities as their peers regardless of disability or race;
 - b. The right to services, accommodations, and modifications necessary to remain in the general education environment; and
 - c. The right to an educational environment free of discriminatory discipline, policing, harassment, and bullying;
- 6. Develop and implement a clear and defined plan to achieve inclusivity for all students throughout the District, including Black students and students with disabilities, that enables these students to receive access to equal education side-by-side with their peers without disabilities in a safe and welcoming educational environment. This plan will include, at minimum, increasing the staffing of mental health

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- therapists, paraprofessionals, and behaviorists at each school site to meet the level of need of its students and ensure that students with disabilities are not unnecessarily segregated from nondisabled peers;
7. Implement a districtwide Multi-Tiered System of Supports and Restorative Justice to identify the needs of and improve educational outcomes for all students using multiple data measures, and to provide strategic, targeted, appropriate, and culturally relevant interventions for all students that are available regardless of a student's disability status or race;
 8. Establish appropriate programs that are based on peer-reviewed research or other evidence-based programs to provide services, accommodations, and modifications to students with disabilities in the general education environment;
 9. Provide for immediate and continuing education and training for all District staff and school-based law enforcement, and evaluation of progress towards compliance with Section 504, the ADA, the Equal Protection Clause, Title VI, and state law by qualified third-party experts. Such education or training must include, at a minimum, how to: (i) identify students with disabilities; (ii) provide appropriate and culturally relevant instruction, services accommodations and modifications in the least restrictive environment; (iii) stop and prevent harassment and bullying based on disability or race; (iv) eliminate or significantly reduce reliance on exclusionary discipline and school-based law enforcement; (v) address implicit bias; and (vi) administer discipline without racial or disability discrimination;
 10. Develop and implement a system of oversight and accountability to identify staff who are not complying with the laws cited in this Complaint, retrain and provide appropriate supports to enable them to come into compliance, and take appropriate disciplinary action against staff who fail to come into compliance after such retraining or provision of supports;
 11. Analyze the current racial make-up of the District's teachers, social workers, administrators, and psychologists relative to

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- the current racial make-up of the District's student body; create and implement separate plans that include clear goals to increase the diversity of teachers, social workers, administrators, and psychologists such that they reflect the composition of the student body; and achieve substantial compliance with those plans and goals within three years and total compliance within seven years;
12. Analyze all aspects of education for students with disabilities in the District for implicit racial bias and structural discriminatory racialization; develop a comprehensive plan to eliminate or mitigate such bias and discrimination; and achieve substantial compliance with such plan within three years and total compliance within seven years;
 13. Review and analyze the credentials and qualifications of all District administrators and staff; identify gaps in credentials or qualifications to administer or instruct students with disabilities; develop a detailed plan to eliminate such gaps; and achieve substantial compliance with such plan within three years and total compliance within seven years;
 14. Determine appropriate District staffing levels, staff qualifications, methods of data collection and analysis, and effective measures to prevent and protect all students including students with disabilities and Black students, against bullying; develop a detailed plan based on such determination, and achieve substantial compliance with such plan within three years and total compliance within seven years;
 15. Engage with nationally recognized experts to adopt culturally sustaining pedagogy District-wide, including offering Ethnic Studies courses on every campus;¹⁷³
 16. Enjoin all disciplinary action, including any pending action, against any student with disabilities unless a Manifestation Determination Review has been completed, and maintain such injunction until a districtwide Multi-Tiered System of

¹⁷³ In its 2018 CCEIS plan, the District itself identified the lack of culturally sustaining pedagogy as one of the root causes of discipline disparities. However, it does not appear that the District has taken steps to implement culturally sustaining pedagogy.

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- Services and Supports has been implemented and determined effective by a qualified third-party expert or experts;
17. Enjoin the use of on-campus detention or disciplinary removals to the Student Support Center until a districtwide Multi-Tiered System of Supports is in place and a qualified third-party expert or experts have determined whether the District should continue use of such measures;
 18. Enjoin the use of referrals to school-based law enforcement until a districtwide Multi-Tiered System of Supports is in place and a qualified third-party expert or experts have determined whether the District should continue use of such measures;
 19. Provide students with positive supports and services in lieu of SRO and security intervention so that they may enjoy full and equal access to the District's programs; and
 20. Permanently enjoin SROs and security staff from mechanically restraining students and intervening in low level and disability-related behaviors, up to and including voiding the contract with LASD and removing security from campus.

VIII. Conclusion

Thank you in advance for your attention to this complaint. We look forward to receiving notice of the assigned investigator and reserve the right to submit additional documentation.¹⁷⁴ We also ask that the investigator conduct a phone interview with the parents of the Students.

We look forward to receiving an investigation report within sixty days. Please notify DRC and NLS in writing if you determine that "exceptional circumstances" warrant an extension of the sixty-day timeline.¹⁷⁵

¹⁷⁴ See 5 C.C.R. §4663(b).

¹⁷⁵ USDOE, *Part B Dispute Resolution in COVID-19 Environment Q-&-A Document* (June 22, 2020)

<https://sites.ed.gov/idea/idea-files/part-b-dispute-resolution-in-covid-19-environment-q-a-document-june-22-2020/#Q2>

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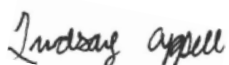
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Please contact us with any questions or concerns. The contact information for Lindsay Appell is (213) 213-8113 and

Lindsay.Appell@disabilityrightsca.org, and the contact information for Chelsea Helena is (818) 834-7595 and ChelseaHelena@nlsia.org.

Sincerely,



Disability Rights California

Lindsay Appell

Melinda Bird

Meeth Soni



Neighborhood Legal Services of Los Angeles County

Chelsea Helena

Sahar Durali

David Pallack

Rachel Steinback

Jackie Dai



Equal Justice Society

Alexandra Santa Ana

Mona Tawatao

Christina Alvernaz



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Gia Cincone

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Mehrnaz Boroumand Smith

Paymaneh Parhami

Cc: Dr. Lisa Schutt, Special Education Director (lschutt@avhsd.org)
Gregory Nehen, Superintendent (gnehen@avhsd.org)
Lee Rideout, Counsel for District (lrideout@f3law.com)
Matt Vance, Counsel for District (m Vance@f3law.com)

CALIFORNIA DEPARTMENT OF EDUCATION
Investigation Report
Case S-0617-21/22

Public Agency Greg Nehen, Superintendent Antelope Valley Union High School District 44811 North Sierra Highway Lancaster, CA 93534	Complainants Lindsay Appell and Chelsea Helena 350 South Bixel Street, Suite 290 Los Angeles, CA 90017
Special Education Director Lisa Schutt, Director II, Special Education Antelope Valley Union High School District 548 West Lancaster Boulevard Lancaster, CA 93534	Parents Various
Special Education Local Plan Area (SELPA) Benay Loftus, Director Antelope Valley SELPA 38345 30th Street East, Suite A-2 Palmdale, CA 93550	Students Various
Complaint Received March 28, 2022	Report Mailed June 24, 2022

INVESTIGATION PROCEDURES

The investigation and conclusions are based on the investigator's review of materials and documents provided by the Complainant and the District, as well as email contacts with the Complainant on April 6, 8, 14, and 28, and May 2, 5, 18, and 27, 2022, and the District on April 12, 14, 21, 26, 27, and 29, and May 2, 3, 5, 9, 10, 18, 19, 25, 26, and 31, and June 1, 2, and 3, 2022. Telephone contact with the District was made on April 12 and 22, 2022. The California Department of Education (CDE) conducted an on-site investigation visit on May 11 and 12, 2022.

A complaint filed with the CDE shall allege a violation of the federal Individuals with Disabilities Education Act (*United States Code*, Title 20, sections 1400 et seq.), or a provision of this part, that occurred not more than one year before the date the complaint is received by the CDE, pursuant to California *Education Code (EC)* Section 56500.2 and *Code of Federal Regulations*, Title 34 (34 *CFR*), Section 300.153(c).

The investigation period associated with this complaint investigation is March 28, 2021, to March 28, 2022; however, the report includes a chronology of events outside of the one-year timeframe to provide context.

Background Information: The CDE conducted an onsite visit at the District on May 11 and 12, 2022. During the onsite visit, the CDE toured multiple high school campuses, observed multiple classrooms and programs, and conducted interviews with District staff.

SUMMARY OF ALLEGATION ONE

The Complainant alleges the District failed to comply with disciplinary procedures set forth in 34 *CFR* Section 300.530(e), when the District's policies allowed for students with disabilities to be removed from their current placement to on-campus detention and the student support center without holding manifestation determination reviews, and additionally allowed students to be involuntarily transferred as a result of code of conduct violations without holding manifestation determination reviews from March 28, 2021, to March 28, 2022.

APPLICABLE CITATIONS

34 *CFR* Section 300.530(e), in pertinent parts, requires:

(e)(1) Within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the LEA [local educational agency], the parent, and relevant members of the child's IEP [individualized education program] Team (as determined by the parent and the LEA) must review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine—(i) If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or (ii) If the conduct in question was the direct result of the LEA's failure to implement the IEP. (2) The conduct must be determined to be a manifestation of the child's disability if the LEA, the parent, and relevant members of the child's IEP Team determine that a condition in either paragraph (e)(1)(i) or (1)(ii) of this section was met. (3) If the LEA, the parent, and relevant members of the child's IEP Team determine the condition described in paragraph (e)(1)(ii) of this section was met, the LEA must take immediate steps to remedy those deficiencies.

FINDINGS OF FACT

1. The District adopted a board policy regarding discipline on April 3, 2013, titled "Regulation 5144: Discipline." This policy outlines the development of site-level disciplinary rules and the disciplinary strategies that staff shall use, to the extent possible, to keep students in school and participating in the instructional program. Disciplinary strategies may include, but are not limited to:

- A positive behavior support approach with tiered interventions that occur during the school day
- On-campus detention during and after school hours
- Reassignment to an alternative educational environment, which is broken down into independent study, alternative schools/programs of choice, continuation education, and community day schools

The board policy does not exempt students in special education from the disciplinary strategies outlined. Evidence for this finding is based on Regulation 5144.

2. The District adopted a board policy regarding suspension, expulsion and due process on April 3, 2013, titled "Policy 5144.1: Suspension and Expulsion/Due Process". This policy indicates that in order to correct the behavior of any student, who is subject to discipline, alternative disciplinary strategies specified in administrative regulation 5144.1 must be used first. Furthermore, alternatives to suspension or expulsion shall be used with students who are truant, tardy, or otherwise absent from assigned school activities. The policy outlines the meaning of suspension and expulsion, and establishes the grounds for suspension and expulsion for any student, including a student with disabilities, which is based on *EC* sections 48900, 48900.2, 48900.3, 48900.4, 48900.7, and 48915. Evidence for this finding is based on Policy 5144.1.
3. The District adopted an administrative regulation regarding suspensions and expulsion of students with disabilities on April 3, 2013, titled "Regulation 5144.2: Suspension and Expulsion/Due Process (Students with Disabilities)." A student identified as an individual with disabilities is subject to the same grounds and procedures for suspension and expulsion which apply to students without disabilities, except as specified in regulation 5144.2. The regulation incorporates the requirements of 34 *CFR* sections 300.530 and 300.536, including the requirements for holding manifestation determination meetings. Evidence for this finding is based on Regulation 5144.2.
4. The District adopted an administrative regulation regarding involuntary transfer on December 12, 2019, titled "Regulation 6185: Community Day School." The regulation stipulates that when the student to be involuntarily transferred to a community day school is a student with disabilities, placement to a community day school shall be determined by the student's IEP team. Furthermore, students who are transferred to a community day school through another district-level referral process, aside from an expulsion order, a probation referral, or a school attendance review board referral, will be provided timely written notification of the transfer and be given an opportunity, along with their parent/guardian, to meet with the superintendent or designee to discuss the transfer. Evidence for this finding is based on the Regulation 6185.

5. A review of IEPs for 55 students does not demonstrate that the District has a policy of involuntarily transferring students with disabilities without holding a manifestation determination meeting, and/or an IEP team meeting. Evidence for this finding is based on a review of the IEPs.

CONCLUSION

The District met the requirements of 34 *CFR* Section 300.530(e). The District does not have a policy that allows the removal of students with disabilities from their current placement to on-campus detention and/or the student support center without holding manifestation determination meetings, and/or allows students with disabilities to be involuntarily transferred as a result of code of conduct violations without holding manifestation determination meetings. **The District is in compliance.**

SUMMARY OF ALLEGATION TWO

The Complainant alleges the District failed to comply with IEP requirements set forth in 34 *CFR* Section 300.323(c)(2), when the District's policies failed to ensure that IEPs were implemented in response to students' behaviors and instead referred students to on-campus detention, the student support center, and police from March 28, 2021, to March 28, 2022.

APPLICABLE CITATION

34 *CFR* Section 300.323(c)(2) requires, "Each public agency must ensure that . . . (2) As soon as possible following development of the IEP, special education and related services are made available to the child in accordance with the child's IEP."

FINDINGS OF FACT

6. On-campus detention is located in a classroom, taught by a credentialed teacher, that primarily serves as an intake room for students, including students who are eligible for special education and related services, who have struggled with behaviors suitable for the educational environment. Most students who are sent to the on-campus detention classroom are reassigned to the student support center. During the time the student is in the on-campus detention classroom, the student receives supports in order for the student to return to the student's classroom, and/or works on classroom assignments. Evidence for this finding is based on the District's June 3, 2022, written response and the May 18 and 19, 2022, interviews with District staff.
7. The student support center is located in a classroom, taught by a credentialed teacher, which provides social, emotional, and behavioral supports to students. A student, including students who are eligible for special education and related services, may be referred to the student support center for the duration of a class

period, up to an entire school day(s). If a student is sent to the student support center during a class period, the teacher will try to de-escalate the student in order to send the student back to class. If a student is sent to the student support center for more than a class period, the student is provided support via a social-emotional curriculum. A special education teacher is made available to the student anywhere from one to six periods, depending on how long the student is in the student support center to provide academic support to complete classroom assignments. Evidence for this finding is based on the District's June 3, 2022, written response, the May 18 and 19, 2022, interviews with District staff, and the student support center manual.

8. The District adopted a board policy regarding discipline on April 3, 2013, titled "Regulation 5144: Discipline." This policy outlines the development of site-level disciplinary rules and the disciplinary strategies that staff shall use, to the extent possible, to keep students in school and participating in the instructional program. Disciplinary strategies may include, but are not limited to:

- A positive behavior support approach with tiered interventions that occur during the school day
- On campus detention during and after school hours
- Reassignment to an alternative educational environment, which is broken down into independent study, alternative schools/programs of choice, continuation education and community day schools

The board policy does not exempt students in special education from the disciplinary strategies outlined. Evidence for this finding is based on Regulation 5144.

9. The District does not have any specific policies regarding the implementation of IEPs in response to students' behaviors prior to a student being referred to on-campus detention, the student support center classroom, and/or police. The District's special education handbook outlines that an IEP is to be implemented as written. Evidence for this finding is based on the District's June 3, 2022, written response, the May 18 and 19, 2022, interviews with District staff, and the special education handbook.
10. A review of IEPs for 55 students, that were referred to on-campus detention and/or the student support center, does not demonstrate that the District has a policy of not implementing the students' IEPs in response to students' behaviors prior to the referral being made. Evidence for this finding is based on a review of the IEPs.

CONCLUSION

The District met the requirements of 34 *CFR* Section 300.323(c)(2). The District does not have a policy regarding the implementation of IEPs in response to students' behaviors prior to a student with a disability being referred to the on-campus detention classroom, the student support center classroom, and/or the police. **The District is in compliance.**

SUMMARY OF ALLEGATION THREE

The Complainant alleges the District failed to comply with IEP requirements set forth in 34 *CFR* Section 300.323(c)(2), when the District's policies failed to ensure IEPs were implemented when students were sent to on-campus detention and the student support center from March 28, 2021, to March 28, 2022.

APPLICABLE CITATION

34 *CFR* Section 300.323(c)(2) requires, "Each public agency must ensure that . . . (2) As soon as possible following development of the IEP, special education and related services are made available to the child in accordance with the child's IEP."

FINDINGS OF FACT

11. On-campus detention is located in a classroom, taught by a credentialed teacher, that primarily serves as an intake room for students, including students who are eligible for special education and related services, who have struggled with behaviors suitable for the educational environment. Most students who are sent to the on-campus detention classroom are reassigned to the student support center. During the time the student is in the on-campus detention classroom, the student receives supports in order for the student to return to the student's classroom, and/or works on classroom assignments. Evidence for this finding is based on the District's June 3, 2022, written response and the May 18 and 19, 2022, interviews with District staff.
12. The student support center is located in a classroom, taught by a credentialed teacher, which provides social, emotional, and behavioral supports to students. A student, including students who are eligible for special education and related services, may be referred to the student support center for the duration of a class period, up to an entire school day(s). If a student is sent to the student support center during a class period, the teacher will try to de-escalate the student in order to send the student back to class. If a student is sent to the student support center for more than a class period, the student is provided support via a social-emotional curriculum and receives academic support to complete classroom assignments. Evidence for this finding is based on the District's June 3, 2022, written response, the May 18 and 19, 2022, interviews with District staff, and the student support center manual.
13. The District does not have any specific policies on implementing IEPs in on-campus detention or the student support center. If a student with an IEP is sent to either on-campus detention or the student support center, the teacher assigned to on-campus detention or the student support center is notified of the student's IEP. Students with IEPs may be pulled out of on-campus detention and/or the student support center to receive scheduled services, and if a student is required to receive specialized academic instruction (SAI), the student may receive academic support in

the student support center and/or on-campus detention from the rotating special education teacher and/or special education aide. Additionally, the student may be sent to the special education classroom to check in with the special education teacher. Evidence for this finding is based on the District's June 3, 2022, written response, the May 18 and 19, 2022, interviews with District staff, and the student support center manual.

14. A review of IEPs for 46 students, that were referred to on-campus detention and/or the student support center, does not demonstrate that the District has a policy of not implementing the student's IEP while the student was in on-campus detention and or the student support center. Evidence for this finding is based on the District's June 3, 2022, written response the May 18 and 19, 2022, interviews with District staff, the student support center manual, and a review of the students' IEPs.

CONCLUSION

The District met the requirements of 34 *CFR* Section 300.323(c)(2). The District does not have a policy that prevents students from receiving special education and related services when referred to the on-campus detention or student support center classrooms. **The District is in compliance.**

SUMMARY OF ALLEGATION FOUR

The Complainant alleges the District failed to comply with IEP requirements set forth in 34 *CFR* Section 300.323(c)(2), when the District's policies failed to provide SAI to students in the special day class (SDC) behavioral setting from March 28, 2021, to March 28, 2022.

APPLICABLE CITATION

34 *CFR* Section 300.323(c)(2) requires, "Each public agency must ensure that . . . (2) As soon as possible following development of the IEP, special education and related services are made available to the child in accordance with the child's IEP."

FINDINGS OF FACT

15. The SDC behavioral program is offered at 10 high schools in the District, one of which is a self-contained campus. The SDC behavioral program has small class sizes, structured behavioral supports, a positive behavioral level system, and academic supports. Some students attend this program for six periods a day and others attend the program for only some periods and are mainstreamed for the others. The SDC behavioral classrooms have up to 12 students, a credentialed special education teacher, and para educators. Although a majority of the SDC behavioral classrooms have students enrolled in different courses and different grades in the same SDC behavioral classrooms, the SDC behavioral classrooms

are equipped with the materials necessary to address what the students are learning. Evidence for this finding is based on a list of SDC behavioral classrooms provided by the District, the description of the SDC behavioral program, and the May 18 and 19, 2022, interviews with District staff.

16. The District does not have any specific policies on providing SAI in the SDC behavioral classrooms. While providing SAI services, the SDC behavioral teacher will work individually or with a small group of students, while the para educator may work with other students. Evidence for this finding is based on the May 18 and 19, 2022, interviews with District staff, and the District's June 3, 2022, written response.
17. A review of IEPs for 20 students who were placed in the SDC behavioral program, does not demonstrate that the District has a policy of not implementing the students' SAI services while the students were placed in the SDC behavioral program. Evidence for this finding is based on the District's June 3, 2022, written response the May 18 and 19, 2022, interviews with District staff, and a review of the students' IEPs.

CONCLUSION

The District met the requirements of 34 *CFR* Section 300.323(c)(2). The District does not have a policy that fails to provide students with disabilities with SAI services while the students are placed in the SDC behavioral program. **The District is in compliance.**

SUMMARY OF ALLEGATION FIVE

The Complainant alleges the District failed to comply with emergency intervention requirements set forth in *EC* Section 56521.1, because the District's policy regarding restraint and seclusion, Administrative Regulation (AR) 5131.41, does not incorporate or include the requirements of *EC* Section 56521.1(a-e) and (g), from March 28, 2021, to March 28, 2022.

APPLICABLE CITATIONS

EC Section 56521.1 requires:

- (a) Emergency interventions may only be used to control unpredictable, spontaneous behavior that poses clear and present danger of serious physical harm to the individual with exceptional needs, or others, and that cannot be immediately prevented by a response less restrictive than the temporary application of a technique used to contain the behavior.
- (b) Emergency interventions shall not be used as a substitute for the systematic behavioral intervention plan that is designed to change, replace, modify, or eliminate a targeted behavior.

(c) No emergency intervention shall be employed for longer than is necessary to contain the behavior. A situation that requires prolonged use of an emergency intervention shall require the staff to seek assistance of the school site administrator or law enforcement agency, as applicable to the situation.

(d) Emergency interventions shall not include:

(1) Locked seclusion, unless it is in a facility otherwise licensed or permitted by state law to use a locked room.

(2) Employment of a device, material, or objects that simultaneously immobilize all four extremities, except that techniques such as prone containment may be used as an emergency intervention by staff trained in those procedures.

(3) An amount of force that exceeds that which is reasonable and necessary under the circumstances.

(e) To prevent emergency interventions from being used in lieu of planned, systematic behavioral interventions, the parent, guardian, and residential care provider, if appropriate, shall be notified within one schoolday if an emergency intervention is used or serious property damage occurs. A behavioral emergency report [BER] shall immediately be completed and maintained in the file of the individual with exceptional needs. The [BER] shall include all of the following:

(1) The name and age of the individual with exceptional needs.

(2) The setting and location of the incident.

(3) The name of the staff or other persons involved.

(4) A description of the incident and the emergency intervention used, and whether the individual with exceptional needs is currently engaged in any systematic behavioral intervention plan.

(5) Details of any injuries sustained by the individual with exceptional needs, or others, including staff, as a result of the incident . . .

(g) If a [BER] is written regarding an individual with exceptional needs who does not have a behavioral intervention plan, the designated responsible administrator shall, within two days, schedule an [IEP] team meeting to review the emergency report, to determine the necessity for a functional behavioral assessment, and to determine the necessity for an interim plan. The IEP team shall document the reasons for not conducting the functional behavioral assessment, not developing an interim plan, or both.

(h) If a [BER] is written regarding an individual with exceptional needs who has a positive behavioral intervention plan, an incident involving a previously unseen serious behavior problem, or where a previously designed intervention is ineffective, shall be referred to the IEP team to review and determine if the incident constitutes a need to modify the positive behavioral intervention plan.

FINDINGS OF FACT

18. The District has a board policy regarding the use of seclusion and restraints, titled “Regulation 5134.41: Use of Seclusion and Restraint.” This policy cites the definitions of behavior restraint, mechanical restraint, and physical restraint from the general education section of the California *Education Code*, specifically sections 49005.1–49005.8, and describes the actions that may and may not be taken by staff when implementing the use of seclusion or restraint for students within the District. Evidence for this finding is based on the District’s April 26, 2022, response to the complaint and AR 5131.41.
19. The Antelope Valley SELPA adopted Behavior Emergency Report Guidelines to prevent emergency interventions from being used in lieu of planned, systemic behavioral interventions. The BER Guidelines provide instructions on how to fill out the BER form and direct the staff to notify the parent within one day of the use of an emergency intervention or occurrence of serious property damage. The BER Guidelines include items (e)–(h) of *EC* Section 56521.1. Evidence for this finding is based on the BER Guidelines and form.
20. The District regularly trains relevant school staff on emergency interventions as described in *EC* Section 56521.1. The most recent nonviolent crisis intervention (NCI) training occurred in October of 2021. Evidence for this finding is based on a list of names and job classification of staff who received a “one day refresher,” “NCI 2-day certification,” “Full Cert Blended Model,” and “1 Day Verbal De-Escalation” training, and the District’s June 3, 2022, supplemental response to the complaint.

CONCLUSION

The District met the requirements of *EC* Section 56521.1. The SELPA provides BER Guidelines that direct staff how and when to complete the form used to report the use of a behavioral emergency technique and the District provides regular training to ensure that emergency interventions are used in the manner described in *EC* Section 56521.1. There is no requirement that *EC* Section 56521.1 is specifically incorporated in full or in part into the Districts’ written policies and administrative regulations. **The District is in compliance.**

SUMMARY OF ALLEGATION SIX

The Complainant alleges the District failed to comply with disciplinary procedures set forth in 34 *CFR* Section 300.535(b)(1), when the District’s policies and/or practices consistently implemented across all campuses permit staff to refer students with disabilities to Department of Probation officers stationed at District campuses without transmitting their special education records from March 28, 2021, to March 28, 2022.

APPLICABLE CITATION

34 *CFR* Section 300.535(b), regarding referral to and action by law enforcement and judicial authorities, requires:

(1) An agency reporting a crime committed by a child with a disability must ensure that copies of the special education and disciplinary records of the child are transmitted for consideration by the appropriate authorities to whom the agency reports the crime.

(2) An agency reporting a crime under this section may transmit copies of the child's special education and disciplinary records only to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act.

FINDINGS OF FACT

21. The District does not have a contractual relationship with the county regarding probation officers and there are no board policies regarding referring students to probation officers. However, deputy probation officers from Los Angeles County are assigned to District high schools through a state-funded program called School Based Supervision. This program and its services are provided to counties through the Juvenile Justice Crime Prevention Act, with the intent of reducing juvenile delinquency. Through School Based Supervision, deputy probation officers work with parents and guardians to enforce regular school attendance, behavior and school performance, as well as compliance with all other terms of each student's probation. Evidence for this finding is based on the District's email to the CDE and the Los Angeles County Probation web page.
22. Probation officers are placed by the county in accordance with students on the probation officers' caseload, and District staff are not informed which students are on probation and do not refer students to probation officers for any reason. Evidence for this finding is based on the onsite investigation including interviews with District staff and administrators on May 9 and 10, 2022, and the District's response to the complaint.

CONCLUSION

The District met the requirements of 34 *CFR* Section 300.535(b). The District does not have a policy in which staff refer special education students to probations officers. Probation officers are not on campus at the request of the District. Rather, the county places probation officers on District campuses based on a probation officer's caseload of juveniles on probation who are students at various school sites. District staff are not informed of which students are on probation and do not refer students with disabilities to probation officers. Therefore, 34 *CFR* Section 300.535(b) does not apply to this situation. **The District is in compliance.**

SUMMARY OF ALLEGATION SEVEN

The Complainant alleges the District failed to comply with educational placement in the least restrictive environment (LRE) requirements set forth in 34 *CFR* Section 300.114(a)(2)(ii), when the District's policies failed to ensure that students were provided with supplementary aids and services in regular classes before they were removed from the regular educational environment from March 28, 2021, to March 28, 2022.

APPLICABLE CITATION

34 *CFR* Section 300.114(a)(2)(ii) requires:

Each public agency must ensure that special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

FINDINGS OF FACT

23. The SELPA, of which the District is a participating member, has a policy that provides that a student with a disability is removed from the regular educational environment only when the nature or severity of the student's disability is such that education in regular classes with the use of supplemental aids and services cannot be achieved satisfactorily. Evidence for this finding is based on the Antelope Valley SELPA LRE policy.
24. The District's special education handbook states that the general education program is always considered first when IEP teams are discussing the range of services and options available to meet the needs of individuals with exceptional needs. Other placement options include both the SDC behavioral and the Desert Pathways special education program which is located on a separate campus and requires a referral from the student's current school site. Evidence for this finding is based on the District's special education handbook.
25. A review of eight IEPs for students whose placement was changed to a more restrictive SDC behavioral placement during the investigation period of this complaint does not demonstrate that the District has policies that do not ensure students are provided with supplementary aids and services in regular classes before they are removed from the regular educational environment. All eight of the students who moved from lesser to more restrictive placements, were moved after supplementary aids and services were attempted in the less restrictive placements. Evidence for this finding is based on student one's September 10, 2021, IEP and the February 18, 2022, amendment; student two's April 30, 2021, and October 18, 2021, IEPs; student three's April 15, 2021, IEP and October 5, 2021, amendment; student four's January 13, 2021, IEP from the former district, the May 17, 2021, Antelope Valley SELPA 30-day Parallel Transfer document, the October 26, 2021, amendment, and

the January 27, 2022, IEP amendment; student five's IEP amendments developed November 5, 2021, and March 10, 2022; student six's February 19, 2021, April 16, 2021, August 26, 2021, October 19, 2021, and December 13, 2021, IEP documents; student seven's March 2, 2021, and February 24, 2022, IEPs; and student eight's February 24, 2021, August 30, 2021, and November 1, 2021, IEPs and a September 2, 2021, assessment plan.

CONCLUSION

The District met the requirements of 34 *CFR* Section 300.114(a)(2)(ii). The District and SELPA policies are written to ensure that the removal of students with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. Furthermore, a review of IEPs wherein students were moved to a more restrictive SDC behavioral setting during the one-year investigation period demonstrates that the District only did so after the use of supplementary aids and services in a less restrictive environment could not be achieved satisfactorily. **The District is in compliance.**

SUMMARY OF ALLEGATION EIGHT

The Complainant alleges the District failed to comply with requirements pertaining to the student's participation in non-academic settings set forth in 34 *CFR* Section 300.117, when the District's policies denied SDC behavioral and Desert Pathways students the opportunity to participate in nonacademic and extracurricular activities to the maximum extent appropriate by segregating SDC behavioral classrooms from the main campuses and using a punitive leveling system for SDC behavioral students. Additionally, the Complainant alleges that the District prohibited students at Desert Pathways from eating meals with nondisabled students at Quartz Hill High School and from participating in other activities such as athletics, rallies, and clubs from March 28, 2021, to March 28, 2022.

APPLICABLE CITATION

34 *CFR* Section 300.117 requires:

In providing or arranging for the provision of nonacademic and extracurricular services and activities, including meals, recess periods, and the services and activities set forth in Section 300.107, each public agency must ensure that each child with a disability participates with nondisabled children in the extracurricular services and activities to the maximum extent appropriate to the needs of that child. The public agency must ensure that each child with a disability has the supplementary aids and services determined by the child's IEP Team to be appropriate and necessary for the child to participate in nonacademic settings.

FINDINGS OF FACT

Special Day Class–Behavioral

26. The SDC behavioral program, outlined in finding of fact 15, also serves students requiring additional emotional support and the classrooms are typically located in portable buildings surrounded by general education classrooms. The SDC behavioral program implements a level system to increase targeted behavior. Evidence for this finding is based on the school site list, interviews with SDC behavioral teachers, and a description of the SDC behavioral program.
27. The level system used to increase targeted behaviors allows students to earn points for positive behavior and/or task completion as an incentive to exchange points for prizes pre-selected by the students. Conversely, students can lose points which can include loss of lunch with nondisabled peers, consistent with the District's policy. However, the implementation of this program is unique to each teacher and there is consensus among the SDC behavioral program teachers that even if students do lose points, it does not include loss of lunch with nondisabled peers. Evidence for this finding is based on interviews with SDC behavioral teachers and the District's discipline policy.

Desert Pathways High School Students

28. Desert Pathways High School is one of four alternative high schools in the District that serves at-risk students with significant mental health and/or behavior needs. Desert Pathways High School is separate from Quartz Hill High School, which is a comprehensive campus that is adjacent to Desert Pathways High School. The Desert Pathways campus serves approximately 27 students with five teachers and two paraeducators in each of the classrooms. All students who attend Desert Pathways have IEPs and come from comprehensive sites, residential treatment centers, or nonpublic school campuses. If an IEP team is considering whether to place a student at Desert Pathways, staff from Desert Pathways will attend the IEP meeting to discuss what the program offers to ensure the parent or guardian is making an informed decision. The Desert Pathways campus does not offer traditional activities such as athletics, rallies, or clubs typically offered at a comprehensive high school site where the school competes against other schools, but it does offer pickleball, which is part of a math literacy program, basketball, Uno, chess, and fitness/weights. Although some students will complete graduation requirements on this campus, the goal is for the student to return to a comprehensive high school campus to complete their graduation requirements. Students may transition, such as enrolling in one class at Quartz Hills High School after the student has made sufficient progress at Desert Pathways. Evidence for this finding is based on the school's description on the District's website and a May 12, 2022, interview with the site principal.

CONCLUSION

The District met the requirements of 34 *CFR* Section 300.117. Although the SDC behavioral classrooms are located in portable buildings, the students who are placed in the SDC behavioral classrooms are not segregated from nondisabled peers. Furthermore, the evidence does not support a finding that the District implements a policy or practice of withholding or denying a student from having lunch with nondisabled peers due to the student's behaviors. Finally, the Desert Pathways students do not interact with students at Quartz Hill High School as they are two distinct schools with separate missions and program/activity offerings. As an alternative school, it does not offer the traditional sports programs including rallies and clubs as the District's comprehensive high schools. In summary, the District ensures that students with disabilities participate with nondisabled children in extracurricular services and activities to the maximum extent appropriate to the needs of that child. **The District is in compliance.**

CORRECTIVE ACTIONS ARE NOT REQUIRED.

RECONSIDERATION NOTICE

The findings in this investigation report are specific to this case. While general rules are cited, findings in other investigations may differ due to the facts and issues in each case.

Within 30 days of the "Report Mailed" date on this California Department of Education (CDE) report, either party may request reconsideration [*California Code of Regulations*, Title 5, Section 3204]. The request for reconsideration must state and explain the reason for the request based on one or more of the following:

1. The report lacks material findings of fact
2. The material findings of fact in the report are unsupported
3. The legal conclusion in the report is inconsistent with the law
4. The corrective actions in the report fail to provide proper remedy

Pending the Superintendent's reconsideration, the Department report, including corrective actions remains in effect and enforceable.

A request for reconsideration of the CDE's Investigation Report must be postmarked within 30 days of the "Report Mailed" date on the CDE report and sent to:

Ana Marsh, Education Administrator II
Complaint Resolution Unit

speceducation@cde.ca.gov Email

or

916-327-8878 Fax

or
**California Department of Education
Complaint Resolution Unit
1430 N Street, Suite 2401
Sacramento, CA 95814**

Evidence of required corrective actions or questions regarding corrective actions shall be directed to:

**Corrective Actions
Complaint Resolution Unit
California Department of Education
1430 N Street, Suite 2401
Sacramento, CA 95814 or
916-327-8878 Fax or Email:
SEDCorrectiveAction@cde.ca.gov**

When submitting evidence please make sure to include the case number.

If compliance is determined in this investigation and no corrective actions are required, consider this case closed.

Ana Marsh
Education Administrator II
Complaint Resolution Unit

Melissa Branson
Education Administrator I
Complaint Investigation Unit I

Jane Canty
Education Administrator I
Complaint Investigation Unit II

Melissa

Branson

Digitally signed by
Melissa Branson
Date: 2022.06.24

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California Department of Education
Special Education Division

BOARD OF TRUSTEES February 17, 2023

CARLA CORONA

CHARLES HUGHES

JILL MCGRADY

MIGUEL SANCHEZ IV

DONITA J. WINN

Sent Via Email

Dear Mses. Appell, Helena, Santa Ana, and Cincone:

ADMINISTRATIONGREG NEHEN
SuperintendentSHANDELYN WILLIAMS
Deputy SuperintendentBRIAN HAWKINS
Assistant Superintendent
Business ServicesDR. CHRIS GRADO
Assistant Superintendent
Educational ServicesKRISTINA RAMOS
Assistant Superintendent
Human Resources

The Antelope Valley Union High School District (District) is in receipt of your January 19, 2023 letter outlining your clients' concerns regarding the District's policies and practices pertaining to student discipline, which, as you allege, have resulted in discriminatory treatment based on race and disability. As a preliminary matter, the District takes the nature of the allegations raised in your correspondence very seriously. And, as most of you have witnessed during the past year and a half, the District does have in place processes and systems to identify and address such concerns. However, as is the case with any large organization, the work of reviewing and adapting those processes and systems to ensure that no group is disproportionately impacted is an ongoing effort. An effort to which the District remains committed.

While this letter will not respond to every allegation lodged in your letter, I will note that there are several statements that contain sweeping conclusions that suggest either a misunderstanding or misrepresentation of the voluminous data and documentation to which you have been privy. For example, your letter states that the District "does not adhere to any of the procedural requirements for students with disabilities when using force and restraints[.]" To support this assertion you claim that the District does not require staff to complete behavioral emergency reports when a student has been restrained, despite having been provided copies of multiple BERs on at least one occasion.

Additionally, you state that the District fails to provide language interpreters during individualized education program (IEP) team meetings or translate IEP documents for limited-English proficient parents. Although you have not previously raised this as an area of concern, a review of many of the IEPs that were provided to you indicate the participation of an interpreter in IEP meetings. Further, while none of your previous requests sought translated IEP documents, there are copies of translated IEP documents contained in the documents that were provided to you. These are just a few examples where you have asserted broad statements of fact and where the District believes the information that has been made available to you supports conclusions opposite of those reached in your letter.

With regard to your demands, and while you may disagree, the District will continue, in its discretion, to engage in practices that are provided for in the law (e.g., refer for expulsion for mandatory expellable offenses, as appropriate and consistent with applicable laws) or otherwise not prohibited by law (e.g., refer students to Student Support Centers, implementation of the level-system in SDC-B classes), while continuing to review its practices to identify areas for improvement.



As District representatives have requested, if you have specific clients or instances where you believe the District has failed to comply with the law in any regard, please provide that information to the District so that the matters can be reviewed and resolved as may be warranted. Claiming that the District is in wholesale violation of a law or policy, when evidence demonstrates otherwise, and demanding that the District put in place a third-party expert to review what appears to be almost all District practices and policies is neither helpful nor a productive use of resources. While the District has been collaborative and forthcoming over the past year and a half, and remains committed to addressing areas of concern related to the discipline of black students and students with disabilities, we do not believe that your letter provides a reasonable path forward.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gregory Nehen'.

Gregory Nehen
Superintendent



LEGAL ADVOCACY UNIT

350 S. Bixel St., Ste. 290
Los Angeles, CA 90017
Tel: (213) 213-8000
Fax: (213) 213-8001
TTY: (800) 719-5798
Intake Line: (800) 776-5746
www.disabilityrightsca.org

June 14, 2022

Via Email and Fax

Lee Rideout
Matthew Vance
Fagan Friedman & Fulfrost
6300 Wilshire Boulevard, Suite 1700
Los Angeles, California 90048

**Re: DRC Investigation of Antelope Valley Union High School District
*Additional Document Demands Following May 2022 Site Visits***

Dear Ms. Rideout and Mr. Vance,

On June 14, 2022, we submitted an additional request for supplemental production of documents to correct ongoing deficiencies in the District's production of documents pursuant to requests made on September 15, 2021, December 17, 2021 and December 20, 2021.

We submit the following additional demands for documents as part of our ongoing investigation. For each item, unless otherwise specified, please submit End of Year ("EOY") data for all student incident results as reported in CALPADS. Please provide aggregate data in an excel format, as an extract of the data system (PowerSchool, SWIS) used to report to CDE, as well as data maintained in any alternate systems (i.e. Google Sheets, Excel, Google Forms, hardcover forms, other electronic forms, etc.) used to track data.

From all schools in the District, including District-authorized charter schools, for the 2021-2022 school year:

1. EOY enrollment data of all students from PowerSchool to examine disproportionality, with special education indicators (PowerSchool and SEIS) to examine disproportionality, that includes:
 - a. EOY enrollment data for all students with disabilities (PowerSchool and SEIS), including SSID, District ID, last name, first name, parent/guardian last name, parent/guardian first name, parent/guardian contact information, date of birth, gender, race, school location code, grade, disabilities codes (primary 1 and 2), LRE time (<40%, 40%-79%, >80%), Special Education program code (SDC-A, SDC-B, SDC-Prevocational, RSP, NPS), DIS service codes, and BIP;
 - b. EOY Enrollment data for all general education students, including SSID, last name, first name, date of birth, race, gender, grade, and location code;
2. EOY Out of School Suspension data (100), with special education indicators to examine disproportionality, that includes:
 - a. SSID, District ID, last name, first name, parent/guardian last name, parent/guardian first name, parent/guardian contact information, date of birth, gender, race, school location code, grade, disability codes (primary 1 and 2), date of in-school suspension, duration or number of days suspended, and reason for suspension;
 - b. Google Sheets or other spreadsheets maintained by each school site tracking out of school suspension;
 - c. EOY SWIS or PowerSchool reports maintained by each school site for out of school suspensions;

- d. SWIS or PowerSchool reports maintained by each school site for OSS during the month of April 2022;
 - e. Other documentation for students with disabilities, including all letters and/or notices to parents, procedural safeguards (in English and Spanish), Notice of Suspension forms, Incident Reports and Logs, Counselor logs, and Investigation Reports including witness statements;
 - f. Procedural safeguards documenting the right to appeal a suspension to a school site administrator or District designee, as referenced by Eastside High School's principal;
 - g. All IEPs, Manifestation Determination Reviews, Behavior Intervention Plans, and Prior Written Notices for students with disabilities given an out of school suspension;
3. EOY In-School Suspension (110) and/or "Alternative to Suspension" data, with special education indicators to examine disproportionality, that includes:
- a. SSID, District ID, last name, first name, parent/guardian last name, parent/guardian first name, parent/guardian contact information, date of birth, gender, race, school location code, grade, disability codes (primary 1 and 2), date of in-school suspension, duration or number of periods/days suspended or removed from class, and reason for suspension or removal;
 - b. All sign-in sheets and Google Sheets maintained at each school for students referred to on-campus detention rooms;
 - c. All sign-in sheets and Google Sheets maintained at each school for students referred to Student Support Centers;

- d. All reassignment forms and/or Alternative to Suspension forms for all students with disabilities referred to Student Support Centers;
 - e. Sample Student Support Center period form, reassignment form, and post-conference form;
 - f. SWIS, PowerSchool, or other site-level reports of referrals to on-campus detention and Student Support Centers for the month of April 2022;
 - g. EOY Attendance Period Data from PowerSchool for all students with at least one period attendance code for the following:
D=period suspension; H=in-school suspension; S=suspension; J=student support center; PEN=pending alternate placement; O=other;
 - h. All letters, notices, and procedural safeguards (in English and Spanish) to parents of students with disabilities referred to on-campus detention and/or Student Support Centers;
 - i. All incident reports and logs maintained in PowerSchool for students given an in-school suspension or referred to on-campus detention or Student Support Centers;
4. EOY Expulsion data (200), including Stipulated Expulsions, with special education indicators to examine disproportionality, that includes:
- a. SSID, District ID, last name, first name, parent/guardian last name, parent/guardian first name, parent/guardian contact information, date of birth, gender, race, school location code, grade, disability codes (primary 1 and 2), date of expulsion, and reason for expulsion;

- b. Expulsion checklists and packets for students with disabilities, including pre-expulsion progress reports, Principal Conference Summary forms, and letters to parents;
 - c. Non-expulsion forms;
 - d. For all students with disabilities recommended for expulsion, IEPs immediately preceding and following the expulsion recommendation, Manifestation Determination Reviews, Behavior Intervention Plans, procedural safeguards (in English and Spanish), and Prior Written Notices;
- 5. EOY Voluntary/Involuntary Transfer data, with special education indicators to examine disproportionality, that includes:
 - a. SSID, District ID, last name, first name, parent/guardian last name, parent/guardian first name, parent/guardian contact information, date of birth, gender, race, school location code, grade, disability codes (primary 1 and 2), date of disciplinary incident, and reason for transfer (including transfers or referrals to on-site continuation and opportunity programs);
 - b. Expulsion checklists and packets for students with disabilities, including pre-expulsion progress reports, Principal Conference Summary forms, and letters to parents (if applicable);
 - c. For all students with disabilities voluntarily or involuntarily transferred, IEPs immediately preceding and following the transfer, Manifestation Determination Reviews, Behavior Intervention Plans, procedural safeguards (in English and Spanish), and Prior Written Notices;
 - d. All Voluntary/Involuntary Transfer contract forms;

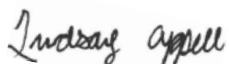
6. EOY data on physical restraints (501), mechanical restraints (502), and seclusions (600), with special education indicators to examine disproportionality, that includes:
 - a. SSID, District ID, last name, first name, parent/guardian last name, parent/guardian first name, parent/guardian contact information, date of birth, gender, race, school location code, grade, disability codes (primary 1 and 2), and date of incident;
 - b. All incident reports (PowerSchool and/or hardcopies) and BERs for students with disabilities;
 - c. Employee statements for BER process;
 - d. Restraint data maintained on Google Sheets for each site;
 - e. EOY restraint data maintained at the District Office by the Director I;
7. EOY data on school-related arrests (700) and law enforcement referrals (not including school arrests) (800), with special education indicators to examine disproportionality, that includes:
 - a. SSID, District ID, last name, first name, parent/guardian last name, parent/guardian first name, parent/guardian contact information, date of birth, gender, race, school location code, grade, disability codes (primary 1 and 2), date of incident, and offense code;
 - b. Google Sheet of referral to law enforcement data maintained at each school site;
 - c. Google Sheet of citation and arrest data maintained at each school site;

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Fagan Friedman & Fulfro
June 14, 2022
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- d. Google Sheet of referrals to law enforcement, citations, and arrests maintained at the District office by the Director I;
- 8. A copy of the District-administered training on the level system used in District SDC-B classes; and
- 9. A copy of the District-administered training(s) on conducting Manifestation Determination Reviews and identifying disability-related behaviors for purposes of Manifestation Determination Reviews.

Thank you in advance for your efforts in facilitating the production of all requested documents. We look forward to your continued collaboration on these matters and are happy to schedule a time to meet to discuss this request at any time.

Sincerely,



Disability Rights California
Lindsay Appell



**Neighborhood Legal Services of
Los Angeles County**
Chelsea Helena

Test	Table	APA	chi-square	p-value	Description
Non-Black vs Black Identified as Special Education	2.2	X2 (1, N = 22,025)	277.3007	< .001	14.84% of non-Black students were special education versus 26.3% of Black students. There was a significant relationship between being Black and being special education.
Non-Black Special Education vs Black Assigned SLD	2.4	X2 (1, N = 3,668)	0.9458	< .33	There was not a significant relationship between being Black and being assigned SLD.
Non-Black Special Education vs Black Assigned OHI	2.4	X2 (1, N = 3,668)	4.6424	< .05	16.13% of non-Black students were OHI versus 19.21% of Black students. There was a significant relationship between being Black and being assigned OHI.
Non-Black Special Education vs Black Assigned Autism	2.4	X2 (1, N = 3,668)	7.4252	< .05	16.06% of non-Black students were AUT versus 12.34% of Black students. There was a significant relationship between being Black and being assigned AUT.
Non-Black Special Education vs Black Assigned ED	2.4	X2 (1, N = 3,668)	11.7125	< .001	3.34% of non-Black students were ED versus 5.9% of Black students. There was a significant relationship between being Black and being assigned ED.
Non-Black Special Education vs Black Assigned ID	2.4	X2 (1, N = 3,668)	2.022	< .16	There was not a significant relationship between being Black and being assigned ID.
Non-Black Special Education vs Black $\geq 80\%$ LRE	2.14	X2 (1, N = 3,668)	9.2231	< .05	35.17% of non-Black students were $\geq 80\%$ LRE versus 29.69% of Black students. There was a significant relationship between being Black and being assigned $\geq 80\%$ LRE.
Non-Black Special Education vs Black $< 40\%$ LRE	2.14	X2 (1, N = 3,668)	2.1805	< .16	There was a significant relationship between being Black and being assigned $< 40\%$ LRE.
General Education vs Special Education	3.1	X2 (1, N = 21,328)	321.3733	< .001	6.59% of general education students were suspended at least once versus 15.55% of special education students. There was a significant relationship between special

Suspended One Time					education status and being suspended at least one time.
Non-Black General Education vs Black General Education Suspended One Time	3.2	X ² (1, N = 17,760)	601.9266	< .001	4.67% of non-Black general education students were suspended at least once versus 17.44% of Black general education students. There was a significant relationship between being Black and being suspended at least one time for general education students.
Non-Black Special Education vs Black Special Education Suspended One Time	3.3	X ² (1, N = 3,568)	224.5835	< .001	10.04% of non-Black special education students were suspended at least once versus 30.55% of Black special education students. There was a significant relationship between being Black and being suspended at least one time for special education students.
Non-Black General Education vs Black General Education Suspended 1 Days	3.7	X ² (1, N = 1,170)	1.4872	< .22	There was a no significant relationship between being Black and being suspended 1 day for general education students.
Non-Black General Education vs Black General Education Suspended >=10 Days	3.7	X ² (1, N = 1,170)	14.3545	< .001	6.26% of non-Black general education students who were suspended were suspended for >=10 days versus 12.66% of Black general education students. There was a significant relationship between being Black and being suspended >=10 days for general education students.
General Education vs Special Education Suspended 1 Day	3.7, 3.8	X ² (1, N = 1,725)	6.3215	< .05	11.71% of general education students who were suspended were suspended for 1 day versus 7.75% of special education students. There was a significant relationship between special education status and being suspended only 1 day.
General Education vs Special Education Suspended >=10 Days	3.7, 3.8	X ² (1, N = 1,725)	6.0534	< .05	8.8% of general education students who were suspended were suspended for >=10 days versus 12.61% of special education students. There was a significant relationship between special education status and being suspended >=10 days.

Non-Black General Education vs Black General Education Issued 1 Day Suspension	3.13	X ² (1, N = 1,780)	0.8071	< .37	There was no significant relationship between being Black and being issued a 1 day suspension for general education students.
Non-Black General Education vs Black General Education Issued 5 Day Suspension	3.13	X ² (1, N = 1,780)	9.196	< .05	23.22% of the suspensions issued to non-Black general education students were 5 day versus 29.58% of those issued to Black general education students. There was a significant relationship between being Black and being issued a 5 day suspension for general education students.
Non-Black Special Education vs Black Special Education Issued 1 Day Suspension	3.13	X ² (1, N = 1,780)	0.0005	< .98	There was no significant relationship between being Black and being issued a 1 day suspension for special education students.
Non-Black Special Education vs Black Special Education Issued 5 Day Suspension	3.13	X ² (1, N = 1,780)	0.378	< .54	There was no significant relationship between being Black and being issued a 5 day suspension for special education students.
General Education vs Special Education Issued Suspension with 1 Reason	3.15, 3.16	X ² (1, N = 2,737)	11.8826	< .001	76.91% of general education suspensions had 1 reason versus 82.55% of special education suspensions. There was a significant relationship between special education status and being suspended for 1 reason.
General Education vs Special Education Issued Suspension with 2 or More Reasons	3.15, 3.16	X ² (1, N = 2,737)	11.8826	< .001	23.09% of general education suspensions had 1 reason versus 17.45% of special education suspensions. There was a significant relationship between special education status and being suspended for >=2 reasons.

Non-Black General Education vs Black General Education Issued Suspension with 1 Reason	3.15, 3.16	X2 (1, N = 2,737)	1.9537	< .16	There was no significant relationship between being Black and being suspended with 1 reason for general education students.
Non-Black General Education vs Black General Education Issued Suspension with 2 or more Reasons	3.15, 3.16	X2 (1, N = 2,737)	1.9537	< .16	There was no significant relationship between being Black and being suspended with 1 reason for general education students.
Non-Black Special Education vs Black Special Education Issued Suspension with 1 Reason	3.15, 3.16	X2 (1, N = 2,737)	0.7709	< .38	There was no significant relationship between being Black and being suspended with 1 reason for special education students.
Non-Black Special Education vs Black Special Education Issued Suspension with 2 or more reasons	3.15, 3.16	X2 (1, N = 2,737)	0.7709	< .16	There was no significant relationship between being Black and being suspended with 2 or more reasons for special education students.
General Education vs Special Education Issued Suspension with 500s Reason	3.17	X2 (1, N = 1,780)	0.3233	< .57	There was no significant relationship between special education status and being suspended with a 500s reason.
Non-Black General Education vs Black General	3.17	X2 (1, N = 1,780)	86.778	< .001	73.87% of non-Black general education suspensions had 500s reason versus 91.17% of Black general education suspensions. There was a significant

Education Issued Suspension with 500s Reason					relationship between being Black and being suspended with a 500s reason for general education students.
Non-Black Special Education vs Black Special Education Issued Suspension with 500s Reason	3.17	X2 (1, N = 957)	76.9673	< .001	69.9% of non-Black special education suspensions had 500s reason versus 91.74% of Black special education suspensions. There was a significant relationship between being Black and being suspended with a 500s reason for special education students.
General Education vs Special Education Issued OMC	3.24	X2 (1, N = 21,328)	197.7911	< .001	6.72% of general education students were referred versus 13.68% of special education students. There was a significant relationship between special education status and being referred for OMC.
Non-Black General Education vs Black General Education Issued OMC	3.24	X2 (1, N = 17,760)	206.2855	< .001	5.59% of non-Black general education students were referred versus 13.14% of Black general education students. There was a significant relationship between being Black and being referred for OMC for general education students.
Non-Black Special Education vs Black Special Education Issued OMC	3.24	X2 (1, N = 3,568)	47.6906	< .001	11.27% of non-Black special education students were referred versus 20.23% of Black general education students. There was a significant relationship between being black and being referred for special education students.
Non-Black General Education vs Black General Education Reassigned	4.6	X2 (1, N = 11,456)	92.4333	< .001	4.96% of non-Black general education students were reassigned at least once versus 11.17% of Black general education students. There was a significant relationship between being Black and being reassigned at least one time for general education students.
General Education vs Special Education Reassigned	4.7	X2 (1, N = 14,148)	66.141	< .001	5.78% of general education students were reassigned at least once versus 10.1% of special education students. There was a significant relationship between special education status and being reassigned at least one time.

Non-Black Special Education vs Black Special Education Reassigned	4.7	X ² (1, N = 2,692)	18.7469	< .001	8.68% of non-Black special education students were reassigned at least once versus 14.55% of Black special education students. There was a significant relationship between being Black and being reassigned at least one time for special education students.
Non-Black General Education vs Black Receiving Period Suspension	4.8	X ² (1, N = 11,456)	194.128	< .001	5.72% of non-Black general education students received period suspension at least once versus 15.56% of Black general education students. There was a significant relationship between being Black and receiving period suspension at least one time for general education students.
Non-Black Special Education vs Black Special Education Receiving Period Suspension	4.9	X ² (1, N = 2,692)	55.2295	< .001	10% of non-Black special education students received period suspension at least once versus 21.13% of Black general education students. There was a significant relationship between being Black and receiving period suspension at least one time for special education students.
General Education vs Special Education Receiving Period Suspension	4.8, 4.9	X ² (1, N = 14,148)	95.0437	< .001	7.01% of general education students received period suspension at least once versus 12.7% of special education students. There was a significant relationship between special education status and receiving a period suspension at least one time.
General Education vs Special Education Receiving VP/Security Hold	4.10	X ² (1, N = 14,148)	28.52	< .001	2.99% of general education students received a VP/security hold at least once versus 5.05% of special education students. There was a significant relationship between special education status and receiving a VP/security hold at least one time.
Non-Black General Education vs Black Receiving VP/Security Hold	4.10	X ² (1, N = 11,456)	129.8636	< .001	2.28% of non-Black general education students received a VP/security hold at least once versus 7.65% of Black general education students. There was a significant relationship between being Black and receiving a VP/security hold at least one time for general education students.

Non-Black Special Education vs Black Special Education Receiving VP/Security Hold	4.10	X ² (1, N = 2,692)	80.5593	< .001	2.75% of non-Black special education students received a VP/security hold at least once versus 12.25% of Black special education students. There was a significant relationship between being Black and receiving a VP/security hold at least one time for special education students.
General Education vs Special Education Receiving Non-Discipline Referrals	4.11	X ² (1, N = 14,148)	5.8051	< .05	4.02% of general education students received a non-disciplinary referral at least once versus 5.05% of special education students. There was a significant relationship between special education status and receiving a non-disciplinary referral at least one time.
Non-Black General Education vs Black Receiving Non-Discipline Referrals	4.11	X ² (1, N = 11,456)	22.4315	< .001	3.68% of non-Black general education students received non-disciplinary referral at least once versus 6.25% of Black general education students. There was a significant relationship between being Black and receiving a non-disciplinary referral at least one time for general education students.
Non-Black Special Education vs Black Special Education Receiving Non-Discipline Referral	4.11	X ² (1, N = 2,692)	8.2736	< .05	2.75% of non-Black special education students received a non-discipline referral at least once versus 12.25% of Black special education students. There was a significant relationship between being Black and receiving a non-discipline referral at least one time for special education students.
Non-Black General Education vs Black General Education Expulsions	5.3	X ² (1, N = 18,518)	47.8848	< .001	0.08% of non-Black general education students were expelled versus 0.67% of Black general education students. There was a significant relationship between being Black and being expelled for general education students.
Non-Black Special Education vs Black Special Education Expulsions	5.4	X ² (1, N = 3,793)	19.5345	< .001	0.28% of non-Black special education students were expelled versus 1.56% of Black special education students. There was a significant relationship between being Black and being expelled for special education students.
General Education vs Special	5.3, 5.4	X ² (1, N = 22,311)	25.1256	< .001	0.17% of general education students were expelled versus 0.61% of special education students. There was a

Education Expulsions					significant relationship between special education status and being expelled.
Non-Black General Education vs Black General Education Transfers	5.5	X ² (1, N = 18,518)	40.4713	< .001	0.17% of non-Black general education students transferred versus 0.86% of Black general education students. There was a significant relationship between being Black and transferring for general education students.
Non-Black Special Education vs Black Special Education Transfers	5.6	X ² (1, N = 3,793)	17.7088	< .001	0.32% of non-Black special education students transferred versus 1.56% of Black special education students. There was a significant relationship between being Black and transferring for special education students.
General Education vs Special Education Transfers	5.5, 5.6	X ² (1, N = 22,311)	12.5306	< .001	0.27% of general education students transferred versus 0.63% of Special Ed students. There was a significant relationship between special education status and transferring.
General Education vs Special Education Law Enforcement Referral	6.1	X ² (1, N = 22,311)	76.1145	< .001	0.63% of general education students received a law enforcement referral versus 2.08% of special education students. There was a significant relationship between special education status and receiving a law enforcement referral.
Non-Black General Education vs Black General Education Law Enforcement Referral	6.1	X ² (1, N = 18,635)	36.502	< .001	0.49% of non-Black general education students received a law enforcement referral versus 1.5% of Black general education students. There was a significant relationship between being Black and receiving a law enforcement referral for general education students.
Non-Black Special Education vs Black Special Education Law Enforcement Referral	6.1	X ² (1, N = 3,793)	46.3532	< .001	1.16% of non-Black special education students received a law enforcement referral versus 4.8% of Black special education students. There was a significant relationship between being Black and receiving a law enforcement referral for special education students.

Questions for AVUHSD April 25, 2022

Suspension

Out of School Suspensions – Central Office

- What data system captures suspension data? Do schools use any other data systems or recording mechanisms (i.e., paper)?
 - Does the system have built-in codes for all offenses as defined by Ed code?
 - Does the system maintain a cumulative count of the days suspended? Does the system have edits that trigger actions for SWDs when they approach 10 days of suspension?
- Who is responsible at the central level for overseeing suspensions and data at sites?
- How often is suspension data reviewed with site administrators?
- How do you identify patterns of racial or disability-related disparities? Do you have central office intervention teams or additional resources for schools that are experiencing high rates of racial or disability-related disparities, or overall suspensions?
- Are you concerned with the high rates of suspensions and racial and disability-related disparities occurring within your district?
- Are there schools with low rates of suspension and have you identified factors contributing to this performance?
- Does the district have written procedures for auditing suspension data?
 - What do those procedures entail?

OSS Site based decision-making and data collection

Walk me through the decision-making process when an out-of-school suspension occurs –

- When an incident occurs, who is responsible for determining if the conduct or infraction is a suspendable offense?
 - Are there other staff members who can determine suspension? (i.e., teachers, security staff, SROs?)
- How are the number of days a student is suspended determined?
- Are schools required to check disability status prior to making a recommendation to suspend?
 - If the student has a disability, what guidance do schools follow to ensure the procedural safeguards of the student?
- Is there someone at the site responsible for reviewing and approving the recommended suspension to ensure that the incident was accurately reported and days of removal are appropriate?
 - Do suspensions require administrative approval?
- How is the incident and suspension determination documented? (Show the Notice of Suspension Form)
- What happens with these forms? Do school principals maintain a master file with all Notice of Suspension forms?
- Are these forms included in the student's cumulative file?
- Is the Notice of Suspension form considered the official record of suspension?
- Does the hardcopy capture all the necessary information that is required by the data system?

- Is the Notice of Suspension form the only documentation form used or are you aware of schools using a different mechanism?
- Describe the role of the parent when their student is suspended.
 - Who is responsible for contacting the parent?
 - How soon is the parent notified?
 - How are parents informed of their procedural safeguards?
 - Does the district provide parents any documents (Notice of Suspension form) or referrals when their student is suspended?
 - Can a parent appeal a suspension? Describe the appeal process and how this information is captured in the data system.
- Have schools been trained on how to:
 - collect incident data,
 - identify the appropriate education code violation,
 - consider alternatives to suspension,
 - when to make referrals to law enforcement,
 - and, determining an appropriate length for the suspension?
 - If so, who attends this training and how often is it required?
- Who is responsible at the site to enter suspension data?
 - Are there multiple people who enter data at sites?
 - What kind of training is provided to ensure consistent and accurate data entry?

In-School Suspensions

- How many different types of in-school suspension are utilized by schools?
- What is the difference between the on-campus detention room and the Student Support Centers (SSC)?
- Can you describe the on-campus detention room, how students are referred and what types of instruction and IEP services are made available in these settings?
- The SSC brochure identifies two types of in-house suspensions, the reactive “Period suspension” and the “Alternative to Suspension” or reassignment.
- Can you describe the process for referring students for a “Period Suspension” or “Alternative to Suspension”?
 - Can campus security or SROs refer students to either?
- Can you explain the two methods of referrals in the SSC Fidelity Inventory Checklist for Period Suspensions 1.1 Referral Process:
 - 1= Informal or multiple ways but not clear to everyone. Staff has not been formally trained.
 - What does it mean that staff are not formally trained? Does this method require any documentation?
 - 2= Electronic or Paper referral process. Security has a clearly defined role in student pick up. Staff has been trained.
 - What is the difference between and electronic and paper referral?
 - Why is security called to escort the student to the SSC?
 - Are students able to go alone or can someone else escort the student?

- Feature 1.3 Documentation requires the Security, clerk, or intake person to document the referral a “Period Suspension” in the Incident Management module?
 - Is the Incident Management module part of Powerschool?
 - What information is captured for Period Suspensions?
 - Is disability and a student’s IEP factored into how the student is referred and spends their time during the Period Suspension?
- Can you explain Feature 1.6 that requires data collection for the number of students referred weekly, monthly and etc. ?
 - What other data points collected? Does this include race and disability indicators?
- How are Period Suspension data reviewed both at the site and central level?

Alternative to Suspension (ATS)

- Please describe the process for the “Reassignment” of students to the SSC?
- Can you explain the difference between the referral decision-making process of the Fidelity Inventory Checklist 3.1.1 and 3.1.2?
 - 1= Administration has defined what is appropriate and not appropriate for ATS
 - 2= Administration has defined what is appropriate and not appropriate for ATS, AND has a process for informing teachers and at-risk coordinators (student support mentors) when a student has been assigned.
- How do administrators differentiate and determine whether ATS is appropriate or not?
 - Are there uniform policies and procedures to guide this decision-making process?
 - Do schools use other mechanisms to determine if ATS is appropriate or not?
- Who determines the number a days a student is reassigned to the SSC?
- How is the length of the ATS determined?
 - Are there procedures or guidance to schools to guide the decision-making process for determining the length of in-school suspension?
 - Are there limits to the length of the reassignment period?
- What data system is used to collect data on student reassignments?
 - What data points are captured?
 - Are the reasons students for “Reassignment” captured in the documentation and data system?
- Can you describe the function of the Notice of Reassignment Form?
- What happens with these forms? Do school principals maintain a master file with all Notice of Reassignment forms?
- Are these forms included in the student’s cumulative file?
- Does the hardcopy capture all the necessary information that is required by the data system?
- Is the Notice of Reassignment form the only documentation form used or are you aware of schools using a different mechanism?
- Describe the role of the parent when their student is reassigned.
 - Who is responsible for contacting the parent?
 - How soon is the parent notified?
 - How are parents informed of their procedural safeguards?

- Can a parent appeal the reassignment? Describe the appeal process and how this information is captured within the data system.
- Can you describe the exit survey (3.4) given to parents when a student concludes their time in ATS?
- The Fidelity Inventory Checklist 3.3 Documentation mentions that certificated personnel are to code a student's attendance with a J. What does this mean? Are non-certificated staff prohibited from entering data?
- Feature 3.5 Personnel, provides guidance for the involvement of special education staff. Can you explain what this means?
 - 2= Classified staff, Certificated staff, and Special Education teachers provide support during inclusion to special education students when assigned?
 - What does "inclusion" refer to?
- How does the IEP process play into a student's reassignment?
- Do students have their IEPs implemented and receive the supports and services specified in their IEPs when in the SSC?
- Can you explain Feature 3.6 that requires data collection for the number of students referred weekly, monthly and etc.?
 - What other data points collected? Does this include race and disability indicators?
- How are ATS data reviewed both at the site and central level?

School Removal, Expulsion, Involuntary and Voluntary Transfer

Involuntary and Voluntary Transfer

- Can you describe the differences between Expulsion, Involuntary and Voluntary transfers?
 - The term Voluntary implies the student or parent is initiating or seeking out the transfer?
 - Does voluntary have another meaning?
- How do administrators determine between a voluntary or involuntary transfer?
- What is a waiver of expulsion and/or involuntary transfer hearings?
- What procedural safeguards are afforded to students and parents during the involuntary or voluntary transfer process?
- Describe the role of the IEP process during the transfer process?
 - Are Manifestation Determination Reviews required prior to a voluntary or involuntary transfer?
- What happens when a parent refuses to have their student transferred to an alternative school?
- What is the obligation of the receiving alternative school for implementing the supports and services specified in a student's IEP?
- How is voluntary and involuntary transfer data collected? What data system is used to maintain this data?
- How often is this data reviewed at the central and site level?
- How do you identify patterns of racial or disability-related disparities with these types of transfers?

- Does the district have written procedures for auditing transfer data?
 - What do those procedures entail?

Expulsions

- What procedural safeguards are afforded to students and parents during the expulsion process?
- Describe the role of the IEP process when a student is expelled?
 - Are school trained on conducting Manifestation Determination Reviews in order to objectively determine whether the behavior was a manifestation of the student's disability? How are schools trained to objectively evaluate whether the school failed to implement the IEP?
 - Does the district have a procedure that guides IEP teams through the MDR, including the use of checklists?
- What happens when a parent disagrees with the MDR's conclusion that the behavior was not due to the student's disability and was not due to the school's failure to implement the IEP?
- What is the obligation of the receiving alternative school (or interim placement) for implementing the supports and services specified in a student's IEP?
- Do you collect data on how many MDRs found the behavior to not be a result of the student's disability and/or school's failure to implement the IEP?
- Could you give me an idea of the percentage of MDRs that concluded that the behavior was a manifestation of the student's disability or school's failure to implement the IEP?
 - What steps are taken when an MDR concludes the infraction was disability related or due to a lack of IEP implementation?
 - Do you maintain data on FBAs conducted as part of the MDR process? Do you have an idea how many FBAs are conducted compared to the MDRs completed annually?
 - Are there any procedures for reviewing or auditing MDRs?
 - Do you have concerns that school based teams are not appropriately trained on determining whether a behavior is a manifestation of the student's disability?
 - Do you have concerns that school based teams are not appropriately trained and objective for determining whether the student's IEP was being fully implemented at the time of the incident?
- What are IEP teams instructed to do after the MDR concludes that the behavior was not disability related or a result of the IEP not being implemented?
- Can you describe the function of the non-expulsion form?
- How often is expulsion data reviewed at the central and site level?
- How do you identify patterns of racial or disability-related disparities with expulsions and non-expulsions?
- Does the district have written procedures for auditing expulsion data?
 - What do those procedures entail?

Restraints/Seclusions and Behavioral Emergency Report (BER)

I'd like to discuss how schools respond to and report incidents that result in the restraint and/or seclusion of students and students with disabilities.

- What data system is used for recording restraints and/or seclusions?

- Who is responsible for entering this data at the site?
- Who is responsible at the central office level for maintaining and reviewing this data?
- How are data reported to the state and/or SELPA?
- Who is responsible for preparing BER data submitted annually in CALPADs?
- Can you describe the function of the BER Form? Was this form created by your district or was this obtained or provided through another agency?
- What happens with these forms after an incident?
 - Do principals maintain a master file with all BER forms?
 - Are these forms included in the student's cumulative file?
- Does the BER hardcopy capture all the necessary information that is required by the data system? (the form notes that it can be completed either using a hardcopy or electronic format)
- Is the BER form the only documentation form used or are you aware of schools using a different mechanism?
- How are staff trained to identify when a behavior is a "clear and present danger to others?"
- What kind of training do staff receive to deescalate incidents and carry out physical interventions?
 - Is this training mandated and who is required to complete it? How often?
- Are staff trained on filling out the BER form and implementing follow-up steps?
- What considerations and steps are taken when a SWD experiences restraint or seclusion?
- How is the IEP process engaged after a student experiences a restraint?
 - Do you have an idea how many IEP meetings were held for SWDs after experiencing a restraint?
 - Who is responsible for making sure the follow-up steps are completed?
- Describe the role of the parent when their student is restrained.
 - Who is responsible for contacting the parent?
 - How soon is the parent notified?
 - How are parents informed of their procedural safeguards?
 - Can a parent request an investigation of the incident?
- Are you concerned with the number of restraints in your district? Are you concerned with the high rates of SWDs and Black SWDs experiencing restraints?
- Have you identified staff that did not appropriately deescalate an incident, and/or use appropriate technique when using a physical intervention?
- Based on BER data, could you rate the staff position most likely to engage in restraints from highest to lowest?
 - 1:1 Aides
 - SROs
 - Campus Security officers
 - Teachers
 - School Administrators
 - Probation officers
 - Other
- Are SROs required to report restraints using district procedures (i.e., BER) or do they have their own reporting requirements?

- Are there instances when restraints are not reported by SROs (i.e., during football games or non-school hours)?
- How do you identify patterns of racial or disability-related disparities with restraints and seclusions? Do you have central office intervention teams or additional resources for schools that are experiencing high rates of restraints or incomplete data reporting?
- Does the district have written procedures for auditing BER data?
 - What do those procedures entail?

CCEIS Interview Guide AVUHSD

October 10, 2022

Significant Disproportionality Comprehensive Coordinated Early Intervening Services (CCEIS) Plan 2021

Thank you for taking the time to meet with us today. We will be discussing your efforts as the Leadership Team (LT) tasked to develop and implement the 2021 CCEIS plan.

- Before we start, has the LT met this year? If so, when and can you summarize the purpose of the meeting and some actions or outcomes that resulted from the meeting?
- How often does the team meet?
- How often do team members meet with school administrators and site level staff?

I'd like to start with getting a better sense of the decision-making process for various aspects of the plan such as reviewing data, identifying root causes and target groups, and how the plan is monitored to determine compliance with the implementation of the plan.

The following section 1.1 describes the process and emphasizes reviewing a wide range of data and identification of root causes.

1.1 Do members of the LT have decision-making authority? What is the process for LEA approval of this CCEIS plan? Is this leadership team authorized to make decisions around the implementation of the CCEIS plan?

The process involves the LT chair collecting and presenting a wide range of data to support the group with analyzing that data and then examining the previous and current root causes. Members of the LT also participate in the focus groups and workshops completed by diverse stakeholder groups. The root causes are discovered through activities that lead the LT focus groups and the combined stakeholders' group to synthesize and discuss the data.

- What data were reviewed? How was the data disaggregated?

p. 7 Type of Data – New Data, beginning 2019-2020 school year suspension report/student incident report, Subgroup data related to 2020 & 2021 student grades, data related to measurable outcomes for 2020 CCEIS plan, current student academic and discipline data from DATA central (what is this?) and the SIS, Powerschool data.

- Did the data analyses result in changes to the root causes?
- Did the analyses result in changes to the target group?
- How about changes to the strategies to reduce suspensions?

2021 Stakeholder Meetings discussed the following:

3/31/21 – MTTS, social-emotional learning, and restorative practices

- Can you briefly summarize what was discussed and the impact of these on the Plan?

5/26/21 – Brainstorm ideas to work towards building student's capacity in the area of cultural and emotional intelligence, social justice, and peer mentoring.

- What is the intent behind increasing students' capacity in these areas?

6/1/21 – Plans to expand the district-wide Black Student Union school site club to incorporate students in the process of addressing cultural intelligence, cultural responsiveness, and restorative practices.

- How will this help reduce suspensions of black students?

You have identified three primary root causes.

1. A lack of cultural intelligence amongst staff
2. Inequitable campus discipline policies and practices
3. An inconsistent district-wide multi-tiered system of support

Section 2.1 Identify Areas that are a Higher Priority than Others

The area that the LEA has been identified as significantly disproportionate is a high-priority area. Continuing the work to eliminate disparities in school discipline for African American students, increasing the district's efforts in providing educational equity for all students, and increasing staff's proficiency in cultural intelligence are high priorities.

Our root cause analysis identified that a Lack of Cultural Intelligence among staff contributes to teachers sending a disproportionate number of African American students out of class, campus supervisors referring AA to the office, and administrators suspending African American youth at higher percentages than other student groups.

Please help me better understand the LT's conclusion that one of the primary reasons that Black students and Black SWDs are suspended at higher rates compared to other subgroups, is due to a lack of cultural intelligence?

- How did you assess staff's cultural intelligence?
- Does lacking cultural intelligence mean a person has biases?
- Do you believe the district has a problem of teachers or administrators who engage in biased or racist tendencies when disciplining students?
- Do you believe the district has a problem of campus security who engage in biased or racist tendencies when disciplining students? How about SROs?
- Did you explore the practices of campus supervisors referring students to the office or SSC, and practices of administrators to determine if they are more punitive to Black students?
- What is the district doing to increase the cultural intelligence of staff?
- The plan identifies an activity that aims to build student capacity in their areas of social emotional, social justice, and cultural intelligence, for addressing this first root cause. Why is the focus on building student capacity?

While updating the SigDis Policies, Practices, and Procedures Review Matrix 2021, we identified that the current policy continues to contribute to root cause #2, inequitable campus discipline policies and practices. Although the current policy continues to be outdated and subjective in its implementation from school to school, the district has made significant strides in hiring a Director of Equity to serve as a resource to organize and focus the district's effort in examining all policies, practices, and procedures to identify barriers hindering equitable access to supports and services and eradicating any disparities in the discipline practices and procedures that have led to the LEA's significantly disproportionate identification.

- How does the hiring of the Director of Equity constitute significant strides when the policy that you all identified as a root cause has not been updated since 2014, when the district first noted it as a root cause?
- Why has the policy not been revised, it's been seven years?
- What aspects of the policy do you believe need to be addressed?
- When will the LT address this policy and revise it?
- The Plan has an activity to *Develop African American Parent Advisory groups to increase AA family and parent involvement*. How do you see these groups helping reduce the suspension of Black students?

For this root cause (Inequitable campus discipline policies and practices), the Plan includes the following assertion:

A student's race or disability affects how some educators perceive a student's behavior which influences the severity of their response, resulting in disproportionately more suspensions and expulsion of AA and special education students.

- Although this also speaks to the first root cause, how will a revised policy help mitigate bias when disciplining students?
- What has the LT identified as action steps or strategies for ensuring the equitable application of discipline?
- Have you examined data to quantify disparities in the severity of discipline between subgroups?

The third root cause is the *Inconsistent District-wide Multi-tiered System of Supports district-wide*. (If running short on time, state that this can be discussed further during the PBIS meeting.)

The plan indicates a district initiative to Implement an Equity-Based MTSS district-wide and including creating an Equity-Based Protocol for assessment progress with PBIS and MTSS.

- How does an inconsistent MTSS result in the disproportionate suspension of Black students and Black SWDs?
- Can you briefly summarize that status of the district's efforts in developing and implementing an Equity-based MTSS district-wide?
- How many schools have an effective and functional MTSS?
- Can you explain the Equity-based Protocol for assessing progress with PBIS and MTSS.

Now we will shift to your target group. Your target population of Freshman and Sophomores with one or Fs at the first-quarter reporting period as well as Freshman & Sophomore students with one or more off-campus suspensions.

- Why did you choose not to focus on all Black students and Black SWDs?
- Why did you choose to only focus on grades 9-10?

The plan noted the following:

In 2019 the data showed we are disproportionate in multiple indicators. College/career readiness indicates only 2.5% of special education students and 13.2% of AA students are in the prepared range, compared to 27.3% of Hispanic students and 39.8% of White students. Two of the strategies we are

using to address these disparities are by identifying gatekeepers who discourage certain student groups from enrolling in honors and AP classes and minimizing pre-requisites to qualify for honors and AP classes.

- Do you believe that many of the causes of misbehavior are likely due to a student's limited academic progress?
 - Is anything being done to address the academic deficiencies of these students?
 - Why do you think the system has failed so many SWDs and Black students?
- Have you identified the "gatekeepers" and what has been done to ensure students have access and support to these classes?
- How does the disproportionate segregation of SWDs and Black SWDs contribute to disproportionality of college/career readiness for these students?
- Does enrollment in ESS, SDC-A or SDC-B classes limit a student's ability to participate in these classes and achieve higher rates of college/career readiness?

I noticed one of your focus group findings (p. 15) noted:

Through the live experiences discussed an identified need to address social injustices and unrest due to police brutality, racism, the political climate through social justice, and culturally responsive & relevant teaching.

- Were these discussions specific to events or issues in the AVUHSD or society at-large?
- Did the focus groups reveal concerns of police brutality or excessive use of force by campus supervisors on Black students or Black SWDs?
 - Are you as the LT concerned with the use of force by SROs, campus security or other staff on your campuses?

Outcomes – There are three outcomes in the Plan, one associated with each root cause. (p.23)

Outcome #1 and Root Cause #1 (lack of cultural intelligence by staff): By June 2023, will decrease the targeted group's rate of truancies and tardies by 15% per semester.

- How does addressing student's tardies and truancies deal with the issue that staff lack cultural intelligence?
- Has the district considered eliminating most OSS to improve attendance?

Outcome #2 and Root Cause #3 (An inconsistent district-wide multi-tiered system of support): By 2023, the MTSS build team will lead the district's MTSS framework in order to reduce suspensions for the targeted group by 20%.

- How long will it take to have MTSS implemented district-wide?
- How do anticipate MTSS will lower suspensions?
- Do you think suspensions have decreased as a result of higher referrals to the SSCs?

Outcome #3 and Root Cause #2 (Inequitable campus discipline policies and practices): By 2023, a PBIS-Focused leadership team will design a framework for the training and implementation of restorative and culturally responsive PBIS with a focus on SEL and accelerated learning in the SSC and classroom district-

wide to increase students' academic success as measured by a decrease in D and F grade rates by 10% per semester.

- How will PBIS improve student grades?
- Did you consider a strategy for improving instruction?
- Has the LT team considered more inclusive practices to ensure students receive core instruction with non-disabled peers in order to attain age and grade appropriate skills?
- How does this address the root cause which is an outdated policy that is subject to abuse?

The district has been found to have significant disproportionality in the area of suspensions of African American students since 2015-2016 school year.

- Over this timeframe, have suspension practices changed at schools? What do you attribute these changes to?
- Do you believe school staff are aware that the district has been under CDE scrutiny for disproportionately suspending Black students since 2015?
- Do schools' express concerns that their site is overly suspending Black students? How about Black students with disabilities?
- How would you characterize the effectiveness of the CCEIS plan for addressing disproportionate suspension of Black students?
- What are your thoughts about school's not expressing specific concerns with the disproportionate use of suspensions for Black students and SWDs?
- How is this planned monitored for its implementation and effectiveness?
- Who is accountable for the success of the plan and reducing disproportionality?

I'd like to share some preliminary suspension data with you.

- Black SWDs represent slightly over half of all suspensions for SWDs (n=293, 52.79%) compared to Hispanic (n=222, 40%) and White (n=31, 5.59%) students with disabilities.
- Of the 2,753 total days of suspension given out, Black SWDs represent 58% of days lost (n=1,602) compared to Hispanic (n=949.67, 34.5%) and White (n=144, 5.19%) SWDs.
- Black SWDs are suspended longer compared to Hispanic and White students.
 - Black: 1 day (n=24, 32.4%), 2-5 days (n=168, 52.8%), 6-9 days (n=65, 60.7%), 10 or more (n=36, 64.3%)
 - Hispanic: 1 day (n=43, 58.1%), 2-5 days (n=131, 41.2%), 6-9 days (n=31, 28.9%), 10 or more (n=17, 30.3%)
 - White: 1 day (n=5, 6.8%), 2-5 days (n=15, 4.7%), 6-9 days (n=10, 9.3%), 10 or more (n=1, 1.7%)
- Black SWDs are applied more reasons (infractions) when suspended compared to Hispanic and White students.
 - Black: 1 Reason = 53.5%, 2 Reasons=28.0%, 3 Reasons=15.1%, 4 or more Reasons=3.3%
 - Hispanic: 1 Reason = 55.6%, 2 Reasons=28.7%, 3 Reasons=9.4%, 4 or more Reasons=6.3%
 - White: 1 Reason = 86.2%, 2 Reasons=13.8%, 3 Reasons= 0.0%, 4 or more Reasons= 0.0%

MDR Interview Guide AVUHSD

October 10, 2022

Thank you for making the time to meet with us today. Although the purpose of this meeting is to learn more about the district's practices for conducting manifestation determination reviews, I would also like to discuss issues related to the overidentification of special education students in special education. As school psychologists you are an integral part of the evaluation process and viewed as experts in the area of special education law and disability.

Before we start, could you please introduce yourself and let us know what school or schools you cover, and if you have participated in MDRs. (Need to confirm everyone has done an MDR)

The District has been under CDE scrutiny for various aspects of disproportionality since 2014-15. The district remains disproportionate in the areas of suspensions and expulsion (Indicator 4) for African American students with disabilities, specifically long-term suspensions of 10 days or more. As you know, the MDR becomes an important safeguard for students with disabilities so that they are not removed from their instructional setting, and thereby discriminated because of their disability.

- What is your role when the school holds an MDR?
- Have you received training related to your role in MDRs?
- Does the district have written procedures to guide or assist schools for making accurate determinations?

I'd like to discuss the process for holding an MDR.

- How are parents notified of the incident and of the MDR meeting?
 - Who is responsible for notifying the parents?
- How soon must an MDR be held after the incident?
- Who is a part of the MDR team?
 - What if a parent request to bring an attorney, advocate or another individual with knowledge of the student and their disability?
- How do you prepare for the MDR meeting?
 - Do members of the school meet or discuss the incident prior to the MDR?
 - What documents do you review or prepare for the meeting?
 - Who is responsible for reviewing data related to whether the IEP was implemented?
- What occurs at the MDR? Can you give an example of the discussion that occurs?
- Who makes the determination for the two questions required by law? (manifestation of the student's disability, and, District's failure to implement the IEP?
- What happens when a parent disagrees with the school's decision that the behavior was not related to their disability or school's failure to implement the IEP?
 - How about if teachers or other providers believe the behavior is related to the student's disability?
- What happens when the MDR team determines that the behavior was not due to the student's disability or school's failure to implement the IEP?
 - How common is it for team to recommend an FBA?
 - A BIP or counseling services?

- Can the team come to this conclusion and determine that the student needs counseling or more time/sessions?
 - How about a BIP?
 - How about a more restrictive placement?

I have noticed many MDRs contain a statement that compensatory instructional time for students who are removed for 10 days or more, is offered through before or after school tutoring and/or in the home at a rate of one-hour per day over 10 days of suspension.

- Is this a district policy? Is this policy in writing?
- How is this compensatory instructional time tracked and in what data system?
- Who provides the tutoring?
- Does this compensatory instructional time included in the IEP?

We visited several schools at the end of last year and discussed the MDR process. Most of the schools noted that they relied on the school psychologist to lead the discussion regarding the impact of disability and mentioned deferring to your expertise in determining whether the behavior was a result of the student's disability. For the next set of questions, please raise your hand if you agree with the statement or question. After I get a sense of how many of you agree, we can proceed with the discussion.

- Do you feel that your opinion carries additional weight during the decision-making process for determining whether the behavior was related to disability?
- Do you feel that it is common practice for schools to rely on the school psychologist's expertise in making MDR determinations?
- Have you ever felt pressured to determine or make a recommendation that the behavior was not a manifestation of the student's disability?
- Have you ever felt pressured to determine or make a recommendation that the behavior was not a result of the District's failure to implement the IEP?
- Have you ever had an MDR where your recommendation that the behavior was related to the student's disability or school's failure to implement the IEP was overruled by administrators?
- Have you experienced any MDRs where you believe the decision to expel the student was predetermined?

I have reviewed many of the MDRs held during the 2021-22 school year and noticed that many of the cases the team determined that the behavior was not part of the student's disability or school's failure to implement the IEP.

Many of the statements regarding the impact of disability narrowly focus on how disability related characteristics affect the student academically, with a rationale that the student has made appropriate decisions in the past or is capable of knowing right from wrong. For example,

- The student was watching a fight and was hit in the back of the head while watching and went after the student who assaulted him and hit him.
 - The alleged misconduct of battery is not seen as being caused by the OHI and associated diagnosis of ADHD. Deficits in question may involve difficulties with staying on task, being easily distracted, day-dreaming, and not finishing work. Based on this processing difficulty, student may have difficulties with sustaining attention that would include

frustration in learning, but not an impaired judgment. The alleged misconduct of battery is not a primary symptom of his OHI and associated attention deficit. Regarding the alleged misconduct, it does not appear to be an impulsive act and involved some intention.

- A drug offense case stated:
 - The OHI is due to a diagnosis of ADHD-combined type. Student was noted to have limited strength, vitality, and alertness that negatively affected his educational performance. He receives SAI with the SDC-A setting to support his progress in the general curriculum. The alleged conduct is not related to his disability which is academic in nature. Assessment results have indicated average range cognitive abilities or the ability to reason or problem solve and understand the impact and consequences of his alleged behavior.
 - Parent disagreed with this determination and noted student was born drug addicted and therefore had a tendency to use drugs when given the opportunity.

The preponderance of cases determined the IEP had been implemented. In some cases, students did not receive services due to absences, and the IEP includes a statement that the student had access to providers or services. Many IEPs had very little information as to how this determination was made, and simply included statements that at the time of the incident, the student was getting the services on their IEPs.

- How do teams come to these conclusions when many of the students do not have a BIP or only a minimal amount of services, such as counseling once a month for 30 minutes.
- What happens when a parent disagrees and claims that a service such as counseling was not provided?

I know those questions may have been difficult to answer. I appreciate your candor. I want to now shift the discussion on how informal discipline factors in the decision to hold an MDR.

- How do you determine when an MDR needs to be held, particularly for students who have not reached or exceeded the ten days? (Pattern of disciplinary removals or extended time excluded from instruction due to behavioral concerns)
- Do you consider reassignment to the SSC as an in-house or in-school suspension?
- Do you review SSC referrals when conducting an MDR analysis?
- Are days reassigned to the SSC or ISS, including when determining the number of days suspended?

Now let's talk about possible ways to improve practices around MDRs.

- Generally speaking, do you feel teams are adequately trained to carry out objective and accurate MDRs?
- Do you feel adequately trained to carry out MDRs?
- What could help improve school's capacity to conduct MDRs?

I'd like to share data with you regarding the suspension and expulsion of SWDs and Black SWDs. Before I do, please raise your hands if you agree with the following:

- The district disproportionately suspends SWDs and Black SWDs?
- The district disproportionately expels SWDs and Black SWDs?
- The district disproportionately transfers SWDs and Black SWDs?
- The district disproportionately identifies Black students with a disability?

Expulsion data 2021-22 for SWDs

- 23 Total expulsions = Black: n=16, 69.6%; Hispanic: n=7, 30.4%; White: n=0, 0
- 23 Total Voluntary transfers = Black: n=15, 65.2%; Hispanic: n=4, 17%; White: n=4, 17%

Suspension Data

- Black SWDs represent slightly over half of all suspensions for SWDs (n=293, 52.79%) compared to Hispanic (n=222, 40%) and White (n=31, 5.59%) students with disabilities.
- Of the 2,753 total days of suspension given out, Black SWDs represent 58% of days lost (n=1,602) compared to Hispanic (n=949.67, 34.5%) and White (n=144, 5.19%) SWDs.
- Black SWDs are suspended longer compared to Hispanic and White students.
 - Black: 1 day (n=24, 32.4%), 2-5 days (n=168, 52.8%), 6-9 days (n=65, 60.7%), 10 or more (n=36, 64.3%)

To conclude I want to ask a few questions about the awareness of the problem of disproportionality and culture within schools that might be contributing to this phenomenon.

- Do you believe school staff view the disproportionate application of discipline to Black students and Black SWDs as a problem?
- Do you agree with one of the CCEIS Plans root causes that staff lack cultural intelligence?
- Do you believe this limited cultural intelligence results in a school culture that is hostile and overly punitive to Black students, Black SWDs, and their families?
- Do you believe that AVUHSD schools have a culture of criminalizing student misbehavior, particularly for Black students and Black SWDs?
- Do you believe campus security is overly aggressive in their use of restraints/handcuffing, searches, and referrals of Black students and Black SWDs to the office or SSC?

PBIS Interview Guide AVUHSD

October 10, 2022

Thank you for taking the time to meet with us today. I would like to learn more about the District's efforts to develop and implement its PBIS and MTSS. Both are part of the District's CCEIS Plan that aims to reduce suspensions of Black students and SWDs, as well as improve attendance and academic achievement.

- Who is responsible for developing the framework and implementation of PBIS?
- Can you summarize the status of the framework and implementation of PBIS?
- What are some of the challenges to building an equity based PBIS?

- Have you identified any schools that are implementing PBIS well or better than others?
- What programs or tools do schools have to implement PBIS?
- Are schools mandated to implement PBIS?
 - During our site visits, we were informed that teachers are not mandated to participate in the implementation of PBIS and are also allowed to use a variety of programs. How will the district achieve an equity-based program if implementation is not mandated, and schools use different tools or programs?

- What role does the Student Support Centers (SSC) have in the implementation of PBIS?
- Do you feel that the SSCs serve dual roles in providing positive supports and discipline?
 - period suspensions and/or reassignments or in house suspensions?
 - Do you view reassignments to the SSC a form of ISS?
- Do you review SSC referral data? Is this data in SWIS, Powerschool or site-based Google Sheets?
 - Are you concerned with the data collection methods sites use to track SSC referrals?
- During our visit, we learned that some site had recently been recognized as Platinum Implementation schools. How do schools move up in levels?
 - Do factors such as attendance, suspension rates, or performance on statewide assessments have any bearing on whether schools move up?
- Do you view the presence of campus security who are able to search, restrain or handcuff students, and seem to be a prominent part of the SSC, compatible with the intent and mission of PBIS?
- PBIS is one of the primary initiatives and activities the District is relying on to reduce suspensions, improve attendance and academic outcomes in the CCEIS plan. The plan attributes the reduction in suspensions to the implementation fidelity of PBIS by schools?
 - How was this conclusion reached?
 - How is this possible if schools are not mandated to use the tools and programs, and teachers are able to use a variety of tools or programs, or none at all?
- What data systems do you use to monitor implementation?
- What data indicators are reviewed and what how is improvement assessed?
- Do you think the reduction in suspensions is correlated with the higher reliance on students being reassigned to the SSC?

- The Plan indicates that the PBIS team reviews and analyzes SWIS data uploaded by teachers to develop intervention plans for students. Do you review these intervention plans and how are these incorporated as part of the IEP for SWDs?
 - Can you provide an estimate of the number of individual intervention plans that have been developed?
- Could we have a copy of the SWIS data reports reviewed for the 2021-22 school year?
- Outcome #2 requires a framework for the training and implementation of restorative and culturally responsive PBIS with a focus on SEL and accelerated learning on the SSC and classroom district-wide. Can you elaborate on the intent of this effort?
- How many schools are implementing restorative circles and how is this data maintained?
- The CCEIS plan includes district-wide training in culturally responsive restorative practices to increase trust and positive relationships among students, families and staff.
 - What do you attribute this lack of trust? Do you think the District has a culture of hostility toward students and families, in particular to Black students and SWDs?
- Why is there no information on the District website regarding PBIS?

Thank you!



Least Restrictive Environment (LRE)

SP:M-11

It shall be the policy of Districts within the Antelope Valley SELPA that to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled. Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment, occurs only when the nature or severity of the disability of the child is such that education in regular classes with the use of supplemental aids and services cannot be achieved satisfactorily.

Legal References:

EDUCATION CODE

56205(a)

56031

56201

56206

56303

State Board Policy (10/10/1986)

FEDERAL REFERENCES

20 USC Section 1412(a)(5)(A)

Special education is an integral part of the total public education system and provides education in a manner that promotes maximum interaction between students with disabilities and students without disabilities, in a manner appropriate to the needs of both. To the maximum extent appropriate, students with disabilities will be educated with students who are not disabled. Special classes, separate schooling, or other removal of students with disabilities from the general education environment occurs only when the nature or severity of the disability of a child is such that education in general education classes with the use of supplementary aids and services cannot be satisfactorily achieved. To support this at an individual student level, the requirements of legally compliant individualized education program (IEP) meetings will be reviewed, including the responsibility to first consider the general education classroom for each student. The four-part full inclusion test (listed below), as outlined by the 9th Circuit Court of Appeals in *Holland vs. Sacramento Unified School District*, is the guiding principle to be used by LEAs and IEP teams.

- The educational benefits available to the student in a general classroom, supplemented with appropriate aids and services, as compared with the educational benefits of a special education classroom;
- The non-academic benefits of interaction with students who are not disabled;
- The effect of the student's presence on the teacher and other students in the classroom, and;
- The cost of mainstreaming the student in a regular (general) educational classroom.

In determining the appropriate LRE placement for students with disabilities, the IEP team shall:

1. Determine if the student can be served in a general education classroom setting at the student's neighborhood school with supplemental aids and services. The IEP shall specify any needed supplemental aids and services.
2. Determine if the student can be served by the special education services provided at the student's neighborhood school campus. The IEP shall specify the extent to which the student will not be in the general education classroom setting and activities.

If the IEP team determines the special education services at the student's neighborhood school campus are not appropriate to meet the needs as outlined by the IEP team, the following shall be implemented:

1. Document why a different school site is necessary, including why education at the neighborhood school site with supplemental aids and services is not appropriate to meet the IEP.
2. For students being transitioned to the neighborhood school setting for all or part of the school day, specify the timeline for transition as well as the activities needed to support the transition.

The LEAs will continue to locate facilities and programs designed to serve students with severe disabilities on general education campuses to the extent that the needs of students, as determined by the IEP team, can best be met within an instructional setting of a general education campus.

In constructing new facilities, LEAs within the SELPA will follow accessibility provisions provided by law under the Americans with Disabilities Act (ADA). Students have access to all general education activities, programs, and facilities and will participate in those activities as appropriate to their needs. The IEP team will determine how the student will participate with non-disabled peers with equal access in general education programs and what accommodations, if any, are needed. All school personnel will facilitate opportunities for social interactions between individuals with disabilities and non-disabled individuals.

The IEP form contains a statement of:

- Supplemental aids and services that the student needs to ensure participation in general education;
- A statement that students will participate in a general education environment with non-disabled peers unless the student's full time involvement and progress in general education curriculum is precluded by the nature and severity of the disability.

No student will be referred for special education unless the general education resources have been considered, utilized, and the documented accommodations and/or modifications have been made prior to referral for special education services.



ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT POSITIVE BEHAVIOR LEVEL SYSTEM

POSITIVE BEHAVIOR

Review 360	Token Economy System	Least Restrictive Environment	Funding Accountability
<ul style="list-style-type: none"> -Active plans for each student in SDC-ED. -Each plan is managed by the case carrier. -Documentation (behavior score, intervention effectiveness, and frequency of target behavior) for each student each period. -A summary report is provided to the parent along with the progress on Behavior goal/objectives and at each IEP meeting. -Data is used to determine present levels of performance and develop behavior goals. -Teacher/Student reliability checks: Students receive a blank score sheet to keep track and compares scores with staff's at the end of the day or period. 	<ul style="list-style-type: none"> -Opportunities for all student to earn points regardless of level. -Student driven rewards are mandatory. -Clear exchange system: Times for purchases, purchase power for each level, etc. -Level store that includes a list of activities that are assigned points. -A process set for students to manage their points earned and exchanged. -T.E.S. accounting is highly encouraged using the Review 360 token economy feature. -Community Trips and Onsite Activities are encouraged to support post-secondary transition goals and activities in student's ITP. 	<ul style="list-style-type: none"> -Quarterly Behavior Progress Checks -Level 4s provided Level Out Chats (LOC). -IEP meeting held to change student's placement (1-5 period in LRE) per IEP team decision. -Transition Services include purpose for LRE and student's ability to be successful on the general education setting. -Collaborate with gen ed. & special ed. Teachers to support inclusion success. -Continue Level Out Chats (LOCs) to provide student with ongoing encouragement to be successful in LRE. -Allow T.E.S. to continue supporting the student as long as they have at least one SDC-ED class. 	<ul style="list-style-type: none"> -\$500 each semester to support the T.E.S. -Funds are for SDC-ED classes that are fully implementing the district's Positive Behavior Level System (PBIS) -Expenditure Report Quick Google form completed for all purchases. http://tinyurl.com/edmoneyreport

LEVEL SYSTEM



2021 Special Education Virtual Conference

August 2nd & 3rd





SDC-B Job-Alike Session Agenda

- Welcome/Introduction Activity
- Program Expectations:
 - Full Implementation of **Positive behavior Level System/Boy's Town**
 - Use of **R360 Purple** (\$500 only with complete & accurate use of R360)
 - Motivational System** (points/tokens/etc exchange system with student preferred items)
 - Behavior/Social Emotional Goals:** develop, implement, monitor progress, report quarterly (R360 summary report)
 - SEL-ONEder** and/or Habitudes
- Strategies/Tools/Ideas to encourage attendance, participation, and academic/SEL success

Poll Time

ANSWER THE POLL IN THE CHAT



Name: Austin Brady
Current school: Lancaster High School

Experience:

- 4 years as a Campus Supervisor
- 4 years teaching SDC-B

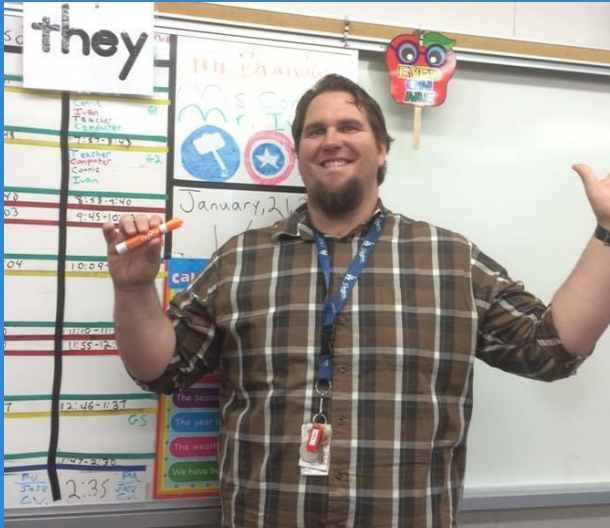


Name: Brandon Willoughby

Current school: Knight High School

Experience:

- 9 years as a Paraeducator
- 5 years teaching Moderate/Severe Special Education
 - 2 years teaching SDC-B (LnHS)



First day teaching at KHS 1/21/2016



Family trip to Laughlin, NV

What is SDC-B Job-Alike?

Job-alike is a place where individuals who have similar jobs or experiences can share their experiences with one another in order to gain more knowledge or refine their skills. The idea is that **ONE** person **DOES NOT** hold all of the answers. Everyone has something to contribute to the team.

SDC-B Program goals.

- Overall goal is for all students to graduate with a High School Diploma.
- Create a safe classroom environment to facilitate learning.
- Facilitate growth in academic, behavioral, and social/emotional skills so that students may participate in the Least Restrictive Environment (LRE)

Poll Time

ANSWER THE POLL IN THE CHAT

Full Implementation of **Positive Behavior Level System**

- Levels range from 1 to 4, 1 being the lowest level and 4 being the highest.
- The higher the level the more privileges.
- The lower the level the high amount of supports are provided along with reduced store and free time privileges.
- Each school/classroom can run specific details on implementation independently.

Level System Focus:

- Transitions
- Level chats
- Positive Vs Punitive language and ideas.
- First week(s) level lessons

[SDC-B Level System PowerPoint](#)

Positive vs Punitive

- Language should be POSITIVE (Example: Earn, support, etc..) not Punitive (Lose, punishment, etc...)
- This should be modeled in action as well

Use of **R360** Purple (\$500 only with complete & accurate use of R360)

- The ED SDC Program staff (Teacher/Para) will keep behavior logs and data sheets regarding the performance of each student within the program. Students are scored every period, every day, every incident.
- You can have a goal that is not in SEIS and only in Review360.
- Scores are 0-5, 0 being the lowest, 5 being the highest.
- Only need Behavior goals. Not academic goals.
- Classroom rules are specific to your classroom and school expectations.
- Objectives are completely unique to each student. And needs to be linked to a students behavior goal(s) in SEIS.

Poll Time

ANSWER THE POLL IN THE CHAT

THE TOKEN ECONOMY

- *STUDENT DRIVEN*
- \$500 per semester if Review 360 is used consistently
- Tracking is available in Review 360

The screenshot displays the Review 360 interface. At the top, a 'Plan Status' section shows 'In Progress' with a green checkmark. Below this, a table lists 'Objectives' (5), 'Start Date' (7/1/2021), and 'Sessions' (19). To the right, a 'US Edit' dropdown menu is open, showing options: 'End Plan', 'Summary Report', and 'Plan Portfolio'. The main section is titled 'Token Economy' and features a balance of 22207. A bar chart shows a steady increase in tokens over time. An 'Actions' dropdown menu is open, showing options: 'Add', 'Subtract', 'View', and 'Edit'. Below the Token Economy section, a 'Recent Incidents' section shows 'No incidents within the last 45 days.'

Use of **R360** Purple (\$500 only with complete & accurate use of R360)

- When scoring a student it is completely up to the staff to determine the level of severity of each incident.
- Must score for classes that student has out in General Education population.
- All plans should have 6 periods in the plan unless on a modified day.
- Funds should be spent on student driven rewards.
- Rewards are to shape behavior, bottom line.
- Updating R360 after Annual/Tri IEP or Special IEP if new Behavior Goals were added.

ONEDER | Academy

<https://academy.oneder.com/>

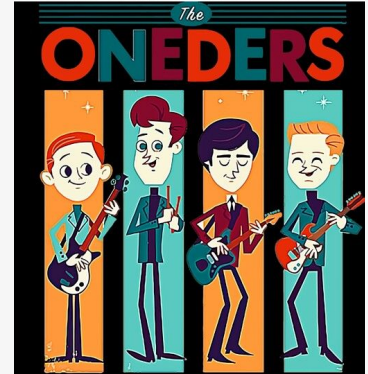
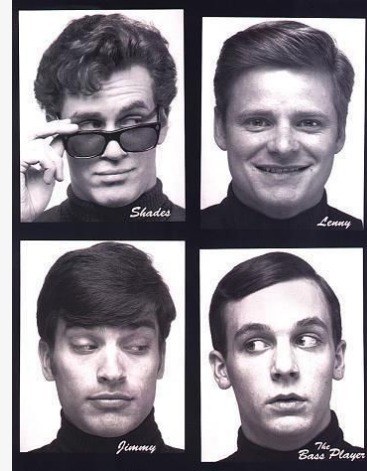
What is it: Social/Emotional/Behavioral Curriculum

How to use it:

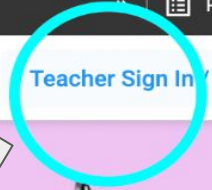
- Log-in with Google
- Assign a course to your students
- Printable Google docs for in-class or Google classroom assignments

Why use it:

- Addresses students' needs
- Helps with IEP writing (PLOPs and Goals)
- Transition curriculum!!!



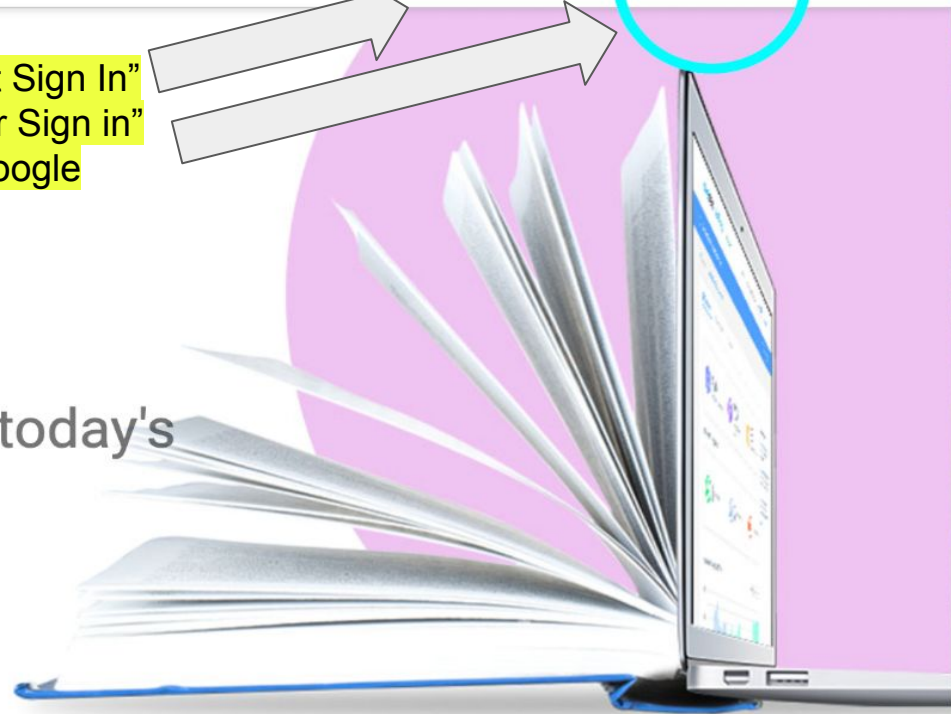
- Students click "Student Sign In"
- Teachers click "Teacher Sign in"
- Both sign in with Google



Blended Learning

A blended curriculum suite for today's student

▶ Watch Video





Got any questions? I'm happy to

✕

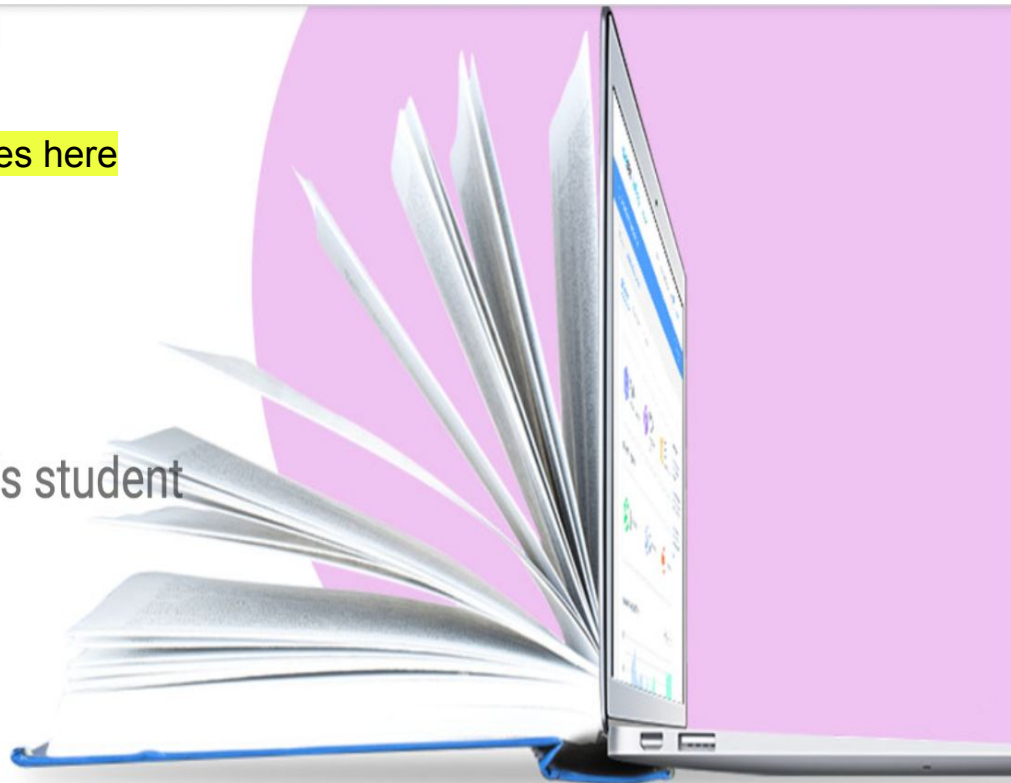


Access available courses here

Blended Learning

A blended curriculum suite for today's student

[Watch Video](#)



Need to add students to your Oneder roster?
Having trouble with the program?
Need to attend a Oneder PD training?

Who to contact:

- Jody Sharp (AVUHSD)
- Gennia Yosifovich (Oneder) yosifovich@oneder.com



SOcial
EMOTIONAL
LEARNING



Program resource support list.

- Angie D'Errico- acderrico@avhsd.org
- Monica Dopson- mdopson@avhsd.org
- Kindra Genz- kgenz@avhsd.org
- Brandon Willoughby- bwilloughby@avhsd.org
- Austin Brady- abrady@avhsd.org

Thank you for your participation!
We appreciate your feedback!

**Please include your thoughts on each session
directly in Sched.org!**



**Antelope Valley Union High School District
Behavior Consequences**

This exhibit pertains to consequences for specified student offenses and is provided as a guideline in implementing the district student conduct/discipline policies in accordance with Ed Code 48915.

OFFENSE	LEGAL REFERENCE	TYPE OF INCIDENT	CONSEQUENCES
1. FIREARM •Possessing, selling, or otherwise furnishing a firearm	EC 48900(b) EC 48915(c)(1)	Firearm defined in Penal Code (PC) 16520, gun-free zone 626.9, Knife defined in PC 626.10 Other dangerous objects include lighter, matches, fireworks, firecrackers, poppers, airsoft gun	Mandatory Recommend for expulsion and referral to law enforcement agency.
2. BRANDISHING KNIFE •brandishing a knife at another person	EC 48900(b) EC 48915(c)(2)	Brandishing a knife at another person	Mandatory Recommend for expulsion and referral to law enforcement agency.
3. SALES CONTROLLED SUBSTANCES •Unlawful selling or furnishing a controlled substance listed in Chapter 2 (commencing with Section 11053 of Division 10 of the Health and Safety Code)	EC 48900(c) EC 48900(p) EC 48915(c)(3)	Possessed, used, sold, furnished alcohol, marijuana/other drug Substances listed in Health & Safety Code 11053-11058	Mandatory Recommend for expulsion and referral to law enforcement agency.
4. SEXUAL ASSAULT/SEXUAL BATTERY	EC 48900(n) EC 48915(c)(4)	Committed or attempted rape, oral copulation, sodomized or touched an intimate part while restraining victim against their will and for sexual gratification	Mandatory Recommend for expulsion and referral to law enforcement agency.
5. POSSESSION OF EXPLOSIVES	EC 48900(b) EC 48915(c)(5)	Possessed explosive	Mandatory Recommend for expulsion and referral to law enforcement agency.
OFFENSE	LEGAL REFERENCE	TYPE OF INCIDENT	POTENTIAL CONSEQUENCES
6. PHYSICAL INJURY: Cause, attempt, threaten 6.1 Assault/battery on school personnel EC 48900 (a)(1)(2) 6.2 Assault/battery on pupils and non-school personnel EC 48900 (a)(1)(2) 6.3 Causing serious injury 6.4 Pupil fights 6.5 False fire alarm 6.6 Inciting pupil unrest 6.7 Hazing	EC 48900(a) EC 48915(a)(1)(E) EC 48900(a)(k) EC 48915(a)(1)(A) EC 48900(a)(k) EC 48900(k) EC 48900(k) EC 48900(q)	Threatened to injure another Attempted to injure another Involved in a mutual fight	Suspension Recommend for expulsion and referral to law enforcement agency.
7. WEAPON (knife, other dangerous object) 7.1 Possession, sale, furnishing 7.2 Firecrackers 7.3 Laser pointer	EC 48900(b) EC 48915(a)(1)(B)	Possession, sale, furnished of a knife Other dangerous object include	Suspension 7.1 One semester alternative placement Recommend for expulsion and referral to law enforcement agency.
8. Controlled Substance: Possession, use, under influence •Alcohol, drug narcotics, hallucinogenic, or controlled substances or breathing fumes of poisonous substances	EC 48900(c) EC 48915(a)(1)(C)	Possessed, used, sold, furnished alcohol, marijuana/other drug Listed in Chapter 2 of Division 10 of the Health & Safety Code, an alcoholic beverage, or intoxicant	Suspension and attendance to drug diversion program. Alternative placement Referral to law enforcement agency Recommend for expulsion
9. Look-alike controlled substance, etc.	EC 48900(d)	An exchange of a material represented as a controlled substance, alcoholic beverage or intoxicant	Suspension Recommend for expulsion and referral to law enforcement agency.
10. Robbery, extortion •Committed or attempted to commit robbery or extortion	EC 48900(e) EC 48915(a)(1)(D)	Theft by force or fear, or induced theft by force or fear.	Suspension Recommend for expulsion and referral to law enforcement agency.

Must use OMC before Suspension for the following:

OFFENSE	LEGAL REFERENCE	TYPE OF INCIDENT	POTENTIAL CONSEQUENCES
11. Imitation firearm • Possessed an imitation firearm; “imitation firearm” means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm	EC 48900(m)	Possessed or brandished a fake gun-must look like a real firearm	OMC Suspension Recommend for expulsion and referral to law enforcement agency
12. Aided or Abetted *as defined in Penal Code 31, the affliction or attempted infliction of physical injury to another person, may be subject to suspension, but not expulsion, except when victim suffered serious bodily injury per juvenile court adjudication	EC 48900 (t)	Aided, abetted, advised or encouraged infliction of injury	OMC Suspension Recommend for expulsion and referral to law enforcement agency
13. Harassed, threatened, or intimidated a complaining witness	EC 48900 (o)	Harassed, threatened or intimidated a student that will be or was a witness in a disciplinary procedure	OMC Suspension Recommend for expulsion and referral to law enforcement agency
14. Harassment or intimidation Sexual harassment • The conduct described in Section 212.5 Hate violence • The pupil has caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Section 233 Terrorist threats, school officials property The pupil has intentionally engaged in harassment, threats, or intimidation, directed against a pupil or group of pupils • Bullying, cyberbullying	EC 48900(r) EC 48900.2 EC 48900.3 EC 48900.7 EC 48900.4	Unwelcome sexual advances, with the purpose of having a negative impact upon the pupil's academic performance, or creating an intimidating, hostile, or offensive environment Hate violence means any act punishable under Section 422.6, 422.7, or 422.75 of Penal Code Threat must have specific intent and substantial fear created. See PC 422 Engaged in harassment/intimidation that is severe and can create substantial disorder. “Electronic act” includes using a phone, wireless device, computer, etc. to send or post a message, text, sound, or image, including, but not limited to a “Burn page”, creating a credible impersonation of another actual pupil or creating a false pupil profile. Electronic act shall not constitute pervasive conduct solely because it has been transmitted or posted on the Internet. Reasonable pupil has average judgment in conduct for the person's age, or for the person's age with his or her exceptional needs.	OMC Suspension Recommend for expulsion and referral to law enforcement agency
15. Hazing *Engaged in, or attempted to engage in hazing. “Hazing” does not include athletic events or school-sanctioned events	EC 48900 (q)	Initiation into a pupil group which may cause serious bodily injury or personal degradation resulting in physical or mental harm	OMC Suspension Recommendation for expulsion and referral to law enforcement agency
16. Prescription drug Soma *Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma	EC 48900(p)	Sold or furnished Soma, (prescription muscle relaxer)	OMC Suspension Recommendation for expulsion and referral to law enforcement agency
17. Obscenity, profanity, or vulgarity • Committed an obscene act or engaged in habitual profanity or vulgarity • Possession of pornography	EC 48900(i)	Ongoing swearing at student/staff, indecent exposure, possession of pornography, sexting	OMC Suspension Recommend for expulsion and referral to law enforcement agency
18. Burglary	EC 48900(f) EC 48900(g) EC 48900(u)	Graffiti, arson, vandalism Theft, see 48900(e) and (1)	OMC Suspension Recommend for expulsion and referral to law enforcement agency
19. Damage property • Caused or attempted to cause damage to school property or private property 19.1 Vandalism 19.2 Graffiti	EC 48900(f) EC 48900(u)	Graffiti, arson, vandalism	OMC Suspension Recommend for expulsion and referral to law enforcement agency

20. Steal property, or attempt *Stolen or attempted to steal school property or private property	EC 48900(g) EC 48900(u)	Theft, see 48900(e) and (l)	OMC Suspension Recommend for expulsion and referral to law enforcement agency.
21. Drug paraphernalia *Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code	EC 48900(j)	Includes items for growing, storing, containing, concealing, injecting, ingesting, inhaling, a controlled substance (lighter, clips)	OMC Suspension Recommend for expulsion and referral to law enforcement agency.
22. Receive stolen property *Knowingly received stolen school property or private property	EC 48900(l) EC 48900(u)	Possessed property that the student knew was stolen	OMC Suspension Recommend for expulsion and referral to law enforcement agency.
23. Tobacco, possess or use *Possessed or used tobacco or any products containing tobacco or nicotine products	EC 48900(h)	Possessed/used cigarettes, clove cigarettes, tobacco product See penal Code 308(b)	OMC Refer to TEG Suspension Recommend for expulsion and referral to law enforcement agency.
24. Disruption or willful defiance 24.1 Concerted pupil activities 24.2 Disrespect 24.3 Disturbing the class 24.4 Forgery 24.5 Gambling 24.6 Loitering on or near campus 24.7 Refusal to obey 24.8 Violation of closed campus 24.9 Inciting pupil unrest	EC 48900(k)	Overtly defiant behavior toward faculty/staff Not complying with assigned discipline i.e. forgery, gambling, littering, throwing objects, etc.	OMC Suspension Recommend for expulsion and referral to law enforcement agency.
25. Electronic signaling devices (pagers, beepers, cell phones)	EC 48901.5	School district may regulate use of any electronic device, including, but not limited to, cell phones, by pupils while on campus, attending school-sponsored activities, or under the control of school district employees. No pupil shall be prohibited from using a device prescribed by a physician	OMC Suspension Process in accordance with Board Policy. Recommend for expulsion and referral to law enforcement agency.
26. Violation of District Dress Policy	BP 5136(a)(b) BP 5132	Gang attire prohibited. District may adopt reasonable dress code policy identifying inappropriate clothing, accessories, head coverings (hats), except for outdoor use (P.E.), articles of sun-protecting clothing, including, but not limited to hats (wide brim with neck covering)	OMC Suspension Process in accordance with Board Policy. Recommend for expulsion and referral to law enforcement agency.
27. Plagiarism, dishonesty on school work/tests	BP 5131	Plagiarism or dishonesty on school work or tests	OMC Suspension Process in accordance with Board Policy. Recommend for expulsion and referral to law enforcement agency.
28. Violation of district technology use policy or Internet Use Agreement	BP 5131 BP 6163.4	Students shall not access, post, submit, publish, or display harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs. See AR 6163.4(a), (b), (c)	OMC Cancel student's user privileges Suspension Process in accordance with Board Policy. Recommend for expulsion and referral to law enforcement agency.
29. Attendance * compulsory education * Chronic Truant	EC 48900 (w) EC 48320 EC48260 EC 48263.6 EC 48264.5(a)	Left campus during the school day without obtaining permission; no hall pass, left class without permission Truant from school or contributed to the truancy of other students Excessive tardiness to school or class	OMC 48900(w) cannot suspend. Truancy Letters/SART/DA SARB Refer to District Attorney Mediation

ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT
Lancaster, California

Exhibit Approved: November 13, 1990
Exhibit Revised: April 2, 1997; March 1, 2000; February 4, 2004; July 5, 2011; March 6, 2013; March 21, 2014

NOTICE OF SUSPENSION

(Ref. E.C. 48900, 48900.2, 48900.3, 48900.4, 48900.7)

To the Parent/Guardian of:			Date:
Student ID#:	Grade:	Date/Time/Location of Incident:	
Dates of Suspension: to	# of Days	Return Date:	Parent Requested:
<input type="checkbox"/> Off Campus Suspension <input type="checkbox"/> On Campus Suspension <input type="checkbox"/> Referral to Principal <input type="checkbox"/> Law Enforcement Notified			
Contact with:			
Administrator and Title:		Phone:	

THE ABOVE NAMED STUDENT IS SUSPENDED FROM SCHOOL PER THE FOLLOWING EDUCATION CODE(S):

Brief description of the incident causing suspension:

Other means of correction provided prior to suspension when indicated:

During the period of off campus suspension, this student is to be under the supervision of a parent or guardian; is expressly denied access to all school campuses and facilities of the AVUHSD; is prohibited from attending or participating in any school-sponsored activity, irrespective of location, unless otherwise expressly authorized by the Superintendent, Superintendent's designee, Principal or Governing Board. Violations of these restrictions may result in additional disciplinary action, including misdemeanor arrest and prosecution under the provisions of the California Penal Code Section 626.2.

Signature of Administrator

LITTLEROCK HIGH SCHOOL / NOTICE OF SUSPENSION

(Ref. E.C. 48900, 48900.2; 48900.3; 48900.4; 48900.7)

Student Name: [REDACTED]		ID#: [REDACTED]	Date: [REDACTED]
Date of Incident: 10-5-21	# of Days of Suspension: 3	<input type="radio"/> Off-Campus Suspension <input type="radio"/> On-Campus Suspension (LAD)	
Dates of Suspension: 10/6/21-10/8/21	Return Date: 10/11/21	<input type="radio"/> Recommended for Expulsion	

PLEASE BE ADVISED THAT THE ABOVE NAMED STUDENT IS SUSPENDED FROM SCHOOL PER THE FOLLOWING EDUCATION CODE(S):

<input type="radio"/> 48900(a)1	Fight	Caused, attempted to cause, or threatened to cause physical injury to another person.
<input type="radio"/> 48900(a)2	Battery	Willfully used force or violence upon the person of another, except self-defense.
<input type="radio"/> 48900(b)	Weapon	Possessed, sold, or furnished any firearm, knife, explosive, or other dangerous object.
<input type="radio"/> 48900(c)	Controlled Substance	Possessed, used, sold, furnished, or been under the influence of any controlled substance, alcoholic beverage or intoxicant.
<input type="radio"/> 48900(d)	Selling Controlled Substance	Offered, arranged, or negotiated to sell any controlled substance, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material in lieu of the controlled substance, alcoholic beverage, or intoxicant.
<input type="radio"/> 48900(e)	Robbery	Committed or attempted to commit robbery or extortion.
<input type="radio"/> 48900(f)	Vandalism	Caused or attempted to cause damage to school property or private property.
<input type="radio"/> 48900(g)	Stealing	Stole or attempted to steal school property or private property.
<input type="radio"/> 48900(h)	Smoking	Possessed or used tobacco or any products containing tobacco or nicotine.
<input type="radio"/> 48900(i)	Profanity	Committed an obscene act or engaged in habitual profanity or vulgarity.
<input type="radio"/> 48900(j)	Drug Paraphernalia	Had unlawful possession of, or unlawfully offered arranged, or negotiated to sell any drug paraphernalia.
<input type="radio"/> 48900(k)	Disruption	Disrupted school activities or otherwise willfully defied the valid authority of school personnel.
<input type="radio"/> 48900(l)	Stolen Property	Knowingly received stolen school property or private property.
<input type="radio"/> 48900(m)	Firearm	Possessed an imitation firearm.
<input type="radio"/> 48900(n)	Sexual Assault	Committed or attempted to commit a sexual assault or committed a sexual battery.
<input type="radio"/> 48900(o)	Intimidation Witness	Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding.
<input type="radio"/> 48900(p)	Soma	Unlawfully offered, arranged to sell, negotiated to sell or sold the prescription drug Soma.
<input type="radio"/> 48900(q)	Hazing	Engaged in, or attempted to engage in, hazing.
<input type="radio"/> 48900(r)	Bullying	Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act directed specifically toward a pupil or school personnel.
<input type="radio"/> 48900(t)	Inciting Unrest	Aided or abetted the infliction or attempted infliction of physical injury to another person.
<input type="radio"/> 48900.2	Sexual Harassment	Committed sexual harassment.
<input type="radio"/> 48900.3	Hate	Participated in, caused, attempted to cause or threatened to cause an act of hate violence.
<input type="radio"/> 48900.4	School Personnel	Engaged in harassment, threats or intimidation of school district personnel or pupils.
<input type="radio"/> 48900.7	Terrorism	Made terrorist threats against school officials, school property, or both.

Section 626.2.

Administrator's Signature:

Name and Title: Mr. Lloyd Dunn, Vice Principal

School Phone: (661) 944-5209, Ext. 386



P 661.533.9000 F 661.533.0111 | khshawks.org
37423 70th St. East, Palmdale, CA 93552

October 29, 2019

[REDACTED]

Re: [REDACTED]
Subject: Notice of Suspension
Student ID # [REDACTED]

Dear Ms. [REDACTED]

This letter is to inform you that [REDACTED] is suspended from Knight High School for a period of 3 school days effective 10/30/19 through and including 11/01/19. Please note that the suspension period does not include weekends or the following non-student and/or holiday date(s) when school is not in session: 11/2/19 and 11/3/19. [REDACTED] may return to school on 11/4/19, unless further action is taken in which case you will be notified.

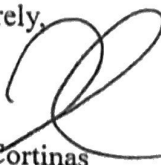
This suspension is being imposed for violation of California Education Code Section 48900 (k)(1): Disrupted school activities or otherwise willfully defied the valid authority of school personnel.

Due to [REDACTED] incident of the video, it lead to school disruption, impacting school's safety and learning environment.

During the suspension, [REDACTED] is to stay at home under adult supervision. [REDACTED] is not to be on or near any Antelope Valley Union High School District campus unless in the presence of a parent/guardian for the purpose of securing homework. In addition, [REDACTED] is not to attend any school activities. Failure to adhere to this directive may result in additional disciplinary action.

If you have any questions please contact me at (661) 533-9000 ext. 186.

Sincerely,


Jose Cortinas
Vice Principal

JC/am

Antelope Valley Union High School District

Special Notice – Parent/Guardian – Student Rights

In accordance with the applicable provision of the Education code, you are hereby notified that:

- The pupil and you, as a parent or guardian, have the right to request a meeting with the Superintendent or the Superintendent's designee regarding the suspension.
- You have the right to access your pupil's records for review.
- You may be requested to participate in a conference with school officials regarding the pupil's behavior. If a conference is requested you must, prior to the pupil returning to school, make arrangements for said conference through the Vice Principal's office. State law requires parents or guardians to respond to this request without delay.
- A suspended pupil may be allowed to complete all assignments and tests missed during the suspension, which may be provided by teachers and, upon satisfactory completion, may be given full credit.

**EXPULSION OR ALTERNATIVE
PLACEMENT FOR STUDENTS
WITH SPECIAL EDUCATION
SERVICES**

Table of Contents

Expulsion or Alternative Placement of Students with Special Education Services

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- AB 1909 (Foster Youth) Manifestation Determination 10 Days Suspension Chart.....11-14
- AB 1909 (Foster Youth) Expulsion Process Chart.....15

GUIDELINES AND TIMELINES FOR SUSPENSION AND EXPULSION OF SPECIAL EDUCATION STUDENTS

I. TYPES OF INTERVENTIONS

A. Suspension

First ten days:

1. First ten (10) days – services not required during this time. If work is assigned during the period of suspension that will be used to calculate the student's grade, the work must be provided to the student. The student shall be allowed the same time frame reflected in their IEP to complete the work.

At this time a behavior support plan should be considered using the form in the IEP. (34 CFR 300.121 (d) (1)). No single suspension will exceed 5 days. (EC 48911)

2. After ten (10) days- When a student exceeds more than ten (10) days, either in-house or off campus suspension, then an IEP meeting must be held within ten (10) business days and parents shall be provided the procedural safeguards.

- a. From the 11th day on, upon each incident the school personnel, including Special Education teacher, must determine what services are necessary to allow the student to progress in the general education curriculum and advance towards IEP goals and objectives and where those services should be provided – no special form or change in the IEP is required. (Title 34 34 CFR 300.121 (d) (3) (i)).

3. The IEP team must determine if subsequent suspensions will result in a change of placement. To determine if it constitutes a *pattern*, the team considers (Title 34 34 CFR 300.536 (b)(1)):

- a. Length of each removal
- b. Proximity of removals to one another
- c. Total amount of time out of school
(Title 34 34 CFR 300.536 (iii))

4. The maximum number of days a special education student can be suspended is 20 days in any one school year at the current school site, with a maximum of 30 if the child is transferred to another school site (EC 48903). The 20 days include any portion of a school day that a student is suspended (34 CFR 300.9 (c)). An in-school suspension does not count toward the days of suspension as long as the student continues to receive

educational services to enable the student to access the curriculum (although in another setting) and to progress towards meeting the goals set out in the student's IEP. (Title 34 34 CFR 300.530) Support means a special education teacher or aide works with the student. Homework does not equal support.

5. ***If it is determined that no pattern exists, subsequent suspensions are not considered to be a change of placement.*** You may implement additional suspensions for separate incidences up to twenty (20) days (same limit as for general education students).

6. ***If a pattern exists, then a Manifestation Determination Review must be conducted to consider a possible change of placement***
(Title 34 34 CFR 300.536 (b)(1)) and (Title 34 34 CFR 300.530 (e)).
(Refer to Section "C" below).

B. Functional Behavioral Assessment (FBA) and behavior intervention plans
(Title 34 34 CFR 300.530).

1. A Functional Behavioral Assessment must be done no later than ten (10) business days after the student's tenth day of removal (*even if there is no pattern*) unless a Positive Behavior Support Plan or Behavior Intervention Plan exists.

2. If a Functional Behavioral Assessment and/or behavior plan has not been developed for the behavior for which the student is being removed from school, an IEP meeting must be convened. The team will review existing data regarding the behavior to determine if it is sufficient to address: situational, environmental and behavioral circumstances surrounding the behavior:

- a. If data is sufficient, develop a behavioral plan and implement it immediately.
- b. If sufficient data is not available, an Assessment Plan for a Functional Behavioral Assessment is developed. A best practice would be that the team recommends an interim Behavior Support Plan for the behavior while the Functional Behavioral Assessment is being conducted. The Functional Behavioral Assessment should be conducted as soon as possible after the meeting, and an IEP meeting convened to develop a Behavior Intervention Plan as soon as the assessment is completed. The plan is implemented immediately.
(Title 34 CFR 300.530) Note: Due to the severity of the student's behavior, the assessment should be conducted immediately rather than making use of the full 60 day timeline.

3. If the student already has a Behavior Support Plan/Behavioral Intervention Plan and the behavior results in a *potential change of placement*, the IEP team must meet to:
 1. Review the plan
 2. Confirm its implementation
 3. Modify the plan as necessary to address the behavior.

**AB86 abolished the Hughes Bill*

4. If a student has a Behavior Support Plan/Behavior Intervention Plan and has been removed from the current educational placement for more than ten (10) days in the current school year and is subject to an additional removal that **does not constitute a change of placement** the IEP Team shall meet and review the behavior plan and its implementation to determine if modifications are necessary and modify, as appropriate.

C. MANIFESTATION DETERMINATION REVIEW (34 CFR 300.523)

1. A manifestation determination is required for suspensions totaling ten (10) or more days when subsequent suspensions will result in a change of placement or when a student exhibits a pattern of misconduct.
2. The IEP Team conducts the manifestation determination review to determine the relationship between the student's disability and the **behavior subject to disciplinary action**. At the IEP meeting the following must occur:
 - a. Parents must be given notice of disciplinary recommendation and procedural safeguards.
Note, foster youth are entitled to additional procedural safeguards. (See paragraph 6 below)
 - b. Consider all relevant information including evaluation and diagnostic results, input from parents, observations, and current IEP and placement. (*Assessment is not required, but if done, parent permission is required*).
 - c. IEP Team may determine that the behavior of the child subject to the disciplinary action is not a manifestation of child's disability only if the IEP team determines that **the following were true for the behavior subject to the disciplinary action**:

Was the alleged conduct:

1. Caused by, or had a direct and substantial relationship to, the child's disability?
 2. The direct result of AVUHSD's failure to implement the IEP?
 - d. At least two documented attempts to contact parents (Using multiple means: i.e. home, work, cell, and/or email) shall be made to contact parents and insure parental participation. Alternate methods of participation will be offered if parents cannot attend in person. All contacts will be logged in PowerSchool as well the notes section in the Special Education Information System (SEIS).
3. If there is no Behavioral Plan in place, the IEP team should initiate a Functional Behavioral Assessment.
 4. If the answer to both manifest determination questions allow, then the child may be disciplined in the same manner as a child without a disability.
 5. If there is a link found between the behavior subject to the disciplinary action and the disability, then the student shall not be suspended further for the behavior. The supports and

services and behavior plan in the IEP shall be modified in an attempt to address factors leading to the identified behavior.

6. A manifestation determination totaling ten (10) or more days of suspension when the special education student is a foster youth will result in the following process:

Vice Principal: Notify Special Education Secretary to schedule a Manifestation Determination IEP

Sp Ed Secretary: Verify Educational Rights holder. Contact Office of General Council (OGC) to coordinate Manifestation Determination IEP with General Council 's schedule (Will need a few dates and time options). Communication must be addressed to educational rights holder with a copy sent to Foster or Group home

Fax invitation to Department of Children and Family Service (DCFS) to attend manifestation Determination IEP

Office of General: Fax invitation to attorney of record to attend manifestation Determination IEP Council (OGC)

Note: In some cases DCFS or Attorney, may participate by phone. It is important that the name of the person participating and agency that they represent be included in meeting minutes and signature page.

II. EXPULSION

- A. There are five violations of the Ed Code that result in a mandatory recommendation for expulsion. These violations are:

1. Possessing, selling or furnishing a firearm. Ed. Code 48915 (c)(1)
2. Brandishing a knife to another person. Ed. Code 48915 (c)(2)
3. Unlawfully selling a controlled substance. Ed. Code 48915 (c)
4. Committing or attempting to commit sexual assault or sexual battery. Ed. Code 48915 (c)(4))
5. Possession of an explosive. Ed. Code. 48915 (c) (5)

- B. A Manifestation Determination review meeting must be held for all special education students for whom expulsion is being considered. (See Section I-C) The IEP team, at the Manifestation Determination, must consider existing assessments and diagnostic results including relevant information supplied by the parents, observations of the student, and the student's IEP.

1. AB 1909 Expulsion process for Special Education Foster Youth:

Vice Principal:	Special Education Foster Youth suspended and recommended for expulsion Notify Principal's Secretary of recommendation and Special Education Secretary to set up Manifestation Determination IEP. CIR is provided to Principal within 24 hours
Principal or Designee:	e-mails CIR to Director of Student Services within 24 hours
Sp Ed Secretary:	Verify Ed Rights holder, all letters should be addressed to them with a copy to the Foster home. Contacts Office of General Council (OGC) with several dates and times to coordinate Manifestation Determination IEP so General Council can attend. Contacts Foster home to set date for Manifestation Determination IEP and notifies Ed Rights holder. Manifestation Determination IEP needs to be scheduled for day 3 of the suspension as much as possible Contacts Principal's Secretary to coordinate meeting after the Manifestation Determination with Principal Fax letter to Department of Children and Family Services (DCFS) Contact @ (562) 807-2038, to attend the manifestation Determination IEP and pre-expulsion meeting after manifestation Determination IEP with Principal or designee
Office of General Council (OGC)	Fax invitation to attorney of record to attend manifestation Determination and pre-expulsion meeting with Principal or designee
Principal: or Designee:	Recommends expulsion, parent (Ed Rights Holder) agrees to: <i>Stipulation</i> - Principal calls Student Services Secretary to set up stipulation appointment. Student Services Secretary coordinates with Office of General Council (OGC) regarding available dates for General Council to attend stipulation meeting with Director of Student Services and Parent. Principal notifies Ed Rights holder and Foster parent of the stipulation date/time. Student Services Secretary will notify Department of Children and Family Services (DCFS) Contact by fax or email and Office of General Council (OGC) will e-mail or fax attorney of record of Stipulation Meeting date and time

Administrative Hearing Panel – Principal notifies Student Services Secretary who will coordinate with Office of General Council (OGC) regarding dates for hearing. Student Services Secretary will notify Ed Rights holder and Foster home by mail and Department of Children and Family Services (DCFS) Contact by fax or email. Office of General Council (OGC) will fax or e-mail attorney of record of Administrative Hearing Panel date and time. Student Services Secretary will email complete packet to General Council, Office of General Council (OGC) and Department of Children and Family Services (DCFS) Contact.

If student is a Foster Youth Student Services Secretary will update invitation to reflect under cc: DCFS, attorney of record, and General Counsel, Foster or Group home.

Principal Sec: Add scheduled meeting date on principal's calendar. Sends the Principal's conference letter to Ed Rights holder and Foster or Group home prior to sending the expulsion packet to Student Services.

C. If it is a manifestation of the student's disability, follow procedures from: Section 1-C. (2) (c).

If the IEP team determines that the behavior subject to disciplinary action is a manifestation of the student's disability, the team shall not recommend expulsion. The placement, supports, services and behavior plan in the IEP should be developed and/or revised as appropriate to address factors leading to the behavior.

Special Education students may be recommended for an Interim Alternative Educational Setting (IAES) for not more than 45 school days if they have committed and of the following:

- (1) Carries a weapon to or possesses a weapon at school, on school premises, or to or at a school function;
- (2) Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or
- (3) Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function. (34 CFR 300.530)

The Alternative Educational Setting shall be determined by the IEP Team and shall not exceed 45 school days.

- D. Any Interim Alternative Educational Setting (IAES) in which a child is placed shall:
1. Be selected so as to enable the student to continue to participate in the general curriculum, although in another setting, and to continue to receive those services and supports described in the child's current IEP, that will enable the child to meet the goals set out in the IEP; and
 2. Include services and supports designed to address the behavior so that it does not recur.
(34 CFR 300.530 (d))

The IAES placement must **be planned for and determined by the IEP Team**. If the parent does not agree, the district may move forward with placement in the IAES.

During the pendency of due process, the IAES becomes the stay-put placement until a hearing officer decision or until the 45 days expire, whichever comes first. The IAES may include home instruction, alternative or non-public schools.

- E. The IEP team must review interim and post-disciplinary placements for their ability to provide FAPE (34 CFR 300.121 (d)(2)(i)) in order to enable the child to advance in the curriculum and achieve the IEP goals.

SPECIAL EDUCATION STUDENT SUSPENSION CHECKLIST FOR SITE ADMINISTRATION

- ☐ When suspending a student, check if the student is receiving any special education services. If yes, consult with your school psychologist.
- ☐ Short-term suspension (maximum five (5) days per suspension, ten (10) days cumulative), either cumulative or consecutive) **does not require** IEP or other special procedures. No requirement for educational services, but highly recommended.
- ☐ Use in-school suspensions and/or in school restrictions whenever possible. These do not count as days of suspension as long as the student continues to receive educational services to enable the student to access the curriculum and to progress towards meeting the goals set out in the student's IEP. Support means a special education teacher or aide works with the student.
- ☐ Use out of school suspension for **as few days as possible**. After ten (10) days (this includes partial days) of suspension for students with IEPs, requires procedural safeguards.
- ☐ After ten (10) days of suspension in one academic year:
 - Send copy of Parental Rights/Procedural Safeguards to parent
 - Convene an IEP team within ten (10) business days
 - IEP team completes Manifestation Determination page in the IEP
 - Must offer educational services to allow student to progress toward curriculum and meet IEP goals and objectives – determined by the IEP team.
- ☐ Were drugs, weapons, sexual assault/battery, and/or serious bodily injury a reason for suspension? If yes:
 - Conduct Manifestation Determination
 - If behavior **is not** a manifestation of student's disability, determine Interim Alternative Education Setting (IAES) and may proceed with expulsion
 - IEP to reflect IAES
 - IEP team can proceed with appropriate IAES for 45 school days
 - **May not** be expelled if behavior is a manifestation of disability
 - Revise IEP to address factors leading to behavior. (i.e. review behavior plan, placement, and implementation of IEP)
- ☐ For all other conduct violations, after ten (10) days of suspension
 - Conduct Manifestation Determination
 - If behavior is **not** a manifestation of the student's disability, may continue to suspend up to twenty (20) days. Behavior Plan must be developed and implemented.
 - If behavior **is/was** a manifestation of student's disability, **may not suspend beyond ten (10) days** until you have reviewed/revised supports, services, placement and behavior plan to address factors leading to behavior.

Pre-Expulsion IEP for Special Education Students

Pre-Expulsion (Manifest Determination) IEP

1. Notify the Special Education Secretary, Psychologist and Case Carrier on day 1 of the suspension so scheduling and testing can begin. **This is a critical step.**
2. Set up a Pre-expulsion IEP meeting. If possible the Special Education Secretary will provide the Manifestation Determination IEP meeting notice to parent when they pick up their student on the day of the offense.
3. If parent is not provided with Meeting Notice (IEP Invitation) then make at least two documented attempts to contact parents (Using multiple means: i.e. home, work, cell, and/or email). Send IEP meeting notice by certified return receipt or delivery confirmation. If the parent cannot attend in person, invite their participation by telephone. If they are unable or unwilling to participate in the alternative, hold the IEP meeting, and send a letter to the parent confirming in writing that the District attempted to secure their participation in person and by phone along with a copy of the Manifestation IEP attached to the IEP cover letter. You must notify Student Services (SS) that a Manifestation Determination IEP was held without parent participation.
4. The Ed Rights Holder of the Foster Youth must be the designated person invited to the Pre Expulsion IEP meeting.
5. One of two determinations:
 - **Student is not eligible** to proceed with an expulsion recommendation due to his disability (under the new IDEA this will be a higher threshold).

Options: Recommend that the student...

- ✓ **Remains on campus** with some modifications to his schedule or program
- ✓ **Home Teaching (if appropriate)** – Contact site Health Tech to arrange Home Teacher
- ✓ **IS** (Independent Study)
- ✓ **Do referral to Desert Pathways if appropriate**
- **Student is eligible** (i.e. conduct not related to disability)

Options: Recommend that the student....

- ✓ **RSP/SDC- PXHS, DW (Alternative placement only) or IS (if appropriate); Home Teaching in extraordinary circumstances**
- ✓ **ED – Pathways (depending on the students ED eligibility), or Home Teaching, PXHS**
- ✓ **Fill out (BSR) bus services request to transport student to the new location**

Pre-Expulsion Principal's Conference for Special Education Students

Pre-Expulsion Conference with Principal

1. Parent (Ed Rights Holder) and student meet with the Principal after the IEP is held.

- VP or Psychologist attending the IEP reports the findings to the Principal prior to the meeting to present and explain the IEP team conclusions (**the Special Ed VP should do all pre-expulsion IEP's**)
- Principal meets with parent and student to hear the student's account of the incident and to determine if any further investigation is necessary to either prove or disprove the case.
- The Ed. Rights Holder of Foster Youth must attend the Pre-Expulsion Conference with Principal on behalf of the Foster Youth.

The Principal has the following options:

- ✓ **Not to expel**
Notify Student Services
- ✓ **Recommend Alternative Placement in lieu of expulsion**
Call Student Services to set up an appointment. (Site should not promise a particular placement; SS will determine placement)
ED students will not be placed at DWHS or RRPHS through this process.
- ✓ **Recommend to expel**
Hearing – Place student at PXHS or IS pending the hearing. Do not extend the suspension. Notify SS
Stipulation- Set up meeting with SS at the time of the parent conference. (SS will determine placement)

CONTACTS FOR 2013-2014

Name	Title	Contact #
Cheri Kreitz	Director of Student Services	661-729-2321 ext. 104 or 116
Veronica Enrique	Secretary of Student Services	661-729-2321 ext. 127
Bridget Cook, ESQ	District General Council	661-948-7655 ext. 213
Yvonne Heitz	Legal Assistant	661-948-7655 ext. 213
Denise Prybylla	DCFS Contact	562-807-2038

AB 1909

Expulsion Process for Foster Youth

General Education Foster Youth

Vice Principal: Foster Youth Student suspended and recommended for expulsion

VP notifies Principal's Secretary of recommendation.
Confidential Incident Report (CIR) provided to Principal within 24 hours

Principal or Designee: e-mails CIR to Cheri Kreitz within 24 hours

Principal's Sec: Verify Ed Rights holder. Notify Yvonne Heitz to coordinate pre-expulsion principal meeting date/time with Bridget's and Principal's calendar. Once you have dates from Yvonne contact Foster Parent to confirm date for Pre-Expulsion Meeting. Ed Rights holder must be notified. Letters must be addressed to Ed Rights holder with a copy sent to Foster Parent.

Fax invitation to Department of Children and Family Services (DCFS) to attend the pre-expulsion meeting.
Fax Denise Prybylla (DCFS) at (562) 807-2038

Yvonne Heitz: Fax invitation to attorney of record to attend the pre-expulsion Principal's conference

Principal or Designee: Recommends expulsion, parent agrees to:
Stipulation – Principal calls Veronica to set up stipulation appointment. Veronica coordinates with Yvonne Heitz regarding available dates for Bridget to attend stipulation meeting with Cheri Kreitz and Parent. Principal notifies Ed Rights holder and Foster Parent of the stipulation date/time. Veronica will notify Denise Prybylla (DCFS) by e-mail or fax and Yvonne will e-mail or fax attorney of record of Stipulation Meeting date and time

Administrative Hearing Panel – Principal Secretary notifies Veronica who will coordinate with Yvonne Heitz regarding dates for hearing. Veronica will notify Ed Rights holder and Foster Parent by mail and Denise Prybylla (DCFS) by e-mail or fax. Yvonne will fax attorney of record of Administrative Hearing Panel date and time. Veronica will email complete packet to Bridget, Yvonne and DCFS (Denise Prybylla)

If student is a Foster Youth Veronica will update invitation to reflect cc: DCFS, attorney of record, General Counsel, and Foster or Group home

Principal Sec: Add scheduled meeting date on principal's calendar. Sends the Principal's conference letter to Ed Rights holder and Foster or Group home prior to sending the expulsion packet to Student Services.

Special Education Foster Youth

Vice Principal: Special Education Foster Youth suspended and recommended for expulsion

Notify Principal's Secretary of recommendation and Special Education Secretary to set up Manifestation Determination IEP. CIR is provided to Principal within 24 hours

Principal or Designee: e-mails CIR to Cheri Kreitz within 24 hours

Sp Ed Secretary: Verify Ed Rights holder, all letters should be addressed to them with a copy to the Foster home. Contacts Yvonne Heitz with several dates and times to coordinate Manifestation Determination IEP so Bridget can attend. Contacts Foster home to set date for Manifestation Determination IEP and notifies Ed Rights holder. Manifestation Determination IEP needs to be scheduled for day 3 of the suspension as much as possible

Contacts Principal's Secretary to coordinate meeting after the Manifestation Determination with Principal

Fax letter to Denise Prybylla (DCFS) @ (562) 807-2038, to attend the manifestation Determination IEP and pre-expulsion meeting after manifestation Determination IEP with Principal or designee

Yvonne Heitz: Fax invitation to attorney of record to attend manifestation Determination and pre-expulsion meeting with Principal or designee

Principal:
or Designee: Recommends expulsion, parent agrees to:
Stipulation – Principal calls Veronica to set up stipulation appointment. Veronica coordinates with Yvonne Heitz regarding available dates for Bridget to attend stipulation meeting with Cheri and Parent. Principal notifies Ed Rights holder and Foster parent of the stipulation date/time. Veronica will notify Denise Prybylla (DCFS) by fax or email and Yvonne will e-mail or fax attorney of record of Stipulation Meeting date and time

Administrative Hearing Panel – Principal notifies Veronica who will coordinate with Yvonne Heitz regarding dates for hearing. Veronica will notify Ed Rights holder and Foster home by mail and Denise Prybylla (DCFS) by fax or email. Yvonne will fax or e-mail attorney of record of Administrative Hearing Panel date and time. Veronica will email complete packet to Bridget, Yvonne and DCFS (Denise Prybylla).

If student is a Foster Youth Veronica will update invitation to reflect under cc: DCFS, attorney of record, and General Counsel, Foster or Group home

Principal Sec: Add scheduled meeting date on principal's calendar.
Sends the Principal's conference letter to Ed Rights holder and Foster or Group home prior to sending the expulsion packet to Student Services.

Manifestation Determination 10 days of suspension for a Special Education Foster Youth

Vice Principal: Notify Special Education Secretary to schedule a
Manifestation Determination IEP

Sp Ed Secretary: Verify Educational Rights holder. Contact Yvonne Heitz to coordinate Manifestation Determination IEP with Bridget's schedule (Will need a few dates and time options). Communication must be addressed to educational rights holder with a copy sent to Foster or Group home

Fax invitation to Department of Children and Family Service to attend manifestation Determination IEP

Yvonne Heitz: Fax invitation to attorney of record to attend
manifestation Determination IEP

Note: In some cases DCFS or Attorney, may participate by phone. It is important that the name of the person participating and agency that they represent be included in meeting minutes and signature page.

CONTACTS:

Denise Prybylla (DCFS) Fax: (562) 807-2038 or Email:
Prybyd@dcfs.lacounty.gov

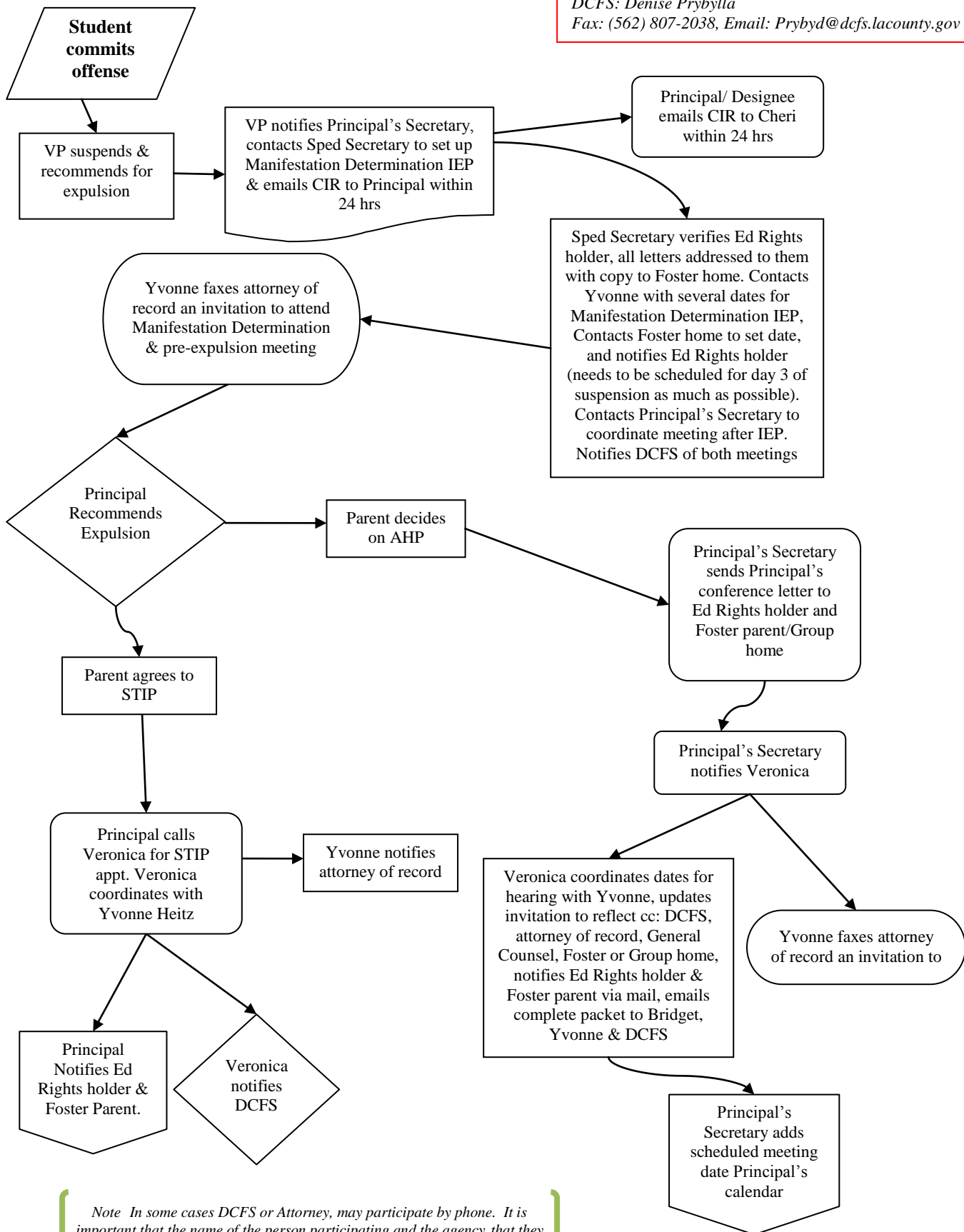
Veronica Enriquez (DO-Student Services): (661) 729-2321 ext. 127

Yvonne Heitz (DO-Legal Assistant, General Counsel): (661) 948-7655 ext. 213

AB 1909 Expulsion Process Foster Youth (Special Ed)

DCFS: Denise Prybylla

Fax: (562) 807-2038, Email: Prybyd@dcfs.lacounty.gov



2021 Significant Disproportionality Comprehensive Coordinated Early Intervening Services (CCEIS) Plan

This form collects brief information on the activities completed by the Local Educational Agency (LEA) as part of the programmatic improvement process to develop their action plan for implementation of their Comprehensive Coordinated Early Intervening Services (CCEIS). It includes the completion of the Programmatic Improvement Action Plan (3.2) and the Allowable Costs Budget (Form 2) that will be used as the basis for monitoring and reporting on the CCEIS progress and expenditures during the 27-month CCEIS period (July 1, 2021 – September 30, 2023).

BACKGROUND INFORMATION

LEA Name: Antelope Valley Union HS District	LEA Contact Name: Dr. Kathryn Taylor
County District Code: 19-64246	LEA Contact Email: ktaylor@avhsd.org
SELPA Name: Antelope Valley	LEA Contact Phone: (661) 729-2321

CCEIS Period 2021 Significant Disproportionality Indicator(s)

(Refer to the Fiscal Year 2021 Notification Letter)

Indicator	Race/Ethnicity/Disability Category
4	African American

Previous Significant Disproportionality Indicator(s)

Year(s)	Indicator	Race/Ethnicity/Disability Category
19-20	4	AA
18-19	4	AA
17-18	4, 10	AA
16-17	4, 5, 10	AA, NA, PI
15-16	4, 5, 10	AA, NA, PI

DESCRIBE THE PLAN DEVELOPMENT ACTIVITIES FOR CCEIS

PHASE ONE: GETTING STARTED

Find instructions for this phase at

<https://spptap.org/phase-1-getting-started/>

1.1 *Identify Leadership Team*

List members' names, emails, titles/roles, and responsibilities related to the CCEIS Plan.

Note: In small LEAs, multiple roles may be assigned to one administrator or team member.

Member Name	Email	Title/Role	Member's Responsibility for Development, Implementation, and Monitoring of CCEIS Plan
Dr. Kathryn Taylor	ktaylor@avhsd.org	Dir. of Equity	Chair, oversee development, implementation, and monitoring, district equity team
Matt Case	mcase@avhsd.org	Dir. of Behavior Interventions	Past LT chair, district equity team, MTSS LT, development, implementation, monitor
Shandelyn Williams	swilliams@avhsd.org	Interim Supt. of AVUHSD	Liaison to the board and cabinet, district equity team, MTSS LT, development, monitor
Dr. Lisa Schutt	lschutt@avhsd.org	Dir. of Special Education	Liaison to AV SELPA, approve all aspects of the plan, district equity team, development, implementation, monitor
Dr. Danitza Pantoja	dpantoja@avhsd.org	Coord. of Psych Services	Co-chair of the CCEIS and PIR stakeholder group, development
Benay Loftus	bloftus@palmdalesd.org	Director AV SELPA	Advocate, resource, mentor. Approve all aspects of the plan, monitor, development
Yasmin Dorado	ydorado@avhsd.org	Coord. of Student Services	District PBIS, SEL administrator, MTSS LT, district equity team, Co-chair of the CCEIS/PIR stakeholder group, monitor, development, implementation

Do the members of this team have decision-making authority? What is the process for LEA approval of this CCEIS plan? Is this leadership team authorized to make decisions around the implementation of the CCEIS plan? If not, how will the decisions be made?

Yes, the Leadership Team (LT) has decision-making authority. The process involves the Leadership Team chair collecting and presenting a wide range of data to support the group with analyzing that data and then examining the previous and current root causes. Members of the LT also participate in the focus groups and workshops completed by diverse stakeholder groups. The root causes are discovered through activities that lead the LT focus groups and the combined stakeholders' group to synthesize and discuss the data.

The plan is written in stages and approved by the Interim Superintendent, the SELPA Director, the Director of Special Education, and the School Board Chairperson. The leadership team includes two cabinet-level district administrators, and we are authorized to make decisions around the plan'.

1.2 Identify Stakeholder Group

List members' names, roles, and CCEIS related responsibilities. Describe each group members' active involvement in developing, implementing, and evaluating the CCEIS Plan.

*Note: Team composition requires a diverse group of parents and community members, **including representatives of the identified racial/ethnic category**. (In small school LEAs, multiple roles may be assigned to one administrator or team member.)*

Role	Member Name(s)	CCEIS Plan Responsibilities for Development, Implementation, and Monitoring of the CCEIS Plan
Interim Superintendent	Shandelyn Williams	Approve all aspects of the plan
Cabinet Level Leader-General Education	Greg Nehen	Assist Sup Ed Services. Approve various gen ed services as it relates to LCAP and MTSS, district equity team, development
Cabinet Level Leader-Special Education	Shandelyn Williams	Assist Sup Stu Services. CCEIS LT, Liaison to board and cabinet, district equity team, development, monitoring
Director of Curriculum and Assessment	Joe Kelly	The chief author of the LCAP, development
SELPA Director (or Designee)	Benay Loftus	SELPA oversight, resource in development and monitoring of the

		plan, approval of progress and budget reports
Appropriate Grade Level General Education Teacher	Barron Gardner Jeff Patterson Elizabeth Pineda	Committee members root cause analysis. Ethnic Studies teacher, Urban Scholars advisor, BSU advisor, development and implementation planning
Appropriate Grade Level Special Education Teacher	Ademola Sule-Odu Tennill Stroy	Participant in the PIR and CCEIS stakeholder groups, development, and implementation planning
Parent (diverse representation, not district employee/s)	Rodney Taylor CeCe Bancalari	Examine root causes, development, and implementation planning
Community Representative	Nancy Speaks Latina Wright-Booker	Development, root cause analysis, and implementation planning
Principal or Site Level Administrator	Gary Pierson Lisa Simonian Annitra Edmond	Activities Vice-Principal, Special Education Vice Principal, MTSS committee, development, implementation, and monitoring
Human Resources Administrator (optional)	Daniel Ramos	Consultation regarding staffing needs, development
Fiscal Services Representative	Trixie Flores	Director Business/Fiscal Services: development and monitoring budget and expenditure
Bargaining Unit Representative (optional)	Raymond Hart	Negotiator AVTA (Teachers Association), Head Counselor KHS, development
Program Specialists Special Education	Angie D'Errico Sheryl Davis Angela Fields Jody Sharp	Development, implementation, and monitoring, PIR and root cause analysis by focus groups, PD and MTSS committees
District Coordinators	Kathleen Mercier Dr. Loy Dakwa Marci Clement	PD, LCAP, and Transition/WE CARE coordinators. Development, implementation, and monitoring, MTSS and equity committees
School Counselors	Natasha Weston Keisha Como	Development, implementation, root cause analysis, facilitators

The dates the Stakeholder group met and a summary of the work completed.
CCEIS 2021 Plan Stakeholder Meetings:

3/31/2021: A virtual meeting was held to discuss learning loss mitigation strategies as it relates to elements in the 2021 plan; MTSS, Social-Emotional Learning, and Restorative Practices

5/26/2021: Initial Virtual Meeting with the CCEIS Focus-Group designed to take a deep dive into the root causes, discuss the current social construct of the organization, review and expand the identified target population, and brainstorm ideas to work towards building student's capacity in the area of cultural and emotional intelligence, social justice, and peer mentorship.

06/01/2021: The Focus-Stakeholder Group meeting was held virtually to review the current root causes, outcomes, and activities within the CCEIS plan, updates, distant learning pivots, and plans to expand the district-wide Black Student Union school site club to incorporate students in the process of addressing cultural intelligence, cultural responsiveness, and restorative practices

08/18/2021: The Leadership Team chair presented updates and a variety of relevant data to aid in the discussion around policies/practices/procedures, target population, root causes, and initiatives. The team came up with the next stakeholder meeting date and agenda items.

08/25/2021: A Stakeholder meeting was held to communicate updates and receive feedback on the CCEIS Plan.

09/07/2021: A second Stakeholder meeting was held to obtain feedback on proposed outcomes and activities written in the 2021 CCEIS plan. A 2021 CCEIS Summary Worksheet was developed to list the Root Causes, Initiatives, Target Population, Desired Outcomes, and an empty column for Activities. The stakeholders participated by selecting a group assigned to brainstorm activities that would support the success of the corresponding initiative.

The meetings allowed us to complete a comprehensive review of the significant disproportionality data, including evidence of no suspensions from March 2020 through July 2021. The sessions also included a review of the self-assessment and a comprehensive look with full transparency into the root causes of disproportionality.

The Leadership Team reviewed the current list of stakeholders that were previously selected and recruited. The team agreed to recruit stakeholders for vacant spots and add stakeholders that would amplify the voice for parents, the community, and staff serving as mentors. The team created the agenda and activities, as well as participated in all the stakeholder meetings.

**A link to presentations, agendas, minutes, attendance records is available upon request*

1.3 Contact the State Performance Plan Technical Assistance Project (SPP-TAP) at the Napa County Office of Education (NCOE) and CDE FMTA Consultant.

Indicate how have you engaged with the CDE and SPP-TAP to understand and support the development of the CCEIS Plan:

- Accessed information via the SPP-TAP Website and CCEIS Padlet
- Multiple meetings with TA facilitator Jon Eyler and SELPA Program Director Benay Loftus
- Participated in virtual Community of Practice (CoP) meetings
- Attended Significant Disproportionality for Continuing Local Educational Agencies Webinars
- Participated in Consultations with CDE FMTA Consultant
- Stakeholder focus group members and the Director of Equity participated in various Equity, Diversity, and Inclusion seminars and Culturally Responsive Practices workshops.

1.4 Choose Technical Assistance (TA) Facilitator(s)

Name the TA Facilitator(s) and describe current and anticipated services. **LEAs must submit a copy of the contract or MOU for each TA facilitator.** To use a non-SPP-TAP TA facilitator, the LEAs must supply a copy of the TA facilitator's resume and obtain written permission from the CDE by completing the Proposed TA Facilitator Eligibility Form located on the [CCEIS Padlet](#).

Note: LEAs are required to use TA Facilitation for a minimum of 10 hours for each area of identification.

TA Facilitator Name: **Jon Eyler: Collaborative Learning Solutions ([Contract](#))**

The TA Facilitator provided 10 hours of collaborative and consultative support for our one area of identification.

Members of the Leadership Team scheduled consistent weekly meetings with the TA Facilitator to collaborate in developing the 2021 CCEIS Plan. The TA Facilitator designed a Padlet for AVUHSD that is intended to support staying on track to create a meaningful plan to address the identified area of SigDis. TA Facilitator supported our stakeholder discussion around existing and new data to validate and determine our root causes.

1.5 Gather Relevant Data

An LEA should gather and view data through a cultural lens. Data must be sorted by and analyzed, focusing on race, ethnicity, gender, and grade. The LEA should use both qualitative and quantitative data to complete its data analysis. Examples of both qualitative and quantitative data are available in the [CCEIS Padlet](#). This activity is included here to gather data that is not readily available and plan the time necessary for this task before bringing stakeholders together.

Type of Data

- **Previous data-** A review of 2020 self-assessment data, CALPADs, CA School Dashboard, PBIS SWIS, PBIS Tiered Fidelity Inventory, and Student Information System (Powerschool) data.
- **New data-** beginning of 2019-2020 school year suspension report/student incident report, Subgroup data related to 2020 & 2021 student grades, Data related to measurable outcomes for 2020 CCEIS plan, current student academic and discipline data from DATA Central and the Student Information System (Powerschool) data.

PHASE TWO: DATA AND ROOT CAUSE ANALYSIS

Find instructions for this phase at

<https://spptap.org/phase-ii-data-and-root-cause-analysis/>

2.1 Complete a Local Educational Agency (LEA) Initiative Inventory

Step 1: Describe Current Initiatives

Complete the table below for each of the LEA's current initiatives from Special Education and General Education related to CCEIS that reflect interventions with differentiated levels of support.

Initiative	Funding Source	Target Group	Leaders and Staff Responsible (as applicable)	Educational Area(s):
PBIS & Support Center (SSC)	CCEIS LCAP	Tier 1: all students and Students who need a Tier 2 or Tier 3 level of support	SSC coordinator, PBIS team members, school counselors, social workers, and site administrator	<input checked="" type="checkbox"/> Curriculum and Instruction <input checked="" type="checkbox"/> Behavior <input type="checkbox"/> Family and Community Engagement <input checked="" type="checkbox"/> Climate & Safety <input checked="" type="checkbox"/> Social-Emotional Learning <input type="checkbox"/> Other: _____
Equity-Based Multi-Tiered System of Supports	CCEIS LCAP	Tier 1: all students Tier 2: some	Administrators, School Counselors, Teachers, social	<input checked="" type="checkbox"/> Curriculum and Instruction <input checked="" type="checkbox"/> Behavior <input type="checkbox"/> Family and Community Engagement

(MTSS)		students (targeted groups) Tier 3: few students 1-on-1 support	workers, and SSC Coordinators	<input checked="" type="checkbox"/> Climate & Safety <input checked="" type="checkbox"/> Social-Emotional Learning <input type="checkbox"/> Other: _____
Whole Child Approach student Development with Emphasis on Peer Mentorship, Social Justice & Leadership skill-building	CCEIS LCAP	All Students	Administrators, Student Club Advisors, Teachers, and support staff	<input checked="" type="checkbox"/> Curriculum and Instruction <input checked="" type="checkbox"/> Behavior <input checked="" type="checkbox"/> Family and Community Engagement <input checked="" type="checkbox"/> Climate & Safety <input checked="" type="checkbox"/> Social-Emotional Learning <input checked="" type="checkbox"/> Other: <u>College & Career Readiness</u>
Parent and Family Engagement and Outreach	CCEIS LCAP	At-Risk students who have one or more F grades, excessive absences, and any type of suspension in 2021	Administrators, School Counselors, Mentors/Club Advisors. SSC Coordinators, PBIS team members, Parent Volunteers	<input type="checkbox"/> Curriculum and Instruction <input checked="" type="checkbox"/> Behavior <input checked="" type="checkbox"/> Family and Community Engagement <input checked="" type="checkbox"/> Climate & Safety <input checked="" type="checkbox"/> Social-Emotional Learning <input type="checkbox"/> Other: _____

Step 2: Examine the current Initiatives.

Complete the table below to identify connections between initiatives and align efforts that relate to the CCEIS plan. Identify and describe any gaps in services for any student groups most in need of support.

Name Common Areas Among the Initiatives
The most common areas among all four initiatives are Social-Emotional Learning, Climate & Safety, and Behavior. Curriculum and Instruction and Family and Community Engagement are areas that align with at least two of the four initiatives.
Identify Processes for Collaboration and Integration of the Initiatives, Including Timelines
The LEA utilized the processes set up for the following teams to collaborate: the Special Education Plan (SEP), Culturally Responsive Pedagogy and Teaching Cadre (Ed. Services) District Black Student Union (BSU) Student Club Advisory Council, Equity team, the LCAP & Title I accountability and initiative team. The meeting notes, revised

plans, professional development calendars, and groups' annual SMART goals were reviewed to support identifying the initiatives.

Describe any Groups of Students that are Not Served

There are no groups of students excluded from the initiatives and continued efforts aligned to this CCEIS plan.

Identify Areas that are a Higher Priority than Others

The area that the LEA has been identified as significantly disproportionate is a high-priority area. Continuing the work to eliminate disparities in school discipline for African American Students, increasing the district's efforts in providing educational equity for all students, and increasing staff's proficiency in cultural intelligence are high priorities.

2.2 Complete a Programmatic Self-Assessment

Identify programmatic self-assessment tool(s) the LEA used and describe the process(es) of completion.

Approved Self-Assessment Tools used:

- Annotated Checklist for Addressing Racial Disproportionality
- Preventing DISPROPORTIONALITY by Strengthening District Policies and Procedures_An Assessment and Strategic Planning Process
- Racial/Ethnic Disproportionality in Special Education/Data Analysis Workbook

Other relevant Self-Assessment Tools used:

- Quality Standards for Inclusive Schools: Self-Assessment Instrument
- Addressing the Root Causes of Disparities in School Discipline: An Educator's Action Planning Guide

Note: Each tool leans toward either qualitative or quantitative data. Therefore your data will need to be supplemented to ensure both types of data are used. For example, the Data Analysis Workbook is quantitative in nature, so additional self-assessment activities (such as focus groups, equity walks, empathy interviews) would need to be completed to gather qualitative data.

Describe how the self-assessment process was completed (who, how, what, and when).

As a continuing LEA with no new SigDIS area(s) of identification, the programmatic self-assessment tools completed in 2020 are appropriate and relevant supports to analyze progress or lack thereof. The NYU Racial/Ethnic Disproportionality in Special Education/Data Analysis Workbook by Dr. Edward Fergus is a comparative analysis because taking a critical look and comparing this assessment to the same one completed in 2017.

The completion process included running existing data reports from PowerSchool and CALPADS requesting information on Student Enrollment (SSID), Student Information (SINF), and Special Education Information System(SEIS), then uploading the data to the

SHAPE Education portfolio. After the report was completed, the CCEIS leadership team met on 9/3/2020 to review the data. The data showed an increase of our special education classification rate from 14.3 to 16.7 percent since 2017. There was a decrease in the classification rate of our White and Hispanic/Latinx students but an increase in our African American students. African American males have the highest classification rate at 34.1%. A stakeholder focus group took another look at the assessment results and analyzed progress towards the measurable outcomes of the existing CCEIS plans.

The leadership team and stakeholder group participated in a thorough discussion around the root cause analysis conducted in 2020 using the Root Causes of Disparities in School Discipline Guide, the Dan Losen Report, and the Policy Analysis for California Education as the framework. The process included an in-depth understanding of the CCEIS indicators, specifically Indicator 4, Greater than 10 Days Out-of-School (African American students). At that time, the team and stakeholder group considered the cultural implications of our policies and practices as we examined the last several years of discipline data, followed by an individual brainstorm. Finally, we moved into small groups and used the “ToP Consensus Action Planning Process” to identify causes.

The leadership team met on 8/18/2021, and the Stakeholder group met on 08/25/2021 and 09/07/2021 to review the root causes and discussed in detail that the global pandemic and the LEA going on distance learning there is no other data or information that would indicate any new root causes. Therefore, the current root causes identified from the self-assessments listed above continue to be appropriate. There were multiple consultations with the Technical Advisor to support the LEA with this decision.

2.3 Conduct Policies, Practices, and Procedures Review

Upon identifying significant disproportionality, an LEA must provide for the annual review and, if appropriate, revise the policies, practices, and procedures used in identification or placement in particular education settings, including disciplinary removals. An LEA must address a policy, practice, or procedure it identifies as contributing to the significant disproportionality. In addition, an LEA must publicly report on any revision of policies, practices, and procedures. (As directed in 34 CFR Section 300.646(c) and 300.646(d)(1)(ii-iii).)

Note: *The policies, practices, and procedure review are part of the root cause analysis process. However, revisions do not have to be completed prior to submission of the CCEIS plan. The Policies, Practices, and Procedures Review Matrix can support this activity and can be found on the [CCEIS Padlet](#).*

Describe the process of reviewing the LEA's Policies, Practices, and Procedures that relate to the significant disproportionality identification.

Members of the CCEIS leadership and stakeholder focus group collaborated with the Director of Student Services, the Director of Behavior & Interventions, and the Student Services Coordinators to review the progress made on the LEA's board policies and discipline procedures, and practices. Using the current PBIS and Student Support Centers put into place. The collaboration included authentic discussion and analysis of

existing climate data and the focus areas of need that should be addressed.

Did your LEA revise any policies, practices, or procedures?

Yes, Our LEA has revised policies, practices, and procedures.

Describe what policies, practices, and procedures have been or will be revised.

The LEA hired a Director of Equity (DOE) that began July 1, 2021. The district's goal is to mobilize stakeholder groups that represent the demographics of the student population and amplify the voices of staff, parents & families, students, and the community in a collaborative effort to provide every student with what they need, when they need it to succeed academically, social emotionally, and behaviorally. The framework of educational equity for the LEA will be developed under the leadership of the DOE.

DOE will oversee and chair the SigDis/CCEIS leadership team & stakeholder groups, provide organizational structure to build the capacity of both students and adults through an intentional focus on relationship-centered learning environments, and develop the CCEIS Plan to align with the district's equity endeavors.

Implementation of new practices such as collaborating with student-led focus groups, purposeful parent & family outreach, and forming partnerships to support and serve all students, but primarily those students identify as being disproportionately suspended, failing academically, and struggling socially-emotionally.

Describe how the policies, practices, and/or procedures have been or will be publicly shared (e.g., School Board meeting minutes, posting on LEA website).

Policies, Practices, and procedures are publicly shared through the School Board Meetings recordings and minutes. Postings on the district and school site website. Notices are posted in district and school site offices for the public. In addition, the district's social media platforms (district app, Facebook page, and Instagram account) share practices and procedures with the public.

Describe how the policies, practices, and/or procedures have been or will be internally disseminated and implemented.

In addition to Board Meeting recordings and minutes, postings on websites and throughout the offices and campus, announcements are made at each division, department, and site staff meeting regarding the revised and updated policies, practices, and procedures.

2.4 Complete Reflective Data Analysis:

Note: This analysis should provide information that will connect and validate the selected root causes, target populations, measurable outcomes, and related activities reported in 2.5, 3.1, and 3.2. **Any in-progress should become an outcome/activity and memorialize**

Briefly describe the LEA (e.g., demographics, culture, history of significant disproportionality)

The Antelope Valley Union High School District (AVUHSD) includes eight traditional and three alternative high schools, SOAR -- an early college high school on the Antelope Valley College campus, the no-cost, charter Academy Prep Junior High, an online education program and Antelope Valley Adult Education. The district serves 21,000 students in the cities of Palmdale and Lancaster, and the surrounding area. The district serves a diverse population of students with varying strengths and challenges. According to the district's current performance overview, 70% of the population is socioeconomically disadvantaged.

Multiple quantitative and qualitative data sources were used to discover root causes, create measurable outcomes and related activities, as well as, identify our target population: Freshmen & Sophomore students with one or more Fs at the first-quarter reporting period as well as Freshman & Sophomore students with one or more on and/or off-campus suspensions

We used the NYU Data Analysis Workbook by Dr. Eddie Fergus, which we previously completed with the help of our TA facilitator. This disproportionality study reveals qualitative and quantitative data, which helped narrow down our focus areas and validate the root cause analysis findings. This is also a comparative study because the same Data Analysis Workbook was completed in 2017. We also used our updated Policies, Practices, and Procedures Review Matrix to facilitate our efforts to review root causes, expand the target population, and revise and add measurable outcomes.

The leadership team (LT), along with the stakeholder group, analyzed discipline data reports from our Student Information System, PowerSchool, during the 08/25/2021 meeting and determined data before the pandemic is most appropriate considering that while on distance learning during the final quarter of the 2019-2020 and the entire 2020-2021 school.

The reports are disaggregated by student's ethnicity, gender, grade level, and educational setting. After the LT analyzes the discipline data, they evaluate it with each school site's administrative team. The discussions include overall discipline data trends, focusing on the student groups we continue to suspend disproportionately. The trend shows our total off-campus suspensions declining each year. In 2017-18, there were 3,181 suspensions compared to 2,757 in 2018-19 and 1,830 in 2019-20. As pleased as we are with this positive trend, the data show that we continue to suspend African American students at a disproportionate rate. In 2014, a district committee developed an exhibit for BP 5144.1. A discipline matrix that includes specific student behaviors and possible

consequences to address those behaviors.

While updating the SigDis Policies, Practices and Procedures Review Matrix 2021, we identified that the current policy continues to contribute to root cause #2, inequitable campus discipline policies and practices. Although the current policy continues to be outdated and subjective in its implementation from school to school, the district has made significant strides in hiring a Director of Equity to serve as a resource to organize and focus the district's effort in examining all Policies, Practices, and Procedures to identify barriers hindering equitable access to supports and services and eradicating any disparities in the discipline practices and procedures that have led to the LEA's significantly disproportionate identification.

The leadership team and stakeholder group also reviewed the California Schools DASHBOARD data and the Data Central system, an in-house mechanism for gathering and disaggregating data. In 2019 the data showed we are disproportionate in multiple indicators. College/Career Readiness indicates only 2.5% of special education students and 13.2% of African American students are in the prepared range, compared to 27.3% of Hispanic students and 39.8% of White students. Two of the strategies we are using to address these disparities are by identifying gatekeepers who discourage certain student groups from enrolling in honors and AP classes and minimizing pre-requisites to qualify for honors and AP classes. The suspension rate indicator shows 16.8% of Special Education students and 17.9% of African American students suspended at least once, compared to only 6.1% of Hispanic and 2.4% of White students. In light of this data, the stakeholder group felt compelled to adjust the target population from freshman male students to all freshman and sophomore students with at least one suspension and/or more than one failing grade at the first-quarter reporting period. The desired outcomes and related activities written in this CCEIS plan are purposeful to address these disparities and identified root causes.

Besides the CCEIS plan, the DASHBOARD and Data Central data played a significant role in completing the LCAP and the Learning Continuity and Attendance Plan (LCP).

The web-based information system, SWIS suite, is used by teachers to input minor and major behavior infractions in their classroom in real-time. The PBIS team analyzes the data uploaded by teachers to develop an intervention plan for students. In addition, the team is working to incorporate a monitoring process to increase fidelity in the use of SWIS.

Policy Analysis for California Education (PACE) did an in-depth study of the Antelope Valley as it relates to education. This has been a significant resource to help us better understand the broader influences of our community as it relates to our significant disproportionality.

In an effort to capture qualitative data, we continue to have several focus groups that were developed in 2020 and continue in 2021 with additional focus stakeholder groups including the Equity Champions Leadership Team (formally known as Equitable Campus Environments Committee), Parents for Equity Committee, Black Student Union Advisory

Council, the Trauma and Cultural Intelligence Committee, the Student Support Center (SSC) Coordinators, the PBIS teams, the MTSS build the team and the Social-Emotional Learning (SEL) leadership team.

These focus groups were identified by our stakeholder group as an effective way to collect qualitative data, conduct continuous progress monitoring of the CCEIS initiatives and activities, and directly collaborate regarding specific focus areas. The focus stakeholder groups continue to examine the impact of societal factors like the pandemic and its effect on the mental health of our students. We also discussed police brutality, racism, the political climate, the need for social justice, and culturally responsive & relevant teaching. We explored restorative circles as an effective way to listen to students and staff as we navigate through the unprecedented return back to school post-pandemic and social/political unrest.

SUMMARY:

Based on our disproportionality study, qualitative and quantitative data reviews from various sources, and our stakeholder group analysis, we identified the following root causes:

- #1 A lack of cultural intelligence among Staff**
- #2 Inequitable campus discipline policies and practices**
- #3 An inconsistent district-wide multi-tiered system of support**

Fill in the following table to indicate the tools/strategies used to gather relevant data, the process used to analyze the data, and the findings from each data source.

Focus	Tool/Strategy	Process	Findings
Qualitative	Collection of Voices using the Dan Losen Report and the Policy Analysis for CA Education Framework	The leadership team and stakeholder group participated in a thorough discussion around the root cause analysis conducted in 2020 using the Root Causes of Disparities in School Discipline Guide, the Dan Losen Report, and the Policy Analysis for California Education as the framework. The process included an in-depth understanding of the CCEIS indicators, specifically Indicator 4, Greater than 10 Days Out-of-School (African American students).	We identified the current discipline policy continues to contribute to root cause #2, inequitable campus discipline policies and practices. Although the current policy continues to be outdated and subjective in its implementation from school to school, the district has hired a Director of Equity to organize and focus the district's effort in examining all Policies, Practices, and Procedures to identify barriers hindering equitable access to supports and services and eradicating disparities in the discipline practices.
	The "ToP Consensus Action Planning Process" used with Focus Groups	These focus groups were identified by our stakeholder group as an effective way to collect qualitative data, conduct continuous progress monitoring of the CCEIS initiatives and activities, and directly collaborate regarding specific focus areas. The focus stakeholder groups continue to examine the impact of societal factors like the pandemic and its effect on the mental health of our students.	Through the live experiences discussed an identified need to address social injustices and unrest due to police brutality, racism, the political climate through social justice, and culturally responsive & relevant teaching. We found that implementing restorative circles in the classroom and Student Support Centers is crucial to students and staff as we navigate through the unprecedented return back to school post-pandemic and social/political unrest.
Quantitative	NYU and Data Reports from Student Information Systems such as	The NYU Racial/Ethnic Disproportionality in Special Education/Data Analysis Workbook by Dr. Edward Fergus is a comparative analysis because taking a critical look and comparing	The reports are disaggregated by student's ethnicity, gender, grade level, and educational setting. After the LT analyzes the discipline data, they evaluate it with each school site's administrative team. The discussions

	Powerschool, CALPADS, CA Dashboard and Data Central	<p>this assessment to the same one completed in 2017. The leadership team (LT) along with the stakeholder group analyzed discipline data reports from our Student Information System, PowerSchool, during the 08/25/2021 meeting and determined data prior to the pandemic is most appropriate considering that while on distance learning during the final quarter of the 2019-2020 and the entire 2020-2021 school.</p>	<p>include overall discipline data trends, with a particular focus on the student groups we continue to disproportionately suspend. The trend shows our total off-campus suspensions declining each year. In 2017-18, there were 3,181 suspensions compared to 2,757 in 2018-19 and 1,830 in 2019-20. As pleased as we are with this positive trend, the data show that we continue to suspend African American students at a disproportionate rate.</p>
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Identify who was involved in the discussions about the data analysis. Briefly summarize the **prioritized** findings of the data analysis (including trends and patterns).

***Note:** This is a narrative description of the data analysis and findings. Additional charts and tables are not needed.*

The CCEIS Leadership and Stakeholder Teams (listed in 1.1 & 1.2), as well as targeted Stakeholder Focus Groups (listed in 2.4), were involved in structured discussions centered around past & current data, the current state of education specifically in the AVUHSD as a result of the global pandemic and distance learning, and how to use the relevant data to address the high priority areas of need.

An analysis of past and current data (listed in 1.5) fueled authentic and transparent discussions in the Stakeholder and Focus Group meetings.

The process of prioritizing initiatives to capture outcomes and activities required a continuation of the Stakeholder meeting (described in 1.2) The Leadership Team chair designed a [CCEIS Summary of Priorities Chart](#) to facilitate collaborative dialogue in breakout groups. Stakeholders were given autonomy to choose their desired outcome to suggest and write in activities that would lead to success in that area for the targeted population identified.

In Summary, Stakeholder's discussion & collaboration led to the following results:

<u>Target Population</u>	<u>Root Causes</u>	<u>Initiatives/Outcomes</u>	<u>Activities</u>
-At-Promise 9th & 10th graders <u>currently needing SPED</u> with one or more on/off-campus suspension and two or more failing grades	-A Cultural Intelligence deficit among Staff	-Adopt a Whole Child Approach Student Development Framework with Emphasis on Peer Mentorship, Social Justice & Leadership skill-building.	Provide leadership skill building for all students and provide extended learning opportunities to increase their social-emotional, social justice, and cultural intelligence.
-At-Promise 10th graders <u>not identified as needing SPED</u> with one or more on/off-campus suspension	-Inequitable Campus Discipline Policies and Practices	-Implementation of PBIS with a focus on SEL and accelerated learning using the SSC district-wide.	Develop African American Parent advisory groups to increase AA family and parent involvement.
-At-Promise 9th graders <u>not identified as needing SPED</u> with one or more failing grades	-Inconsistent District-wide Multi-tiered System of Support (MTSS)	-Implement an Equity-Based Multi-Tiered System of Supports district-wide (MTSS)	Create an Equity-Based protocol for assessment progress with PBIS and MTSS initiatives.

2.5 Determine Root Cause(s) Based on Data

Describe the identified Root Cause(s) of disproportionality and briefly reference the data that supports the root cause(s).

Note: Root causes of disproportionality include an intersection between beliefs and practices and should describe an identified LEA gap or deficiency that will be addressed by the LEA.

Root Cause	Describe the Data Source(s) that Supports the Root Cause
#1_A Cultural Intelligence deficit among Staff	The leadership team and stakeholder group studied discipline data from our Student Information System, as well as the CA School DASHBOARD, and found that AVUHSD suspends a disproportionate number of African American students. In 2019, African American students represented 19% of our student population but comprised over 40% of our out-of-school suspensions (duplicated). Our root cause analysis identified that a <i>Lack of Cultural Intelligence among Staff</i> contributes to teachers sending a disproportionate number of African American students out of class; campus supervisors referring African American students to the office, and administrators suspending African American youth at higher percentages than other student groups. Across multiple data sources, there are disparate patterns for African American students. Qualitative data from stakeholders and other focus groups

	validate the quantitative data that identifies this root cause.
#2_Inequitable Campus Discipline Policies and Practices	<p>The root cause analysis process helped the leadership team and stakeholder group identify <i>Inequitable Campus Discipline Policies and Practices</i> as a root cause. Several of the student performance indicator levels for African American and Special Education students on the 2019 CA School DASHBOARD are disproportionate. The suspension rate indicator shows 16.8% of Special Education students and 17.9% of African American students suspended at least once, compared to only 6.1% of Hispanic and 2.4% of White students. A student's race or disability affects how some educators perceive a student's behavior which influences the severity of their response, resulting in disproportionately more suspensions and expulsions of African American and Special Education students. Additionally, the current discipline policy, which was revised in 2014, is outdated and lacks specificity, therefore, discipline practices differ greatly from school to school.</p>
#3_Inconsistent District-wide Multi-tiered System of Support (MTSS)	<p>The root cause analysis process, feedback from various focus groups, and the CA DASHBOARD data assisted the leadership team and stakeholder group to identify the <i>Lack of a Consistent District-wide MTSS</i> curriculum and interventions (behavior,</p>

	<p>academic, and social-emotional) as a root cause.</p> <p>Previous focus groups reported disparate student support and inconsistent resources from school to school. The CA School DASHBOARD reveals that success in the AVUHSD is inconsistent across student groups. For example, the suspension rate indicator ranges from 5-12%, the College/Career preparedness indicator ranges from 18-42% and the graduation rate ranges from 82-96%. This achievement data along with focus groups feedback shows that some student groups are at a disadvantage which leads to incongruous outcomes.</p> <p>Fidelity to PBIS has been instrumental in reducing overall suspensions from 3,181 in 2017-18 to 2757 in 2018-19. This data shows that a district-wide system, implemented with fidelity, will proportionately improve behavior and academic outcomes, as well as, the social-emotional needs of students.</p>
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3.1 Identify Target Population

Note: For more information about how to identify the target population, see the *Target Population Flow Chart* on the [CCEIS Padlet](#).

IDEA funds reserved for CCEIS are for students in the LEA, particularly, but not exclusively, students from those groups that were “significantly over-identified” who need additional support to be successful in the general education environment.

LEAs may not limit CCEIS solely to students of the racial or ethnic group for which the LEA is significantly disproportionate.

Complete the tables on the next page using estimates from current student data.

The estimated student numbers:

- Must be greater than zero
- Must represent the students expected to receive CCEIS services
- Cannot equal the number of all students
- Cannot be exclusively students with disabilities

Actual numbers of targeted students served will be provided on the Quarterly Progress Reports.

Students Currently <u>Not</u> Identified as Needing Special Education 2021 CCEIS Service Period: July 1, 2021, to September 30, 2023		
Report Periods	Description of Targeted Student Population	Number of Students Currently <u>Not</u> Identified as Needing Special Education Receiving CCEIS Initiatives
First 12 months: 7/1/2021 to 6/30/2022	9th & 10th grade students with one or more on-campus and/or off-campus suspension <u>and</u> one or more failing grades.	736
Second 12 months: 7/1/2022 to 6/30/2023	9th & 10th grade students with one or more on-campus and/or off-campus suspension <u>and</u> one or more failing grades.	226
Last 3 months: 7/1/2023 to 9/30/2023	9th-10th grade students with one or more suspensions.	140
Total Target Students to be served during this 27-month period (non-duplicative count)		1,102

Students Currently Identified as Needing Special Education 2021 CCEIS Service Period: July 1, 2021, to September 30, 2023		
Time Periods	Description of Targeted Student Population	Number of Students Currently Identified as Needing Special Education Receiving CCEIS Initiatives
First 12 months: 7/1/2021 to 6/30/2022	9th & 10th grade students with one or more on-campus and/or off-campus suspension <u>and</u> one or more failing grades.	204
Second 12 months: 7/1/2022 to 6/30/2023	9th & 10th grade students with one or more on-campus and/or off-campus suspension <u>and</u> one or more failing grades.	89
Last 3 months: 7/1/2023 to 9/30/2023	9th-10th grade students with one or more suspensions.	54
Total Target Students to be served during this 27-month period (non-duplicative count)		347

3.2 Develop Programmatic Improvement Action Plan

Complete information below for each measurable outcome. (You may cut and paste empty tables for additional outcomes and related activities. You may also add more rows to the activities table).

Measurable Outcome # 1	Indicator(s)	Root Causes	Target Population
By June 2023, we will form culturally responsive structures that connect students to school site clubs/groups that are student-centered with a Whole Child Approach emphasizing Peer Mentorship, Social Justice & Leadership skill-building. The focus is to improve student daily attendance by increasing student's sense of belonging, desire to participate in extracurricular activities, and improving campus safety and climate. The focus is to decrease the targeted group's rate of truancies and tardies by 15% per semester.	4-Discipline (AA)	#1 A lack of cultural intelligence among Staff	9th & 10th grade students with one or more on-campus and/or off-campus suspension <u>and</u> one or more failing grades.

Activity	Staff Responsible for Implementation and Monitoring	Timeline	Data Sources/ Methods for Evaluating Progress	Funding Sources and Types of Expenditures
Activity 1.1: Develop a Student-Centered Focus Group to design a structure that promotes student peer-mentorship, student leadership & involvement, and self-advocacy through extended learning and Field trip opportunities.	Administration Stakeholder Focus Group Student Club Advisors/Mentors	08/08/2021-06/30/2022	Student-Opinion Survey Results Powerschool (verified with CALPADS reports), CA DASHBOARD,	CCEIS LCAP

			Data Central, and PBIS SWIS	
Activity 1.2: Develop a district guideline for Parent & Family Engagement and Outreach to serve as a framework for building partnerships and capacity in families, community and schools to advance whole-child wellness.	Equity Champions Leadership Team Stakeholder Focus Group Administration	10/01/2021- 09/30/2022	School Safety Survey Results	CCEIS LCAP

Measurable Outcome # 2	Indicator(s)	Root Causes	Target Population
By June 2023, the MTSS Build Team will solidify and lead the district's Equity-Based Multi-Tiered System of Supports (MTSS) framework and implementation plan to ensure equitable alignment of resources and family & community partnerships at all school sites in order to reduce suspensions for the targeted group by 20%.	4-Discipline (AA)	#3 An inconsistent district-wide multi-tiered system of support	9th & 10th grade students with one or more on-campus and/or off-campus suspension <u>and</u> one or more failing grades.

Activity	Staff Responsible for Implementation and Monitoring	Timeline	Data Sources/ Methods for Evaluating Progress	Funding Sources and Types of Expenditures
Activity 2.1: The MTSS Leadership and Build Teams will continue the work with an outside agency (experts in the field of MTSS) to strengthen an MTSS framework and structure including foundations, teaming structures and data/assessment screeners.	Director of Behavior and Intervention Student Services Coordinators CCEIS Leadership Team	10/01/2021- 09/30/2022	MTSS Meeting agendas, sign-in, progress update reports	CCEIS LCAP

Activity 2.2: MTSS Implementation Team will work with school sites to create SMART goals to support implementation of the district's MTSS framework with fidelity and develop a progress monitoring format for continuous improvement.	Director of Behavior and Intervention Student Services Coordinators CCEIS Leadership Team	10/01/2021-09/30/2022	Site MTSS Improvement plan and progress Monitoring reports	CCEIS LCAP
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Measurable Outcome # 3	Indicator(s)	Root Causes	Target Population
By June 2023 a PBIS-Focus leadership team will design a framework for the training and implementation of restorative and culturally responsive PBIS with a focus on SEL and accelerated learning in the Student Support Center (SSC) and classroom district-wide to increase students' academic success as measured by a decrease in the D and F grade rates by 10% per semester.	4-Discipline (AA)	#2 Inequitable campus discipline policies and practices	9th & 10th grade students with one or more on-campus and/or off-campus suspension <u>and</u> one or more failing grades.

Activity	Staff Responsible for Implementation and Monitoring	Timeline	Data Sources/ Methods for Evaluating Progress	Funding Sources and Types of Expenditures
Activity 2.1: A PBIS Focus Group will design a training schedule and support for district-wide effort to train staff in culturally responsive restorative practices to increase trust and positive relationships among students, families and staff.	Director of Behavior and Intervention Student Services Coordinators Equity Champion Leadership Team	10/01/2021-09/30/2022	Equity Walks Student Support Center Fidelity Inventory	CCEIS LCAP

Note: *Information described in the Measurable Outcomes and Activities will be monitored through quarterly progress reporting.*

3.3 Complete Budget Forms

Complete both budget forms embedded below.

Budget Form 1: 2021 BUDGET ALLOCATION

Provide the Fiscal Year 2020–21 allocation awarded for Resource Codes 3310 and 3315:

2020 Resource 3310 Allocation	2020 Resource 3315 Allocation
\$4,673,170.00	\$0.00

Provide the Fiscal Year 2021–22 allocation awarded for Resource Codes 3310 and 3315:

Provide the 2021 allocations the SELPA provided to the identified LEA for resource codes 3310 and 3315. The 15 percent set-aside for CCEIS expenditures will be determined from these two resource codes.

2021 Resource 3310 Allocation	2021 Resource 3315 Allocation
\$4,673,170.00	\$0.00

In the box below, indicate the 15 percent set aside for each of the Fiscal Year 2021–22 allocations the LEA was awarded for resource codes 3310 and 3315:

2021 CCEIS Resource 3312 3312 = 15% of 3310		2021 CCEIS Resource 3318 3318 = 15% of 3315		Total 2021 CCEIS Budget (3312 plus 3318)
\$700,976.00	plus	\$0.00	equals	\$700,976.00

The above 15 percent set-aside amounts will be the 2021-22 CCEIS allocations for resource codes 3310 (CEIS Resource Code 3312) and 3315 (CEIS Resource 3318) and should be expended and reported accurately in quarterly CCEIS Progress and Expenditure Reports. **Please use the Total 2021 CCEIS Budget indicated above to complete the 2021 Allowable Costs Budget form on the next page.**

Budget Form 2: 2021 ALLOWABLE COSTS BUDGET

Complete the table below to reflect the **Total 2021 CCEIS Budget** as reported on the 2021 Budget Allocation. CCEIS expenses for 2021 must conform to the U.S. Office of Special Education Programs (OSEP) IDEA Part B Regulations Significant Disproportionality (Equity in IDEA). For detailed allowable CCEIS expenditures, please refer specifically to Questions C-3-1 through C-3-10, pages 19 through 24, on the U.S. Department of Education Web page at <https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/significant-disproportionality-qa-2-23-17.pdf>.

The 2021 CCEIS period is July 1, 2021, through September 30, 2023. The CCEIS 15 percent set-aside must be fully expended by September 30, 2023.

2021 Budget Line Items	Brief Description of 2021 CCEIS Activities	Amount for each CCEIS Activity
1000–Certified Salaries	Program Positions <ul style="list-style-type: none"> • CCEIS Implementation Lead-Partial Salary • Teacher hours for <u>Extra-curricular, Extended Learning activities and Field Trip Supervision</u> • Teacher & Administrator hours for <u>MTSS PD</u> • Teacher hours for <u>PBIS PD</u> • Teacher & Administrator hours for <u>Equity PD</u> 	\$296,254
2000–Classified Salaries	Program Support Staff <ul style="list-style-type: none"> • CCEIS Implementation Support Staff-Partial Salary • Data Technician- partial salary 	\$23,791
3000–Employee Benefits	Statutory and H&W for Program Staff Benefits for Implementation Lead, support staff, and data technician	\$75,107
4000–Materials and Supplies	Intervention Program Materials and Supplies <ul style="list-style-type: none"> • Equity- District Equity planning materials and PD supplies • MTSS-PD supplies • PBIS/SEL-PD and training materials and supplies • Extended Learning/Field Trip/Focus Group meeting supplies 	\$59,156
5000–Services and Other Operating Costs	Consulting, Conference, and Professional Development Fees <ul style="list-style-type: none"> • Equity & Access Conference • PBIS Conference 	\$30,268

5100 Contract Services (ICR cannot be used for Object Code 5100)	Licenses and Services for Socio-Emotional Supplemental Support <ul style="list-style-type: none"> • Growing Leaders Inc. • University of Oregon 	\$157,487
5800 Contract Services	<ul style="list-style-type: none"> • CLS-TA Facilitator • CLS-MTSS consultant-PD and Coaching • Jamaal Brown_Black 360 Knowledge Bowl Consultant 	\$32, 000
7300–Indirect Cost Rate (ICR) CDE-approved rate of 5.21% percent)		\$26,913
Total Amount for 2021 CCEIS Activities. The amount must equal the Total 2021 CCEIS Budget as indicated on the 2020 Budget Allocation Summary.		\$700,976

Signature of fiscal/business agents validate the accuracy of the information reported:

LEA Business Fiscal Officer (Print Name & Signature)	Date Signed:
	Contact Phone:
SELPA Business Fiscal Officer (Print Name & Signature)	Date Signed:
	Contact Phone:

Note: This budget will be revised after actual allocations are finalized. The form for documenting revisions to the budget is a standalone document available on the [CCEIS Padlet](#).

4.1 Implement Programmatic Improvement Action Plan

List staff responsible for oversight of CCEIS activities (including submission of Progress Report and Quarterly Expenditure Reporting Forms). If these are submitted from different departments (such as business and program), two individuals may be identified.

Staff Name	Reports to Submit	Email
Dr. Kathryn Taylor	Progress Reports Expenditure Reports Both Reports	ktaylor@avhsd.org
Trixie Flores	Progress Reports Expenditure Reports Both Reports	tflores@avhsd.org

4.2 Evaluate Effectiveness

Describe the process for ongoing collection and analysis of data related to the measurable outcomes outlined in the Programmatic Improvement Action Plan. This includes tracking of target students, sending out feedback surveys, gathering and sharing data with stakeholders, and adapting the action plan based on data.

There will be ongoing progress monitoring through the implementation of the Programmatic Improvement Plan including analyzing disaggregated discipline data from Powerschool and Data Central every quarter.

The CCEIS and Student Services leadership teams will examine the data then review it with stakeholder focus groups and school site administrative teams. Suspended students meet with an administrator or Student Support Center Coordinator to ensure a restorative return to the classroom.

Targeted students' progress will be monitored through Data Central that allows for goal setting and management within each school site. The data point, in this short-term measure, is any type of suspension rates from the first quarter which is compared to subsequent quarters. The long-term measure is to compare year to year discipline data.

The PBIS teams monitor SWIS data on a monthly basis. Reviewing both major and minor office discipline referrals. The PBIS teams will use agreed upon data points to determine Tier 2 and 3 supports and interventions.

4.3 Build Supports and Sustainability

Describe the process for adding support for sustainability of CCEIS activities that demonstrate success in reducing disproportionality. Consider LCFF/LCAP, blended funding, grant writing, and other funding sources.

The 2021 CCEIS plan aligns with district policies and practices including the Local Control Accountability Plan, the Learning Continuity and Attendance Plan and the Special Education Plan. This synchronicity is effortless because the main authors of these plans are members of the CCEIS leadership team and/or the stakeholder group.

AVUHSD's commitment to reducing disproportionality and sustaining CCEIS activities is demonstrated by it's hiring of a Director of Equity and the ongoing efforts to strengthen our Family & Parent outreach. The Director of Equity will serve as a support to formulating procedures and practices that ensure our organizational systems purposefully address the barriers that hinder any student from accessing every opportunity available. The staff that support as mentors for school sites and the administrative teams will team up to examine their school's structure, cultural responsiveness. and restorative practices as it relates to access, equity and disproportionality.

4.4 Complete and Submit SPP-TAP Feedback survey

List staff responsible for completing and submitting surveys provided by SPP-TAP at the end of the CCEIS period.

Staff Name	Title	LEA/Agency	Email
Dr. Kathryn Taylor	Director of Equity	Antelope Valley Union High School District	ktaylor@avhsd.org

CCEIS Plan Signatures

By signing below, the authorized personnel validates the accuracy of the information reported and agrees to implement the CCEIS Plan.

Printed Name and Signature

Date

LEA Superintendent

Special Education Director

School Board Chairperson

SELPA Director

Telephone Survey Instrument

Interviewer Instructions

- SPEAK SLOWLY AND CLEARLY.
- IF THE RESPONDENT HESITATES BEFORE ANSWERING A QUESTION, CONSIDER THE POSSIBILITY THAT HE/SHE HAD DIFFICULTY UNDERSTANDING THE QUESTION OR SOME PART OF THE QUESTION. VOLUNTEER TO REPEAT THE QUESTION, SAYING: “I’d be happy to repeat the question if you like. Would you like me to repeat it?”
- IF THE RESPONDENT STILL SEEMS HESITANT, SAY: “Can I help make something a little more clear?”

Introduction

A1. Hello, my name is _____. I’m calling on behalf of Disability Rights California (DRC) and Neighborhood Legal Services of Los Angeles County (NLSLA) regarding an important survey about your child’s school disciplinary experience. May I please speak with [Parent’s Name] or parent or guardian of [Child’s Name]?

[IF ASKED who DRC and NLSLA are?: DRC and NLSLA are nonprofit legal organizations that are undertaking an investigation of the Antelope Valley Unified High School District’s discipline and policing policies and practices and the impact of suspensions on students with disabilities as well as students of color. DRC and NLSLA provide free legal services to Antelope Valley public school students and their families to help preserve education rights and promote success for all students through advocacy, parent training, direct representation, and consultation.]

- If Parent is available and Person Speaking gets Parent, repeat A1.
- If Person Speaking is Parent, go to A2.
- If Parent is not available now but would like to set up an appointment, set appointment in the database.
- If wrong number, enter this information in the database and try secondary or tertiary telephone number.
- If Child is deceased, go to condolence script.*

*CONDOLENCE SCRIPT: I’m terribly sorry. Please accept our condolences. I’ll make sure you are not contacted by the study again. Thank you. *Terminate call and enter completed survey.*

IF THE PERSON WHO ANSWERED WAS NOT THE PARENT OR GUARDIAN WHO WILL TAKE THE SURVEY READ A2. Otherwise go to A3.

A2. You may have received a letter explaining that we would be calling. [IF RESPONDENT SAYS THEY DIDN’T GET THE LETTER, SAY: Maybe it hasn’t gotten to you yet. AND CONTINUE]:

Who would be the best person/guardian to talk with about [Child's] school disciplinary experience? [If asked, disciplinary experience refers to out of school suspension, on-campus detention, and reassignment to the Student Support Center (SSC)."]

- Person Speaking, go to A3
- Someone else, enter name of person
- Don't know
- Refused

A3. I have some questions about your child's school discipline experiences that will around 15 minutes. Can I ask you those questions now?

- Yes
- No
- Don't know
- Refused

This interview is an important opportunity for parents to share opinions and experiences. What we learn from these interviews will help improve school discipline programs for students in the Antelope Valley Unified High School District. This interview is voluntary. Everything you say will be kept completely private, and you may choose to not answer any question I ask you. Nothing you say will ever be reported about you, [Child], or your family, and nothing you say will be shared with [Child's] school. Your opinions are very valuable, and we want you to feel comfortable saying what you really feel and think.

If this is a good time to talk, we can start the interview now. [IF RESPONDENT HESITATES, SAY: Why don't we start, and then I can always call back if you need to stop before we finish.

Begin questions.

Questions—Parents

During this or last school year, did [Child] have an IEP and receive special education supports or services? [IF NEEDED: An IEP is also sometimes called an "individualized education program." The IEP meeting is usually held once a year. It is a plan for the education of a child who is in a special education program or receiving special education services.] **Do not read response options.**

- Yes
- No
- Don't know
- Refused

The following questions are related to your [Child's] school discipline experiences. The first set of questions is related to out-of-school suspensions (OSS). Out-of-school suspensions are disciplinary actions that remove students from schools for up to five days at a time.

Do not read response options for 1 and 2.

1. During the 2021-22 school year, how many times was [Child] suspended from school?
 - 1
 - 2
 - 3
 - 4
 - 5 or more times
 - Don't know [Do not read]
 - Refused [Do not read]

2. Do you recall the total number of days [Child] was suspended for during the 2021-22 school year?
 - 1 day
 - 2 - 5 days
 - 6 - 9 days
 - 10 or more days
 - Don't know [Do not read]
 - Refused [Do not read]

[If the Parent reports more than one suspension, READ the following]

I understand [NAME] might have been suspended more than one time last year. The next set of questions are about the school's interactions with you during the suspension process. If your child was suspended multiple times, the response options allow for you to differentiate between suspension events and by responding: Yes for all; Sometimes; or, No not at all.

Read response options for questions 3-12.

3. Did someone from the school call you to inform you that your child had been involved in a behavioral incident and was being considered for an out-of-school suspension?
 - Yes for all
 - Sometimes
 - No, not at all
 - Don't know [Do not read]
 - Refused [Do not read]

4. Did the school invite you to attend a suspension conference or meeting to discuss the behavioral incident and out-of-school suspension?
 - Yes for all
 - Sometimes
 - No, not at all [If No, go to 13]
 - Don't know [Do not read]
 - Refused [Do not read]
5. Were you able to attend the suspension conference or meeting?
 - Yes for all
 - Sometimes
 - No, not at all [If no, go to 13]
 - Don't know [Do not read]
 - Refused [Do not read]
 - Not Applicable [If NA to 13]
6. Did the school make efforts to allow you to participate in the suspension conference with the school administration, such as offering to reschedule the meeting or holding it over Zoom or telephone?
 - Yes for all
 - Sometimes
 - No, not at all
 - Don't know [Do not read]
 - Refused [Do not read]
 - Not Applicable [If NA to 13]
7. At the suspension conference, did the school discuss the reason for suspension, other means of correction or alternatives to suspension such as speaking to a counselor or Saturday detention?
 - Yes for all
 - Sometimes
 - No, not at all
 - Don't know [Do not read]
 - Refused [Do not read]
 - Not Applicable [If NA go to 13]
8. At the suspension conference, did school officials consider your concerns or disagreement with their decision to suspend?
 - Yes for all
 - Sometimes

- No, not at all
- I did not know I could disagree
- Don't know [Do not read]
- Refused [Do not read]
- Not Applicable [If NA go to 13]

9. Upon the school's decision to suspend [Child], were you provided something in writing that specified the reason for suspension, and number of days suspended?

- Yes for all
- Sometimes
- No, not at all
- Don't know [Do not read]
- Refused [Do not read]
- Not Applicable [If NA go to 13]

10. At any of these suspension conferences, did school officials discuss [Child's] disability or IEP in relation to the disciplinary incident that led to suspension?

- Yes for all
- Sometimes
- No, not at all [if no, go to 12]
- Don't know [Do not read]
- Refused [Do not read]
- Not Applicable [If NA go to 13]

11. At any of these conferences, did the school state that they did not believe that [Child's] behavior was related to his/her disability?

- Yes for all
- Sometimes
- No, not at all
- Don't know [Do not read]
- Refused [Do not read]
- Not Applicable [If NA go to 13]

12. As a result of the suspension, did the school recommend changes to the IEP to better respond to your child's behavioral challenges? (any suspension event)

- Yes for all
- Sometimes
- No, not at all
- Don't know [Do not read]

- Refused [Do not read]
- Not Applicable [If NA go to 13]

13. To your knowledge, was your child informally suspended from school where the school sent him/her home without including it in their student record? **DO NOT READ OPTIONS**

- Yes
- No
- Don't know [Do not read]
- Refused [Do not read]

14. During the course of last year, did any of the following occur as a result of [NAME] behavioral difficulties and disciplinary actions including suspensions? Please respond with Yes, No, or Don't Know **Read questions and select Yes, No or Don't Know for each:**

- Change to a more restrictive placement such as a special day classroom
- Placement at another school (such as a continuation school)
- Additional assessments (psychoeducational)
- An FBA or Functional Behavioral Analysis
- Addition or changes to the Behavior Intervention Plan or BIP
- Addition or increase of counseling services or ERICS/ERHMS

The next set of questions are related to the use of alternatives to suspension, or in-school suspensions, commonly referred to as reassignment to the Student Support Center (SSC). Reassignment to the SSC typically occurs for 1-3 days, and students are not permitted to attend their regular classes during this time. **DO NOT READ OPTIONS**

15. During the 2021-22 school year, was [Child] referred to the Student Support Center for disciplinary reasons?

- Yes
- No [If NO go to 18]
- Don't know [Do not read]
- Refused [Do not read]

16. Do you recall the total number of days [Child] was reassigned during the 2021-22 school year? [If a parent states "a lot" re-read the options and ask them to select one] **DO NOT READ OPTIONS**

- 1-2 Days
- 3-5 Days
- 6-10 Days
- 11+ Days
- Don't know [Do not read]

- Refused [Do not read]
- Not Applicable [If NA go to 18]

17. Upon the school's decision to reassign [Child's] to the SSC, were you informed either by phone or in writing about the reason for the in-school suspension, and number of days reassigned? **DO NOT READ OPTIONS**

- Yes
- No
- Don't know [Do not read]
- Refused [Do not read]
- Not Applicable [If NA go to 18]

The next set of questions are related to disciplinary interactions between staff and students. Please answer with a YES, NO or Don't Know response if any of these events occurred during the 2021-22 school year. **[Read each and select Yes, No or Don't know for each]**

18. Did your child experience being:

- a. searched - either their person or belongings
- b. restrained by staff
- c. handcuffed by campus security
- d. handcuffed by the SRO
- e. cited
- f. referred to a probation officer when they did not have one assigned by the courts

The last set of questions will help us understand the effectiveness of disciplinary actions for students with disabilities. I will read some statements and provide you response options to gauge whether you agree or disagree.

19. The school's use of discipline was effective for deterring [Child's] behavior over the course of the year or in the future. Would you say you:

- Strongly agree
- Agree
- Disagree
- Strongly disagree
- Don't know [Do not read]
- Refused [Do not read]

20. The school considered [Child's] disability when taking disciplinary actions. Would you say you:

- Strongly agree
- Agree

- Disagree
- Strongly disagree
- Don't know [Do not read]
- Refused [Do not read]

21. Staff, including administrators in my school are fair in how they discipline students?

- Strongly agree
- Agree
- Disagree
- Strongly disagree
- Don't know [Do not read]
- Refused [Do not read]

22. Students in my school are treated fairly in discipline, regardless of their race or ethnicity? Would you say you:

- Strongly agree
- Agree
- Disagree
- Strongly disagree
- Don't know [Do not read]
- Refused [Do not read]

23. Students in my school are treated fairly in discipline, regardless of their disability?

Would you say you:

- Strongly agree
- Agree
- Disagree
- Strongly disagree
- Don't know [Do not read]
- Refused [Do not read]

24. In two to three sentences, what do you think could help improve disciplinary practices for students with disabilities in the district?

Those are all my questions. Thank you so much for taking time to help us with this important survey.

Instrumento de encuesta telefónica

Instrucciones para el entrevistador

- HABLA DESPACIO Y CLARO.
- SI EL ENCUESTADO DUDA ANTES DE RESPONDER UNA PREGUNTA, CONSIDERE LA POSIBILIDAD DE QUE TENGA DIFICULTAD PARA ENTENDER LA PREGUNTA O ALGUNA PARTE DE LA PREGUNTA. OFREZCATE VOLUNTARIO PARA REPETIR LA PREGUNTA, DICIENDO: "Me encantaría repetir la pregunta si quieres. ¿Quieres que se lo repita?"
- SI EL ENCUESTADO TODAVÍA PARECE QUE NO ENTIENDE, DIGA: "¿Puedo ayudar a que algo quede un poco más claro?"

Introducción

A1. Hola, mi nombre es _____. Llamo en nombre de Disability Rights California (DRC) (por sus siglas en ingles) y Neighborhood Legal Services of Los Angeles County (NLSLA) con respecto a una importante encuesta sobre la experiencia disciplinaria escolar de su hijo. ¿Puedo hablar con [Nombre del padre] o con el padre o tutor de [Nombre del niño]?

[SI SE LE PREGUNTA quien son DRC y NLSLA?: DRC y NLSLA son organizaciones legales sin fines de lucro que están llevando a cabo una investigación de las políticas y prácticas policiales y de disciplina del Distrito Escolar Unificado de Escuelas Secundarias de Antelope Valley y el impacto de las suspensiones en los estudiantes con discapacidades, así como en los estudiantes de color. DRC y NLSLA brindan servicios legales gratuitos a los estudiantes de las escuelas públicas de Antelope Valley y sus familias para ayudar a preservar los derechos educativos y promover el éxito de todos los estudiantes a través de la defensa, la capacitación de los padres, la representación directa y la consulta.]

- Si el padre está disponible y la persona hablando va a obtener el padre, repita A1.
- Si la persona que habla es el padre, vaya a A2.
- Si el padre no está disponible ahora, pero desea programar una cita, programe una cita en la base de datos.
- Si el número es incorrecto, ingrese esta información en la base de datos y pruebe con un número de teléfono secundario o terciario.
- Si el niño ha fallecido, vaya al guion de condolencias.*

*GUIÓN DE CONDOLENCIA: Lo siento muchísimo. Por favor acepte nuestras condolencias. Me aseguraré de que el estudio no se comunique con usted nuevamente. Gracias. Finalice la llamada e ingrese la encuesta completa.

ONLY READ A2. If the person who answered the phone was not the parent or guardian.

A2. Es posible que haya recibido una carta explicando que lo llamaríamos. [SI EL ENCUESTADO DICE QUE NO RECIBIÓ LA CARTA, DIGA: Tal vez aún no le haya llegado. Y CONTINUAR]: ¿Quién sería la mejor

persona/tutor para hablar sobre la experiencia disciplinaria escolar de [Niño]? [Si se pregunta, la experiencia disciplinaria se refiere a suspensión fuera de la escuela, detención en el campus y reasignación al Centro de Apoyo Estudiantil (SSC)].]

- Persona que habla, vaya a A3
- Alguien más, ingrese el nombre de la persona
- No sé
- Rechazo

A3. Tengo algunas preguntas sobre las experiencias de disciplina escolar de su hijo que durarán alrededor de 15 minutos. ¿Puedo hacerte esas preguntas ahora?

- Sí
- No
- No sé
- Rechazo

Esta entrevista es una oportunidad importante para que los padres compartan opiniones y experiencias. Lo que aprendamos de estas entrevistas ayudará a mejorar los programas de disciplina escolar para los estudiantes del Distrito Unificado de Escuelas Secundarias de Antelope Valley. Esta entrevista es voluntaria. Todo lo que diga se mantendrá en total privacidad y puede optar por no responder ninguna pregunta que le haga. Nunca se informará nada de lo que diga sobre usted, [Niño] o su familia, y nada de lo que diga se compartirá con la escuela de [Niño]. Sus opiniones son muy valiosas y queremos que se sienta cómodo diciendo lo que realmente siente y piensa.

Si este es un buen momento para hablar, podemos comenzar la entrevista ahora. [SI EL ENCUESTADO DUDA, DIGA: ¿Por qué no empezamos y luego puedo volver a llamar si necesita detenerse antes de que terminemos?

Comience preguntas.

Preguntas—Padres

Durante este o el último año escolar, ¿tuvo [Niño] un IEP y recibió apoyo o servicios de educación especial? [SI ES NECESARIO: Un IEP también se denomina a veces un “programa de educación individualizado”. La reunión del IEP generalmente se lleva a cabo una vez al año. Es un plan para la educación de un niño que está en un programa de educación especial o que recibe servicios de educación especial.]

- Sí
- No
- No sé
- Rechazo

Las siguientes preguntas están relacionadas con las experiencias de disciplina escolar de su [hijo]. El primer conjunto de preguntas está relacionado con las suspensiones fuera de la escuela. Las suspensiones fuera de la escuela son acciones disciplinarias que retiran a los estudiantes de las escuelas hasta por cinco días a la vez.

1. Durante el año escolar 2021-22, ¿cuántas veces fue suspendido de la escuela [Niño]?

DO NOT READ OPTIONS

- 1
- 2
- 3
- 4
- 5 o más veces
- No sé [No leer]
- Rechazo [No leer]

2. ¿Recuerda la cantidad total de días que [Niño] estuvo suspendido durante el año escolar 2021-22?

DO NOT READ OPTIONS

- 1 día
- 2-5 días
- 6 - 9 días
- 10 o más días
- No sé [No leer]
- Rechazo [No leer]

[Si el Padre reporta más de una suspensión, LEA lo siguiente]

Entiendo que [NOMBRE] podría haber sido suspendido más de una vez el año pasado. El siguiente grupo de preguntas trata sobre las interacciones de la escuela con usted durante el proceso de suspensión. Si su hijo fue suspendido varias veces, las opciones de respuesta le permiten diferenciar entre eventos de suspensión y responder: Sí para todos; Algunas veces; o, No, en absoluto. **READ OPTIONS FOR**

QUESTIONS 3-12

3. ¿Alguien de la escuela lo llamó para informarle que su hijo había estado involucrado en un incidente de comportamiento y estaba siendo considerado para una suspensión fuera de la escuela?

- Sí para todos
- Algunas veces

- No, en absoluto
- No sé [No leer]
- Rechazo [No leer]

4. ¿La escuela lo invitó a asistir a una conferencia o reunión de suspensión para discutir el incidente de comportamiento y la suspensión fuera de la escuela?

- Sí para todos
- Algunas veces
- No, en absoluto [Si No, vaya a 13]
- No sé [No leer]
- Rechazo [No leer]

5. ¿Pudo asistir a la conferencia o reunión de suspensión?

- Sí para todos
- Algunas veces
- No, en absoluto [Si no, pase a 13]
- No sé [No leer]
- Rechazo [No leer]
- No aplicable [Si NA a 13]

6. ¿La escuela hizo esfuerzos para permitirle participar en la conferencia de suspensión con la administración de la escuela, como ofrecer reprogramar la reunión o realizarla por Zoom (virtualmente) o por teléfono?

- Sí para todos
- Algunas veces
- No, en absoluto
- No sé [No leer]
- Rechazo [No leer]
- No aplicable [Si NA a 13]

7. En la reunión de suspensión, ¿discutió la escuela el motivo de la suspensión, otros medios de corrección o alternativas a la suspensión, como hablar con un consejero o la detención del sábado?

- Sí para todos

- Algunas veces
- No, en absoluto
- No sé [No leer]
- Rechazo [No leer]
- No Aplicable [Si NA vaya a 13]

8. En la reunión de suspensión, ¿consideraron los funcionarios escolares sus inquietudes o desacuerdo con su decisión de suspender?

- Sí para todos
- Algunas veces
- No, en absoluto
- No sabía que podía estar en desacuerdo
- No sé [No leer]
- Rechazo [No leer]
- No Aplicable [Si NA vaya a 13]

9. Tras la decisión de la escuela de suspender a [Niño], ¿le proporcionaron algo por escrito que especificaba el motivo de la suspensión y la cantidad de días de suspensión?

- Sí para todos
- Algunas veces
- No, en absoluto
- No sé [No leer]
- Rechazo [No leer]
- No Aplicable [Si NA vaya a 13]

10. En alguna de estas reuniones de suspensión, ¿discutieron los funcionarios escolares la discapacidad o el IEP [del niño] en relación con el incidente disciplinario que condujo a la suspensión?

- Sí para todos
- Algunas veces
- No, en absoluto [si no, pase a 12]
- No sé [No leer]
- Rechazo [No leer]

- No Aplicable [Si NA vaya a 13]

11. En alguna de estas conferencias, ¿la escuela declaró que no creía que el comportamiento [del niño] estuviera relacionado con su discapacidad?

- Sí para todos
- Algunas veces
- No, en absoluto
- No sé [No leer]
- Rechazo [No leer]
- No Aplicable [Si NA vaya a 13]

12. Como resultado de la suspensión, ¿recomendó la escuela cambios en el IEP para responder mejor a los problemas de comportamiento de su hijo? (cualquier evento de suspensión)

- Sí para todos
- Algunas veces
- No, en absoluto
- No sé [No leer]
- Rechazo [No leer]
- No Aplicable [Si NA vaya a 13]

13. Según su conocimiento, ¿su hijo fue suspendido informalmente de la escuela donde la escuela lo envió a casa sin incluirlo en su expediente escolar?

DO NOT READ OPTIONS

- Sí
- No
- No sé [No leer]
- Rechazo [No leer]

14. Durante el transcurso del año pasado, ¿ocurrió algo de lo siguiente como resultado de las dificultades de comportamiento y las medidas disciplinarias de [NOMBRE], incluyendo las suspensiones? Responda con Sí, No o No sé (lea las opciones y seleccione todas las que correspondan):

- Cambiar a una colocación más restrictiva, como un salón de clases especial diurno
- Colocación en otra escuela (como una escuela de recuperación)
- Evaluaciones adicionales (psicoeducativas)

- Un FBA o Análisis de Comportamiento Funcional
- Adición o cambios al plan de intervención de comportamientos o BIP
- Adición o aumento de los servicios de asesoramiento o ERICS/ERHMS

El siguiente conjunto de preguntas está relacionado con el uso de alternativas a la suspensión, o suspensiones dentro de la escuela, comúnmente conocidas como reasignación al Centro de Apoyo Estudiantil (SSC). La reasignación al SSC generalmente ocurre durante 1 a 3 días, y los estudiantes no pueden asistir a sus clases regulares durante este tiempo.

15. Durante el año escolar 2021-22, ¿fue remitido [Niño] al Centro de Apoyo Estudiantil por motivos disciplinarios?

DO NO READ OPTIONS

- Sí
- No [Si NO, vaya a 18]
- No sé [No leer]
- Rechazo [No leer]

16. ¿Recuerda la cantidad total de días que [Niño] estuvo reasignado durante el año escolar 2021-22? [Si un padre dice "mucho", vuelva a leer las opciones y pídale que seleccione una]

DO NOT READ OPTIONS

- 1-2 días
- 3-5 días
- 6-10 días
- 11+ Días
- No sé [No leer]
- Rechazo [No leer]
- No Aplicable [Si NA pase a 18]

17. Tras la decisión de la escuela de reasignar a [Niño] al SSC, ¿se le informó por teléfono o por escrito sobre el motivo de la suspensión dentro de la escuela y la cantidad de días reasignados?

- Sí
- No
- No sé [No leer]
- Rechazo [No leer]
- No Aplicable [Si NA pase a 18]

El siguiente conjunto de preguntas está relacionado con las interacciones disciplinarias entre el personal y los estudiantes. **Responda SÍ o NO** si alguno de estos eventos ocurrió durante el año escolar 2021-22. [Seleccione todas las que correspondan]

18. ¿Experimentó su hijo ser: **READ EACH AND ONLY STATE OPTIONS YES, NO, DON'T KNOW IF PARENT NEEDS PROMPTING**

- registrado o esculcado - sea su persona o pertenencias
- restringido por el personal
- esposado por la seguridad escolar
- esposado por el SRO o Sheriff's Deputy
- citado
- se refirió a un oficial de libertad condicional (Probation officer) cuando no tenían uno asignado por los tribunales

El último conjunto de preguntas nos ayudará a comprender la efectividad de las acciones disciplinarias para estudiantes con discapacidades. Leeré algunas afirmaciones y le proporcionaré opciones de respuesta para evaluar si está de acuerdo o en desacuerdo.

READ RESPONSE OPTIONS FOR ALL QUESTIONS

19. El uso de la disciplina por parte de la escuela fue efectivo para disuadir el comportamiento [del niño] durante el transcurso del año o en el futuro. ¿Diría usted?:

- Totalmente de acuerdo
- De acuerdo
- En desacuerdo
- Totalmente en desacuerdo
- No sé [No leer]
- Rechazo [No leer]

20. La escuela consideró la discapacidad [del niño] al tomar medidas disciplinarias. ¿Diría usted?:

- Totalmente de acuerdo
- De acuerdo
- En Desacuerdo
- Totalmente en desacuerdo
- No sé [No leer]
- Rechazo [No leer]

21. El personal, incluidos los administradores de mi escuela, ¿son justos en la forma en que disciplinan a los estudiantes?

- Totalmente de acuerdo
- De acuerdo
- En desacuerdo
- Totalmente en desacuerdo
- No sé [No leer]
- Rechazo [No leer]

22. Los estudiantes de mi escuela reciben un trato disciplinario justo, independientemente de su raza o etnia. ¿Diría usted?:

- Totalmente de acuerdo
- De acuerdo
- En desacuerdo
- Totalmente en desacuerdo
- No sé [No leer]
- Rechazo [No leer]

23. Los estudiantes de mi escuela reciben un trato disciplinario justo, independientemente de su discapacidad. ¿Diría usted?:

- Totalmente de acuerdo
- De acuerdo
- En desacuerdo
- Totalmente en desacuerdo
- No sé [No leer]
- Rechazo [No leer]

24. En dos o tres oraciones, ¿qué cree que podría ayudar a mejorar las prácticas disciplinarias para los estudiantes con discapacidades en el distrito?

Esas son todas mis preguntas. Muchas gracias por tomarse el tiempo para ayudarnos con esta importante encuesta.



May 5, 2023

Dear Parent/Guardian:

We would like to invite you to take part in an important interview regarding disciplinary practices of students with disabilities in the Antelope Valley Union High School District (AVUHSD). You have been selected to participate in this interview due to an experience your child might have had in the past school year that involved an out of school suspension and/or referral to their school's Student Support Center (SSC). These interviews are being conducted by Dr. Jaime Hernandez, Ed.D. & Associates, Inc., an independent consultant and expert in the areas of special education and disproportionality.

The information you share with us will not be shared with the school or District in any way that would identify you or your child. Your participation is voluntary, and we strongly encourage you to participate because your opinions and feedback are valuable and important. The information obtained from these interviews will help improve policies, procedures, practices, and programs related to special education.

The surveys will take place over two weeks, beginning **Monday, November 28 and conclude December 9, 2022**. For your convenience, you may contact us and schedule a time for an interview. Our interview hours are **7:00 am to 7:00 pm**.

We are two non-profit legal organizations: Disability Rights California ("DRC") and Neighborhood Legal Services ("NLSLA"). DRC is the protection and advocacy agency for the State of California. Protection and advocacy ("P&A") agencies provide free legal services for people with disabilities. P&As are given the authority to investigate schools to ensure they are treating students with disabilities appropriately. You can learn more by visiting DRC's website at www.disabilityrightsca.org. NLSLA is a legal aid organization that provides free legal services to low-income families, including to students in AVUHSD. You can learn more by visiting NLSLA's website at www.nlsla.org.

DRC and NLSLA are looking into how AVUHSD treats its students. We are investigating AVUHSD because data show it is suspending, expelling, restraining and referring students with disabilities to law enforcement at higher rates than students without disabilities. In addition, the District overly segregates students with disabilities into classes and schools that are separate from their nondisabled peers.

AVUHSD provided us your contact information, as well as provided enrollment and suspension information for the 2021-2022 school year. The school district is required to give us this information under the protection and advocacy laws.

We are attorneys, anything you tell us is confidential. We will not share what you tell us with anyone else including AVUHSD, Probation, or any other law enforcement or immigration agency. We can only share your information with your written permission.

We thank you in advance for your participation in this survey. It is important to hear as much feedback to help us learn more about the nature of the problems with student discipline in AVUHSD.

If you require a time outside of these hours or if you would rather use a different phone number than the one listed above, please call (XXX) XXX-XXXX or email Dr. Hernandez at XXXX@gmail.com

We look forward to talking to you soon.

Sincerely,

3 de noviembre de 2022

Estimado Padre / Tutor:

Nos gustaría invitarlo a participar en una importante entrevista sobre las prácticas disciplinarias de los estudiantes con discapacidades en el Distrito Unificado de Escuelas Secundarias de Antelope Valley (AVUHSD). Usted ha sido seleccionado para participar en esta entrevista debido a una experiencia que su hijo pudo haber tenido en el último año escolar que involucró una suspensión fuera de la escuela y/o una remisión al Centro de Apoyo Estudiantil (SSC) de su escuela. Estas entrevistas están siendo realizadas por el Dr. Jaime Hernández, Ed.D. & Associates, Inc., consultor independiente y experto en las áreas de educación especial y desproporcionalidad.

La información que comparta con nosotros no se compartirá con la escuela o el Distrito de ninguna manera que lo identifique a usted o a su hijo. Su participación es voluntaria y le recomendamos encarecidamente que participe porque sus opiniones y comentarios son valiosos e importantes. La información obtenida de estas entrevistas ayudará a mejorar las pólizas, procedimientos, prácticas y programas relacionados con la educación especial. Las encuestas se llevarán a cabo durante dos semanas, comenzando el lunes 28 de noviembre y concluyendo el 9 de diciembre de 2022. Para su comodidad, puede comunicarse con nosotros y programar una entrevista. Nuestro horario de entrevistas es de 7:00 am a 7:00 pm.

Somos dos organizaciones legales sin fines de lucro: Disability Rights California ("DRC") y Neighborhood Legal Services ("NLSLA"). DRC es la agencia de protección y defensa del Estado de California. Las agencias de protección y defensa ("P&A") brindan servicios legales gratuitos para personas con discapacidades. Los P&A tienen la autoridad de investigar las escuelas para garantizar que estén tratando a los estudiantes con discapacidades de manera adecuada. Puede obtener más información visitando el sitio web de DRC en www.disabilityrightsca.org. NLSLA es una organización de ayuda legal que brinda servicios legales gratuitos a familias de bajos ingresos, incluidos los estudiantes de AVUHSD. Puede obtener más información visitando el sitio web de NLSLA en www.nlsla.org.

DRC y NLSLA están investigando cómo AVUHSD trata a sus estudiantes. Estamos investigando a AVUHSD porque los datos muestran que está suspendiendo, expulsando, restringiendo y refiriendo a los estudiantes con discapacidades a las fuerzas del orden a tasas más altas que los estudiantes sin discapacidades. Además, el Distrito segrega excesivamente a los estudiantes con discapacidades en clases y escuelas que están separadas de sus compañeros sin discapacidades.

AVUHSD nos proporcionó su información de contacto, así como información de inscripción y suspensión para el año escolar 2021-2022. El distrito escolar está obligado a darnos esta información bajo las leyes de protección y defensa.

Somos abogados, todo lo que nos diga es confidencial. No compartiremos lo que nos diga con nadie más, incluyendo AVUHSD, Probation o cualquier otra agencia de aplicación de la ley o de inmigración. Solo podemos compartir su información con su permiso por escrito.

Le agradecemos de antemano su participación en esta encuesta. Es importante escuchar la mayor cantidad de comentarios para ayudarnos a aprender más sobre la naturaleza de los problemas con la disciplina estudiantil en AVUHSD.

Si necesita un horario fuera de este horario o si prefiere usar un número de teléfono diferente al indicado anteriormente, llame al (XXX) XXX-XXXX o envíe un correo electrónico al Dr. Hernandez a XXXX@gmail.com

Esperamos conversar contigo pronto.

Sinceramente,

STUDENT SUPPORT CENTER

Communication | Collaboration | Consideration



STAFF MANUAL, RESOURCES & PROCEDURES

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STAFF DIRECTORY 2018-2019

TITLE	Name	Number/ Extension
Student Support Center Administrator		
MTSS- Behavior Coordinator		
Tier 1 At-Risk Coordinator(s)	1)	
	2)	
Tier 2 At-Risk Coordinator(s)	3)	
	4)	
Tier 3 At- Risk Coordinator(s)	5)	
	6)	
SSC Campus Supervisor(s)		
Counselor(s)		
School Psychologist(s)		
Social Worker		
Mental Health Therapist		
Nurse		
Community Attendance Worker		
Food Services Manager		
Teacher on Special Assignment (TSA)		
Instructional Partners (Academic Support)		
TADD Facilitator		



ALL STUDENTS

UNIVERSAL SUPPORT

Evidence-based priorities and practices that support the academic, behavioral and social-emotional success of all students in the most inclusive and equitable learning environment



SOME STUDENTS

SUPPLEMENTAL SUPPORT

Additional services provided for some students who require more academic, behavioral and social-emotional support



FEW STUDENTS

INTENSIFIED SUPPORT

Targeted academic, behavioral and social-emotional support directed toward the few students with greater needs

Universal Design for Learning (UDL), differentiated instruction, integrated education implemented at all levels of support.

MULTI-TIERED SYSTEM OF SUPPORT

California's Multi-Tiered System of Support (MTSS) is a comprehensive framework that aligns academic, behavioral, and social-emotional learning in a fully integrated system of support for the benefit of all students. MTSS offers the potential to create needed systematic change through intentional design and redesign of services and supports to quickly identify and match to the needs of all students.

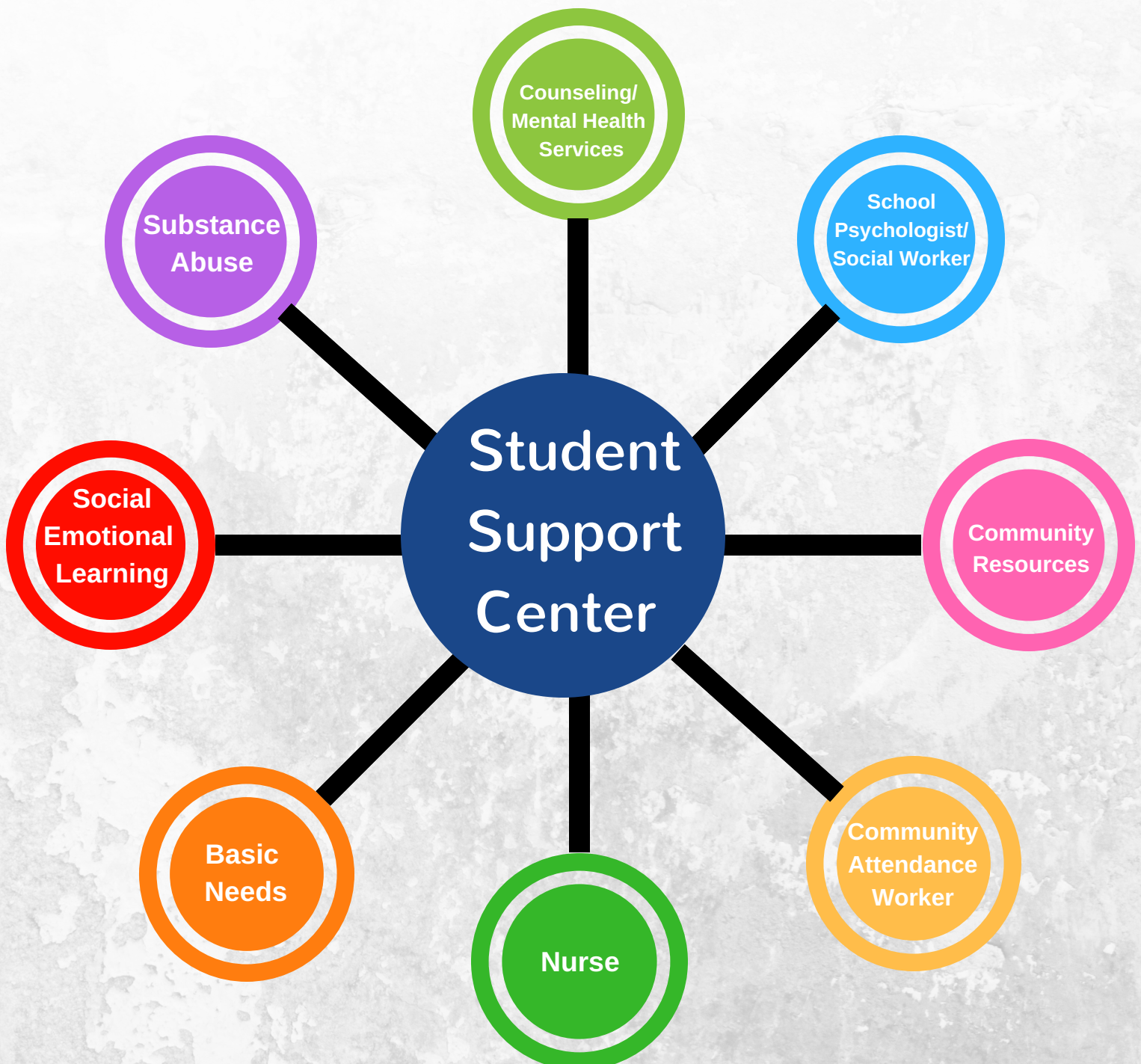
By embracing the Whole Child approach to teaching and learning, grounded in Universal Design for Learning (UDL), and Culturally Responsive Teaching (CRT), and utilizing Implementation Science and Improvement Science for continuous improvement, the California MTSS framework lays the foundation for the statewide system of support.

STUDENT SUPPORT CENTER

Our mission is to support students' social emotional and behavioral needs by providing students, staff members, and families' access to support and resources through communication, collaboration, and consideration in a student support center. While our focus in these centers is on the behavioral and social emotional needs, the academic needs will also be addressed.

Student Support Center

Our mission is to support students' social, emotional, and behavioral needs by providing students, staff members, and families access to support and resources through communication, collaboration, and consideration in a student support center.



These individuals provide direct service to students, families, and staff. Our goal is to proactively serve at-risk students (using universal screeners for identification) before students are in crisis.



Tier 1 Prevention

**School/Classroom-Wide
Systems for All Students,
Staff, & Settings**

- Proactive and Preventative
- Any student may be referred for support.
- Weekly data-driven social skill presentations.



Tier 2 Prevention

**Specialized Group, System for
students with At-Risk
Behavior**

- Accountability Through Support (ATS)
- Support For Student Achievement (SSA)
- Antelope Valley Education Alliance (AVEA)
- At-Risk Intervention (ARI)
- Restorative Practices
- Social Skill Building
- Positive Accountability Workshop Series (PAWS) Changing Lives Curriculum



Tier 3 Prevention

**Specialized, Individualized,
Systems for students with
High-Risk**

- Mental Health Support
- Completing a brief functional behavior analysis and developing a behavior intervention plan
- Check -N- Connect Mentoring
- Student Study Team, solution-focused meetings
- Cognitive Behavioral Intervention for Trauma in Schools (CBITS)

REFERRAL TYPES AND PROCESS

WHO CAN REFER STUDENTS?

Teachers, Staff Members, Administrators, Interventions Teams, Parents, Students, and Guardians can refer any student for supports provided in the student support center.

IMMEDIATE REMOVAL REFERRAL

- Teachers who wish to remove a student from the educational setting MUST contact the parent ASAP per the California Education Code 48910.
- Period Suspension: Teacher must make parent contact per California Education Code 48910
 - Teachers complete the referral form at the google link here _____ be sure to specify the reason for removal number of days and classroom interventions used with the student.

ADMINISTRATIVE HOLD REFERRAL

- Students who are waiting to see an administrator or are writing a witness statement for a campus supervisor may also report to the student support center and see a campus supervisor.

PREVENTION & INTERVENTION REQUEST

Online through Google:

- Teachers, Admin, and Staff members may access the request from the google link here _____
- Students, Parents or Guardians may access the link located on our website located here _____

Paper-based:

- Paper based request are located in the counseling office and administration offices. Please fill it out and return to the designated person listed on the form.



TIER 1 PREVENTION

TIER 1 PREVENTION

Tier 1 behavior support is a school-wide approach to the explicit instruction of behavior expectations and values for all students, all staff in all settings on campus. Tier 1 teams intervene early before targeted behaviors occur using highly effective universal/ school-wide interventions. Explicit instruction of the schools Core Values is expected.

INTAKE THINK SHEET

- Used for students removed immediately from the classroom.

ACADEMIC SUPPORT

(Instructional Partners/ Student Support Mentors provide academic support)

- Teachers provided classwork
- Core Value mini lessons
- Princeton review
- PowerSchool Review

SOCIAL SKILL CURRICULUM

- Changing Lives
- Why Try Materials
- Overcoming Obstacles
- Hustle University



SOCIAL SKILL GROUPS

Social Skills Groups are held on a weekly basis check your Monday email for the groups offered this week! Teacher, Counselor, Administrator may send a request for a student to attend for preventative measures. Students may self-refer with the approval of the teacher whose class they will miss. Social Skill Groups May include:

- Consequences
- Negotiating / Compromise
- Peer Pressure
- Expressing Feeling
- Conflict Resolution
- Self Esteem
- Self- Concept
- Friendship
- Labels
- Feeling Left Out
- Controlling Anger
- ETC

TIER 2 INTERVENTIONS

TIER 2 INTERVENTIONS

While the student support center is available to all students, it provides strategic interventions at Tier 2 (Small-Specialized Groups). Students receiving Tier 2 supports are still receiving Tier 1 supports Tier 2 layered on top.

ACTIVITIES MAY INCLUDE:

- CHECK IN CHECK OUT
- TOBACCO ALCOHOL DRUG DIVERSION (TADD) PROGRAM
- SOCIAL EMOTIONAL / BEHAVIOR SKILL GROUPS
- ACADEMIC SUPPORT
(Instructional Partners/ At-Risk Coordinators provide academic support)
 - Link student to academic supports. i.e tutoring.

ASSIGNED SOCIAL SKILL GROUPS

Social Skills Groups are held on a weekly basis and are assigned by the intervention teams based on data and student need. These groups are generally smaller than the Tier 1 groups to allow for a more personal setting.

Social Skill Groups May include:

- Consequences
- Negotiating / Compromise
- Peer Pressure
- Expressing Feeling
- Conflict Resolution
- Self Esteem
- Self- Concept
- Friendship
- Feeling Left Out
- Controlling Anger
- ETC



TIER 3 INTERVENTIONS

While the student support center is available to all students, it provides intensive interventions at Tier 3. (Specialized Individualized Support). Student receiving Tier 3 supports are still receiving Tier 1 and 2 supports; Tier 3 is then layered on top.

TIER 3 ACTIVITIES MAY INCLUDE:

- CHECK N CONNECT MENTORING
- STUDENT STUDY TEAM
- FUNCTIONAL BEHAVIOR ASSESSMENTS
- BEHAVIOR SUPPORT PLAN
- MENTAL HEALTH AND COMMUNITY SUPPORT
- ACADEMIC SUPPORT
(Instructional Partners/ At-Risk Coordinators provide academic support)
 - Link student to academic supports. i.e tutoring.
- WRAP AROUND SERVICES



TIMELINE FOR SUPPORTS

Because of the individualization of the student support center, students will be given the support they need on an individual basis. As student's social emotional health/ and behavior improves, support will fade.

Intervention	Duration
Check n Connect	4- 6 weeks
Social Skill groups	1 period a day per week for 4-6 weeks
Mentoring Programs	3- 6 weeks
Restorative Circle	1 period a day per week for 4-6 weeks
Restorative Chats	
Workshops/ Presentations	1 period a day for 3 days
TADD	2 hours a day for 3 days
SST	1 hour for 1 day
Behavior Support Plan	4- 6 weeks until teams meets again




SCHOOL-BASED/ COMMUNITY MENTAL HEALTH SUPPORTS

TELEHEALTH - USC

- Telehealth protocol TBD
- Referral process and data collection

CHILDRENS CENTER OF THE ANTELOPE VALLEY

- Referral and process TBD
- Data collection

AVUHSD MENTAL HEALTH SERVICES STAFF & SITE LISTING 2017-2018 							
	AVHS	EHS	HHS	KHS	LHS	LNHS	PHS
HEAD COUNSELOR	Vacant	Michelle Stanford	Rika Moya	Raymond Hart	Robert Walls	Jef Anderson	Julie Cassidy
COUNSELORS	Chris Haggard Gloria Kastner Desiree Heller Craig Cincis Kazeem Tahini	Diana Aguirre Cindy Perez Gustavo Moreno-Omana Megan Powell Greg Pelczar	Lori Fimbres Makeba Hale Denise Schultz Elnor Kun Angela Robertson Gwen Shim	Susan Leonetti-Johnson Derek Myles Mary Barajas Cassandra Ramirez Dan Royster Maria Rangel-Hernandez	John Baxter Erin Spring Cristina Pena	Fran Beckerman Melody Briseno Barbara Frazier Gretchen Teaney Melissa Vattioni	Drew Bledsoe Natasha Hong Michelle Linzy Juanita Thacker Kathy Walters Dianne Hunt
PSYCHOLOGISTS	Henry Hernandez Michael Joy	Dr. Paul Friedman Jacqueline Guillen	Jose J. Lopez Nolan Swanson Fenella Torres	Monica Hollis Megan Prindle Elizabeth Reichel	David Misaki Patrick Lane (Wed - Fri)	Oscar Mora Brett Vedomske	Kathi De La Torre Renu Singh-Ferrell Rosemary Garcia
SCHOOL-BASED MENTAL HEALTH AGENCY & THERAPISTS	Children's Bureau Crystal Isom & Talisa Hopson (Tues, Thurs-Fri) Rm 963	Child Family Guidance Center Myra Villa (Tues & Thurs) Library confirm	Child Family Guidance Center Jennifer Sanchez (covering for Mao Cardenas) Tuesdays Rms 413 & 226	Child Family Guidance Center Jennifer Sanchez (covering for Mao Cardenas) Fridays Rm 312	Child Family Guidance Center Myra Villa (Mon) SPED Office Rm 146	Penry Lane Dave Ramirez (Tues-Thurs) Rm 131	Child Family Guidance Center Jessica Moran (Wed-Thurs) SPED Office Rm 814

EMERGENCY PROTOCOL

Each site should develop their own protocol for addressing the needs of students that are in immediate danger, or a danger to himself or herself.

- **MANDATED REPORTER**
 - INFORMATION TBD
- **PHYSIATRIC MOBILE RESPONSIBLE TEAM**
 - INFORMATION TBD

RESOURCES

THINK SHEET

SOCIAL SKILL WORKSHEETS

CHECK N CONNECT WORKBOOK

BEHAVIOR SUPPORT PLAN

AVUHSD SUICIDE HANDBOOK

COMMUNITY RESOURCE GUIDE

STUDENT SUPPORT CENTER

Communication | Collaboration | Consideration



Fidelity Inventory Checklist

Student Support Center Fidelity Inventory

Period Suspension (Reactive)		
Feature	Scoring Criteria	Notes
1.1 Referral Process	<p>0 = No Referral Process</p> <p>1 = Informal or multiple ways but not clear to everyone. Staff has not be formally trained.</p> <p>2 = Electronic or Paper referral process. Security has a clearly define role in student pick up. Staff has been trained.</p>	
1.2 Curriculum	<p>0 = No classwork is provided</p> <p>1= Students are given a reflection sheet</p> <p>2= Students are given reflection sheet, AND classwork to complete or core values mini lesson to review.</p>	
1.3 Documentation	<p>0 = No Documentation</p> <p>1 = Students sign in</p> <p>2 = Security, clerk, or intake person documents in Incident Management as a period suspension.</p>	
1.4 Follow-Up Procedures	<p>0 = No follow up procedures</p> <p>1 = Follow up with teacher only</p> <p>2 = Follow up with teacher and family. The student is added to an SSC list for follow up or enrolled in small group support.</p>	
1.5 Personnel	<p>0 = Student only interacts with security</p> <p>1 = Student meets with At Risk Coordinator (Student Support Mentor) or Counselor</p>	
1.6 Data Collection	<p>0 = No Data Collection in place</p> <p>1 = Collects the number of students assigned to SSC weekly, monthly, etc.</p>	
Total Points Possible 10	Total Points: _____	

Student Support Center Fidelity Inventory

Small Group (Proactive)		
Feature	Scoring Criteria	Notes
2.1 Referral Process	<p>0 = No Referral Process, students just attend when the want</p> <p>1 = Staff and family members can refer students for support AND staff has been trained and families informed of services provided in the Student Support Center.</p> <p>2 = Proactive Data-Based small groups are formed, and referrals are processed from staff and family members. Electronic or Paper referral process. Staff has been trained on how to refer.</p>	
2.2 Focus Areas	<p>0 = One focus area</p> <p>1 = Two focus areas Academic or Behavioral or Social Emotional skill deficits.</p> <p>2 = Small groups include all three areas Academic, Behavioral and Social Emotional skill deficits.</p>	
2.3 Curriculum	<p>0= No Curriculum</p> <p>1 = Core Values Behavior Expectations Mini Lessons ONLY</p> <p>2 = Behavior Support Curriculum such as Why Try, Hustle U, Shmoop, Tobacco and Cannabis Tool Kit, Teacher and Counselor designed lessons, Social Skills curriculum, etc. AND Core Values Behavior Expectations Mini Lessons</p>	
2.4 Activities	<p>0 = No Activities, just informally checking in with students.</p> <p>1 = Students are given a reflection sheet and/ or curriculum to address skill deficits to work independently.</p> <p>2= Teacher, Counselor, or Admin lead</p>	

Student Support Center Fidelity Inventory

	instruction or group activities that specifically addresses the skill deficits as determined by the data (set goals). Ex. Restorative Circles, weekly lessons For 4-6 weeks	
2.5 Documentation	<p>0 = No Documentation</p> <p>1 = The small groups are logged in Power school in "Log Entry" by the appropriate personnel.</p> <p>2 = The small groups are logged in Power school in "Log Entry" by the appropriate personnel. AND the student support mentors collect and analyze the effectiveness of the each small group offered in the SSC based on the goals established between the mentor and the student.</p>	
2.6 Follow-Up Procedures	<p>0 = No follow up procedures</p> <p>1 = Follow up with staff and families on how the student responded to the small group at the conclusion of the group.</p>	
2.7 Personnel	<p>0 = Student only interacts with security</p> <p>1 = Certificated personnel or designated person such as At-Risk Coordinator (Student Support Mentor) or Counselor</p>	
2.8 Data Collection	<p>0 = No Data Collection in place</p> <p>1 = Collects the number of students assigned and attending the small group.</p> <p>2 = Collects the number of students assigned and attending the small group. AND monitors the goals set for each student.</p>	
Total Points Possible 14	Total Points: _____	

Student Support Center Fidelity Inventory

Alternative To Suspension (Reassignment)		
Feature	Scoring Criteria	Notes
3.1 Referral Process	<p>0 = No Administrative process to determine ATS</p> <p>1 = Administration has defined what is appropriate and not appropriate for ATS</p> <p>2 = Administration has defined what is appropriate and not appropriate for ATS, AND has a process for informing teachers and At-Risk Coordinators (Student Support Mentors) when a students has been assigned.</p>	
3.2 Curriculum	<p>0 = No curriculum</p> <p>1= Students are given school work OR Students are given a reflection sheet and modules to complete that address the reason for assignment to ATS. Core values violated are addressed.</p> <p>2= Students are given school work AND given curriculum and modules to complete to address the reason for being assigned to the ATS. Core values violated are addressed.</p>	
3.3 Documentation	<p>0 = No documentation or inappropriate documentation</p> <p>1 = Certificated personnel makes sure attendance is coded as "J" and has student sign in for each day they attended.</p>	

Student Support Center Fidelity Inventory

3.4 Follow-Up Procedures	<p>0 = No follow up procedures</p> <p>1 = Student completes an “exit survey” To reflect on their time spent during the ATS.</p> <p>2 = Follow up with family AND Student completes an “exit survey” To reflect on their time spent during the ATS. AND the student is assign to a Tier 2 Small group.</p>	
3.5 Personnel	<p>0 = Classified staff ONLY</p> <p>1 = Classified and Gen Ed Certificated staff ONLY</p> <p>2 = Classified staff, Certificated staff , and Special Education teachers provide support during inclusion to special education students when assigned.</p>	
3.6 Data Collection	<p>0 = No Data Collection in place</p> <p>1 = Collects the number of students assigned to ATS weekly, monthly, etc.</p>	
Total Points Possible 10	Total Points: _____	

Student Support Center Fidelity Inventory (Checklist)

Period Suspension (Reactive)				
Feature	0= Not in place	1= Partially in place	2 = Full Implementation	Notes
1.1 Referral Process Communicated and shared with staff?				
1.2 Curriculum schoolwork or reflection sheet				
1.3 Documentation Power School incident Management, not log entry				
1.4 Follow-Up Procedures Ex. Student assigned to Tier 2 small group				
1.5 Personnel Certificated, SPED?				
1.6 Data Collection # of students assigned				
Total Points Possible 12				Total Points: _____

Small Group (Proactive)				
Feature	0= Not in place	1= Partially in place	2 = Full Implementation	Notes
2.1 Referral Process Proactive Data-Based small groups				
2.2 Focus Areas Academic, Behavioral, Social-Emotional skill deficits.				
2.3 Curriculum Academic, behavioral, social-emotional, social skills, core values				
2.4 Activities Instructional, Restorative Circles, weekly lessons For 4-6 weeks				
2.5 Documentation Log entry, Attendance code				
2.6 Follow-Up Procedures Families ,teachers etc.				
2.7 Personnel Certificated Gen and SPED considerations				
2.8 Data Collection monitor student progress and % of students assigned				
Total Points Possible 16				Total Points: _____

Student Support Center Fidelity Inventory (Checklist)

Alternative To Suspension (Reassignment)				
Feature	0= Not in place	1= Partially in place	2 = Full Implementation	Notes
3.1 Referral Process Admin has defined what is appropriate and not appropriate for ATS.				
3.2 Curriculum Schoolwork, modules to address the reason for ATS. Core values mini lessons.				
3.3 Documentation Attendance is code "J" and has student sign in sheet				
3.4 Follow-Up Procedures Follow up with family "exit survey", student is assigned a Tier 2 small group.				
3.5 Personnel Classified. Certificated with SPED consideration				
3.6 Data Collection number of students assigned to ATS weekly, monthly, etc.				
Total Points Possible 12				Total Points: _____

Notes:

Student Support Mentor Responsibilities

SSC Mentor Name: _____ SSC Period _____ Site: _____

	Options	Data Collection	Resources needed
Tier 1 Responsibility	Core Values kick off planning Lesson responsibility (Circle Your Value) <ul style="list-style-type: none"> Core Value 1 Core Value 2 Core Value 3 Core Value 4 Core Value 5 	Copies of lesson added to team drive	
Tier 2 Small Group Responsibility (5-8 mini lessons plans on specific area) (What needs does your site have based on data?) Data from: SWIS Attendance Academics Request	Circle One or write in <ul style="list-style-type: none"> Managing Feelings Building Positive Relationships Conflict Resolution Anger Management Responsible Decision Making Substance Abuse Social Media Self-Awareness Self- Management Girl Group Boy Group _____ _____ _____ 	Collect number of students assigned/ attend over the course of 4-8 weeks Monitor the success of the intervention. Is it working?	<ul style="list-style-type: none"> Overcoming Obstacles Why Try Hustle U Drug Toolkit
Tier 3 Reassignment Responsibility	When the student is reassigned I'm responsible for: (Circle Your Value) <ul style="list-style-type: none"> Core Value 1 Core Value 2 Core Value 3 Core Value 4 Core Value 5 Substance Abuse Conflict Resolution Anger Management PowerSchool Review (attendance, grades, missing assignments) School work Behavior Reflection (Curriculum lesson) 	Reassignment check off sheet	<ul style="list-style-type: none"> Overcoming Obstacles Why Try Hustle U Drug Toolkit
Tier 3	Post Suspension Chats. (Circle one) SSC mentors or Admin	Once completed PowerSchool log entry made	

Student Support Mentor Responsibilities (Master)

SSC Mentor Name: _____ SSC Period _____ Site: _____

	Options	Data Collection	Resources needed
Tier 1 Responsibility	SSC Mentor Responsibilities 1. 2. 3. 4. 5. 6.		
Tier 2 Small Group Responsibility (5-8 mini lessons plans on specific area) (What needs does my site have based on data?) Data from: SWIS Attendance Academics Request	SSC Mentor Responsibilities 1. 2. 3. 4. 5. 6. PBIS Coordinator Responsibilities PBIS admin Responsibilities		
Tier 3 Reassignment Responsibility	SSC Mentor Responsibilities 1. 2. 3. 4. 5. 6.		
Tier 3 Post Suspension Restorative Chats	Circle One SSC mentors, Admin, Counselor		
SSC Intake/ Exit Responsibilities	Lister SSC Mentor Responsible		
Security Responsibilities	<ul style="list-style-type: none"> PowerSchool Documentation Witness Statements 		

Calendar of Proactive Groups

	Monday	Tuesday	Wednesday	Thursday	Friday
SSC Mentor 1					
SSC Mentor 2					
SSC Mentor 3					
SSC Mentor 4					
SSC Mentor 5					
SSC Mentor 6					

Name and area of focus for groups

SSC Mentor 1
SSC Mentor 2
SSC Mentor 3
SSC Mentor 4
SSC Mentor 5
SSC Mentor 6

Student Support Center

Think Sheet

My Name: _____ Today's Date: _____

What happened?

This is what the teacher/ staff member does not know about what happened:

What were you thinking of at the time?



What have you thought about since?

Who has been affected by what you have done? In what way?

(Your Teacher, other students, your family, school staff persons, anybody else?)

What do you think you need to do to make things right?

(Replace someone's equipment, apologies to people, etc)



Tier 2 Student Support Center Preconference Student Survey

Name: _____ ID# _____ Grade _____ Male _____ Female _____

Circle the best answer for each question below.

1. True or False:

_____ I am successful at school

_____ I am often late to class (Tardy)

_____ My behavior is affecting my learning and/or school activities

_____ I like my teachers

2. I believe I need more support

a. Strongly agree

b. Agree

c. Disagree

d. Strongly disagree

3. I need help with my academics, behavior, or attendance

a. Strongly agree

b. Agree

c. Disagree

d. Strongly disagree

4. I want to graduate with my class.

a. Strongly agree

b. Agree

c. Disagree

d. Strongly disagree

Student Support Mentors work with many students who struggle to succeed in school. Listed below are some of the most common reasons students tell us they fall behind. Please tell us the top three reasons you believe you are struggling in school.

Mark #1, # 2, and #3 on the list below.

	My attendance is poor.		I need better study skills or test-taking strategies.
	My behavior in and/or out of class gets in my way.		My family or personal problems get in my way.
	I don't care about school; I lack motivation.		Student Teacher Relationships are poor
	The work is too hard. (I try, but it is too hard.)		Student to Student Relationships are poor
	The work is too hard. (I have stopped trying.)		Other (please explain):

Please give this to your Student Support Mentor.

Thank you! ☺

Tier 2 Student Support Center Post Student Survey

Name: _____ ID# _____ Grade _____ Male _____ Female _____

Circle the best answer for each question below.

1. I have been asked to this conference because
 - a. I am often in the SCC on Period Suspension
 - b. I am apart of CICO
 - c. I have attended the _____ group session held in the SSC
 - d. I have been assigned to the SSC for support instead of other discipline.

2. I believe the support I have received in the SSC will help me make better choices
 - a. Strongly agree
 - b. Agree
 - c. Disagree
 - d. Strongly disagree

3. I need additional help with my academics, behavior, or attendance
 - a. Strongly agree
 - b. Agree
 - c. Disagree
 - d. Strongly disagree

Please circle which area: academics, behavior, or attendance

4. I want to do better, and graduate with my class.
 - a. Strongly agree
 - b. Agree
 - c. Disagree
 - d. Strongly disagree

Student Support Mentors work with many students who struggle to succeed in school. Listed below are some of the most common reasons students tell us they fall behind. Please tell us the top three reasons you believe you are struggling in school.

Mark #1, # 2, and #3 on the list below.

	My attendance is poor.		I need better study skills or test-taking strategies.
	My behavior in and/or out of class gets in my way.		My family or personal problems get in my way.
	I don't care about school; I lack motivation.		Student Teacher Relationships are poor
	The work is too hard. (I try, but it is too hard.)		Student to Student Relationships are poor
	The work is too hard. (I have stopped trying.)		Other (please explain):

Please give this to your Student Support Mentor. Thank you! ☺

SCHOOL'S LOGO

Notice of Reassignment

To the Parent/Guardian of:		Date:
Student ID:	Grade:	Vice Principal:
Dates of Reassignment to Student Support Center: _____ to _____ # of Days: _____ Period: _____ Room: _____		Return Date:
Name of Parent/Guardian Contacted:		<input type="checkbox"/> In Person <input type="checkbox"/> By Telephone
Date:		Time:

Does Student pose an imminent danger or threat to the campus, students, or staff? ☐ Yes ☐ No

Required Assignment Activities

- | | | |
|--|---|---|
| <input type="checkbox"/> Academic Review | <input type="checkbox"/> At Risk Coordinator referral | <input type="checkbox"/> TADD |
| <input type="checkbox"/> Attendance Review | <input type="checkbox"/> Class/Curriculum Assigned: _____ | <input type="checkbox"/> Anger Management |
| <input type="checkbox"/> Counselor Referral | <input type="checkbox"/> Conflict Resolution | |
| <input type="checkbox"/> Other Interventions, Be Specific: _____ | | |

Brief description of the incident causing Reassignment:

Education Code Violation(s): _____

Signature of Student

Signature of Administrator

During the period of reassignment, the student should report to the Student Support Center at the beginning of first period on the day(s) assigned. The student will remain under supervision in the Student Support Center for the entire school day. The student may order lunch from the cafeteria or bring lunch each day he or she is assigned to the Student Support Center.

cc: Parent & CUM



This letter is to inform you that you are being alternatively placed at **PxHS** High School. You are required to enroll and begin attending immediately. Your

appointment date and time for registration is _____

Failure to keep this appointment will result in the student being deemed truant.

California Compulsory Attendance Law requires pupils to attend school every day.

You understand that you will be considered truant and will be referred to the School Attendance Review Board (SARB), probation department, or the district attorney if you fail to register and attend school as required.

Esta carta es para informarle que usted ha sido alternativamente colocado en la Escuela Preparatoria **PxHS**. Se requiere que usted se inscriba y comience a asistir inmediatamente. La fecha y hora de su cita para la inscripción es _____. El no asistir a esta cita resultará en que el estudiante sea considerado ausente sin autorización. La Ley de Asistencia Obligatoria de California requiere la asistencia de los alumnos todos los días. Usted debe comprender que a usted se le considerará ausente sin autorización y será referido a Mesa Directiva de Revisión de Asistencia (SARB), al Departamento de Libertad Condicional, o al abogado del distrito si usted falla a inscribirse y en asistir a la escuela a como es requerido.

Sincerely,
Sinceramente,

Parent Signature (Firma de Padre)

Administrator
Student Services
Administrador de Servicios
al Estudiante

Student Signature (Firma de Estudiante)



AGREEMENT AND STIPULATION FOR FULL EXPULSION

This **Agreement** is made and entered into by and between (hereinafter referred to as the "Student"), (hereinafter referred to as the "Parent/Guardian"), and the Antelope Valley Union High School District (hereinafter referred to as the "District").

RECITALS

1. A Notice of Expulsion ("**Notice**") pertaining to the Student, (see Exhibit A attached to this **Agreement**) was received by the Parent/Guardian; and,
2. The Notice includes allegations of specific acts committed or engaged in by the Student, which acts are grounds for expulsion under applicable provisions of the California Education Code, including, but not limited to, Section 48900; and,
3. The Student and Parent/Guardian have been provided with the Notice and copies of applicable provisions of the California Education Code and District rules and regulations governing expulsions; and,
4. The Student and Parent/Guardian have been advised by District representatives that they have a right to consult with and/or otherwise engage counsel to represent them during any proceedings involving the Notice and/or this Agreement; and,
5. The Student and Parent/Guardian have met with District representatives to discuss allegations contained in the Notice and applicable provisions of the California Education Code relating to expulsions; and
6. The Student and Parent/Guardian fully understand the charges contained in the Notice and the meaning and consequences of an expulsion order which may result from such charges; and,
7. At an upcoming meeting, the District's governing board will consider and take action on the issue of expulsion based on the Student's admissions and waiver of a right to an expulsion hearing as set forth in this **Agreement**; and,
8. The parties have determined that resolution of the issues raised in the Notice would best be served by an expedited and abbreviated process, which process would ultimately be beneficial to and in the best interest of the Student and District; and
9. This **Agreement** is consistent with the intent of applicable provisions of the California Education Code relating to expulsions.



NOW, THEREFORE, the parties agree as follows:

SECTION 1. Recitals Approved. The parties agree that the above Recitals are true and correct.

SECTION 2. Purpose. The purpose of this **Agreement** is to establish a framework for the amicable, beneficial, and expedited resolution of issues raised in the Notice (Exhibit A).

SECTION 3. Acknowledgment of Notice/Allegations. The Student and Parent/Guardian fully acknowledge, understand and admit the following:

- (a) This violates California Education Code.
- (b) They have received the Notice and have carefully read the allegations contained herein and applicable California Education Code sections, have had an opportunity to discuss the allegations with District representatives and fully understand the allegations and the meaning and consequences of an expulsion order; and,
- (c) They have a right to a due process hearing to contest the allegations contained in the Notice, including a challenge that the identified acts constitute grounds for expulsion; and that the purpose and function of an expulsion hearing would be to decide if the allegations have been substantiated and, whether they constitute grounds for expulsion, and whether the Student should be expelled; and,
- (d) If substantiated, each and every specific act outlined in the Notice, either independently and/or collectively, is a ground for expulsion under California Education Code Section 48900, et seq.; and,
- (e) The specific acts committed or engaged in by the Student, as alleged in the Notice, did in fact occur.

SECTION 4. Waiver. The Student and Parent/Guardian relinquish their right to contest any expulsion order and make a knowing and voluntary waiver of their right to have an expulsion hearing, including the right (a) to all notices and time lines required by statute, rule or regulation, (b) to be represented by legal counsel at such expulsion hearing, (c) to inspect and obtain copies of all documents which would have been used at the hearing, (d) to confront and question all witnesses who would have testified at the hearing, (e) to question all other evidence presented, and (f) to present oral and documentary evidence on the Student's behalf, including witnesses.



Right to Appeal to County Board of Education: The Student and Parent/Guardian understand that under Education Code 48918(l) and 48919 they have a right to appeal within 30 days the expulsion order of the District and to be given written notice of this right. However, they hereby relinquish their right and make a voluntary waiver of their right to appeal the District's order of expulsion to the County board of Education and the right to receive notice of this right in the notice of the District's decision to expel.

SECTION 5. Governing Board Approval.

This **Agreement** is conditioned upon review and approval of the District's governing board.

SECTION 6. Application for Readmission; Rehabilitation Program.

Student shall be expelled **from the Antelope Valley Union High School District** through 1/19/2023 school year. Student is eligible to apply for admission the on 1/20/2023 school year. During the period of expulsion, the student must successfully complete a rehabilitation program.

- (a) The final approval and content of the Rehabilitation Program shall be within the discretion of the District's governing Board.
- (b) The Rehabilitation Program shall include the following: (the areas listed below will be considered pursuant to student's return to the Antelope Valley Union High School District).
 - (1) The student shall be expelled through 01/19/2023 school year.
 - (2) Obey all laws of the State and Federal Government.
 - (3) Enroll in and maintain attendance in good standing in an educational program meeting the requirements of California's compulsory attendance laws.
 - (4) Student is directed to attend PxHS and is required to attend summer school at PxHS.
 - (5) The student shall complete at least one of the counseling programs provided.
 - (6) Student shall perform 25 hours of community service to be completed by 12/01/2022. Prior approval of specific community service is required by an administrator and/or counselor at the community school site.

- (7) Student must complete a 5-paragraph essay entitled, "My Return Essay."
- (8) Student shall participate in and follow the rules of a behavior contract developed by the school administration in conjunction with student involvement.
- (9) Student is to participate in small group counseling with administration, counselors, probation, or deputy sheriffs as appropriate.
- (10) Student is not to be on any campus except the school that the student is assigned to attend. Failure to comply with this requirement may result in citation by law enforcement.
- (11) Student must present a letter from his or her probation officer indicating the conduct of the pupil during the expulsion period (**not necessary if student does not have a probation officer**).
- (12) Prior to his return to the AVUHSD, student shall demonstrate:
 - Appropriate academic progress (on target for graduation),
 - Positive attitude, and
 - Regular school attendance.
- (13) The student's progress will be evaluated in December 2022, for possible return to the district in January 2023.
- (14) You have the right to enroll student in a private or parochial school (at parent's expense), or in another school district if the pupil lives in another district, but you must inform that school of student's expulsion.

SECTION 7. Reinstatement.

- (a) Upon satisfactory completion of the Rehabilitation Program outlined in SECTION 6 of this **Agreement**, the Student may apply for readmission to the District. Any determination as to whether the Rehabilitation Program has been satisfactorily completed shall be vested in the sole discretion of the Superintendent or his/her designee.
- (b) At the time of reinstatement, the Superintendent or his/her designee may order the expungement of any or all records of the expulsion proceedings related to the Notice.



SECTION 8. Effective date; Term. The effective date of this **Agreement** shall be the date approved by the District's governing Board. Unless previously terminated by mutual agreement of the parties, all rights and obligations contained in this **Agreement** shall terminate upon reinstatement of the Student.

SECTION 9. Amendments. Neither this **Agreement** nor any of the terms hereof may be amended, modified, altered, waived or terminated except by a written instrument approved by the Superintendent or his/her designee.

SECTION 10. Integration. This **Agreement** constitutes the entire understanding and agreement between the parties and supersedes all previous negotiations, understandings, and preliminary agreements, whether written or oral, between them.



IN WITNESS WHEREOF, the Student, the Parent/Guardian, and the District have caused this **Agreement** to be executed on their behalf by their duly authorized representatives.

STUDENT

Dated:

Signature

DISTRICT

**Marisa Rissling
Director of
Student Services**

Dated:

School Psych Meeting

9/1/2021

— Dr. Danitza Pantoja —

Agenda



- Check-In - 1,2,3
- Welcome - Amanda Sadler (PHS), Claudia Rodriguez (KHS, LHS), Sonia Avila (AV) Stephanie Rodgers (School Psychologists / ERSS - Case Manager), Elaine Ramos (Intern, QHS, SOAR Prep)
- ERICS/ERSS (Extended Recovery and Support Services) : Reminder to make sure ERICS/ERSS Providers are invited to IEP meetings
- DP/ERICS/PST contact Danitza or Tracy
- Review 360 - Blue Plan Training : Wednesday, Sept. 8th 1:30 - 3:30 Virtual
- BERS: Remind Administrators about filling out the form when a student is restrained
- September is Suicide Awareness Month: “Take 2 to Prevent Suicide” District Initiative Suicide Risk Assessment (SRA) Google Form - new link
- Triennials
- Reminder: Sign Up for the Oct 9th ED Training
- Reminder: Paradigm
- Manifestation Determination Training
- Questions ?
- THANK YOU!

Suicide Prevention Month:

September is National Suicide Prevention Month.

National Suicide Prevention Week is the Monday through Sunday surrounding World Suicide Prevention Day.

World Suicide Prevention Day is September 10.

District's Initiative Take 2 To Prevent Suicide

#BeThe1To

- **Ask**
- **Be There**
- **Keep Them Safe**
- **Help Them Stay Connected**
- **Follow Up**



<https://suicidepreventionlifeline.org/promote-national-suicide-prevention-month/>

Triennial

If there is enough data to support that the student continues to meet the criteria, or if there have been no significant changes, the IEP team may determine the student to be continued eligible for special education and related services.

If there have been changes, or document progress, a full evaluation or testing in particular areas may be recommended.

At minimum, each student must be assessed every three years, except in cases in which the LEA and parent both agree that a reassessment is not necessary at the three-year point.

Note that, even though the three-year, or “triennial” assessment is a regular activity, it is still necessary for the LEA to obtain the parent’s formal consent to the assessment before it is conducted.

The purpose of the triennial assessment is two-fold:

- To verify that the student continues to have a disability potentially affecting their opportunity to access the general curriculum; and,
- To identify the student’s current educational needs, including the appropriate educational placement and any services needed to support the student’s access to the curriculum.

Determine Whether an MD is Required

Removal exceeds 10 consecutive school days

Removals cumulatively exceed 10 school days

Even if the current removal is for 10 days or less, the school still may be required to conduct a MD. If the student has been removed from school multiple times for violating the code of conduct and the series of removals amounts to a “pattern.”

- A pattern of removals exists when all 3 of the following conditions are met:
 1. There is a series of removals that add up to more than 10 days in the school year
 2. The student’s behavior is substantially similar to the behavior in previous incidents that resulted in the series of removals
 3. Because of such additional factors as the length of each removal, the total amount of time the student has been removed, and the proximity of the removals from one another.

Removals can be: Out-of-School Suspension, In-School-Suspension (it afforded the student the opportunity to continue to progress in the general education curriculum, receive services specified on the IEP, participate with nondisabled peers to the same extent), Partial Day Suspensions (Round - up to a full day), Bus Suspensions.

Bus Suspensions: if the student is suspended as a disciplinary matter that suspension must be included if both the following are true:

Transportation is part of the IEP

The district doesn’t provide the student alternative transportation during the suspension

If there is no pattern, the school is still free to conduct an MD but federal law does not require it.

Determine Whether an MD is Required

Once the student reaches 11 total days of disciplinary removal for the school year there must be a determination of which services are needed to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress towards meeting IEP goals.

If a student has not reached 11 removal days - the student may be disciplined in the same manner as a general education student during the first 10 removal days.

Regardless of the circumstances, the IEP team should consider whether the student's disciplinary removals indicate a need to address the student's behavior and revise the IEP.

- Revise the BIP, Conduct an FBA, Develop a BIP

- Add new services such as counseling

- Increase services

- Is the placement appropriate

- Need to assess in other areas of suspected disability

Identify Misconduct

Best practice to use the exact wording of the administrator as to the misconduct at issue.

Reminder it is not the MD team role to determine whether the student engaged in the conduct.

Identify disability or disabilities

Focusing on only one disability when a student has more than one is not an option. Each IDEA disability a student has must be examined to determine whether it relates to the conduct in question.

You should also consider if you or the team suspects another disability.

Don't complete the entire MD paperwork before meeting and simply ask for feedback or everybody to sign: this is one way to trigger a predetermination.

The team should ensure that the documentation reflects that it considered a broad range of data and information, observations and relevant information provided by the parent.

If the parent chooses not to provide input, it should be documented that the district team members encouraged the parent to share concerns. But every attempt should be made to get parent input and participation.

Review Relevant Information

a. Student's IEP and BIP

The team should consider statements in the IEP and BIP regarding how the student's disabilities affect their behaviors at school.

The student's eligibility history also may be helpful, perhaps the student is identified as OHI but had a classification of ED in the past.

b. Records from the investigation and regular education disciplinary process

Incident reports and suspension notes to identify the conduct at issue and to gain an understanding of the student's involvement in the incident.

For example a student with ADHD related impulsivity issues attacked a classmate during lunch, it will be helpful for the MD team to know that the student was looking for the classmate and planning the attack when they arrived at school earlier that morning.

c. Student's evaluations

The team needs to ensure it's looking at current evaluative data, whether it's a medical or psychoeducational evaluation, it may not accurately reflect how the student's disability currently manifests itself.

Review Relevant Information

D. Medical records including diagnosis and medication

Not only should the team look at whether the conduct is linked to a disability, but also at whether it is linked to medication the student is taking for a disability-related condition and side effects.

Also consider and indications that the conduct resulted from the student stopping a medication or changing medication.

E. Teacher Input

Teacher input may shed light on behavioral manifestations of the student's disabilities. It may also provide insight into whether specific behaviors stem from other factors, such as willfulness.

F. Parent Input

It is important to listen to parents concern and document it and consider new input the parent brings such as a new diagnosis. However, the team does not need to consider all the symptoms of a diagnosis listed in the DSM. It only needs to consider the manifestations of the disability as identified in the student's school records, outside evaluations, and other relevant information about the student.

The question is how the disability manifests itself with respect to the student - not how the disability manifests itself among people generally.

For example, impulsivity need not to be considered if there is no data that the student's disability causes them to be impulsive. On the other hand , if the team suspects the student's disability causes them to be impulsive despite the absence of data, it should consider re-evaluation.

G. Witnesses' Statements

For example, if the issue is whether the conduct is linked to disability related impulsivity, a witness' statement that he saw the student check for the presence of staff members before hitting a peer might indicate that the conduct was not impulsive.

Determine whether conduct was disability-related

The MD team should examine the student's behavior as demonstrated across settings and across time.

For example, if the team sees the same behavior occurring in multiple settings, that could be an indication that the behavior is disability-related.

The team must make its decision on a case-by-case basis, not based on the typical characteristics of a specific disability label or diagnosis.

Analyzing the relationship between conduct and disability

Each MDR is unique, here are some general questions the team may consider when determining whether the behavior is linked to a disability.

- Has the student engaged in this type of behavior in the past?
- Does psychological testing of the student reference this behavior?
- Was similar behavior noted in the student's initial special education referral?
- Does the student's BIP include goals, supports, services, or interventions addressing this type of behavior?
- What circumstances preceded the conduct?
- What was the context of the conduct?
- Did events unrelated to a disability (for example a death or exposure to violence) trigger the behavior?
- For a student with an intellectual disability, does the student's disability impair the student's ability to understand the behavior?
- For a student with an emotional disturbance, was the conduct a result of a mental health condition, such as schizophrenia or major depression? What do the evaluation reports say?
- For a student with PTSD, was the student reacting to conduct that was similar to the original trauma?
- Is there evidence that the student planned and coordinated with peers to engage in the conduct?
- Is there evidence that the student had control over their behavior?

Analyzing the relationship between conduct and disability

- How does impulsivity manifest itself with respect to the student?
- Does the student's disability cause the student to be impulsive?
- Were the circumstances that typically trigger the student's impulsivity present at the time of conduct?
- Over what span of time did the behavior occur? The duration of the conduct is the key in many decisions, even where the conduct does not span hours or days?
- Did the student speak to someone about the behavior earlier in the day, week, or month?
- Did the behavior involve multiple steps during which there was time to reflect and decide what to do next?
- Are there facts indicating that the student planned the behavior?
- What does the student say (if anything) about why they engaged in the behavior?
- Was the behavior retribution for something done to the student earlier in the day, week, or month?
- Is the behavior different or the same as other impulsive behavior the student has engaged in the past?
- Is there other evidence, such as video footage, showing that the student was acting with deliberate intent?
- Was the student taking, not taking, or changing medications for their disability around the time of the conduct?
- Are there indications that the conduct was premeditated? (for example did the student wait until others were not looking)
- Is there evidence that the acts were driven by the same precursors that ordinarily spark the student's anger or aggression?

Determine whether conduct resulted from implementation failure

Was the conduct the direct result of the district's failure to implement the IEP Plan?

Check with any members responsible for implementing any part of the IEP, particularly behavioral interventions, on the day of the incident to confirm that it was implemented as written.

The mere fact that the IEP was not implemented in every respect does not necessarily mean the student's conduct is a manifestation of a disability?

The issue is whether a staff member's action of not implementing the IEP directly caused the behavior that led to the student's removal.

If the implementation failure did not cause the conduct, the district is still responsible to remedy the failure.

Questions?

Resource: *Roadmap to IDEA/504 Compliance: Manifestation Determinations*, Joseph L. Pfrommer, Esq.

IMPLEMENTATION OF EDUCATION CODE 48432.5 VOLUNTARY/INVOLUNTARY TRANSFERS

A decision to make an alternative placement of a student either involuntarily or voluntarily shall be based on a finding that the student meets the following condition: (Education Code 48432.5)

- The student committed an act enumerated in Education Code 48900, and all other means fail to bring about student improvement.
- A student may be involuntarily or voluntarily transferred the first time he/she commits an act enumerated in Education Code 48900 if the Principal determines that the student's presence causes danger to persons or property or threatens to disrupt the instructional process. (Education Code 48432.5)
- The student will be placed through the end of the current semester unless the infraction occurs after the 1st or 3rd quarters, then the placement would extend through the next full semester.

VOLUNTARY PLACEMENTS

Process/Procedures for students 16 years or older

1. Principal shall meet with the parent just as they would for an expulsion.
2. Have the parent and student sign the alternative placement application, and the contract (Document B). Hard copy remains at the original site.
3. Notify Student Services of the pending placement and e-mail the IR form, alternative placement application, contract (Document B), discipline report and IEP (RSP and SDC only), if appropriate.
4. Student Services will process the application and e-mail to the alternative placement site. The student's file should be sent directly to the alternative placement site from the original site upon approval from the Student Services office. The original site will receive notification of approval from Student Services within 48 hours of receipt of the packet.
5. The original site will contact the alternative placement site to schedule an appointment for enrollment within 3 days from the date of meeting with parent. The original site should code the student's attendance as "Other" until the student enrolls at receiving site.
6. The alternative placement site will contact the original site to confirm when the student has enrolled.
7. The alternative placement site becomes responsible for the student at the time of the approval from the Student Services office. If the student is a no show, the CAW assigned to the alternative placement site is responsible for tracking the student.
8. If parent requests to place the student in Independent Study, the original site must notify Student Services. (Send a copy of the signed alternative placement form, the IR form that reflects the disposition, and the contract (Document B) to Student Services. We use this for tracking purposes.
9. With this process there will no longer be a requirement to meet with someone from Student Services for placement or returns. The alternative site is responsible for meeting with the student and parent to determine if the student has met the terms of the voluntary/involuntary placement and is eligible to return to the campus. Returns can only occur at the semester.
10. Return Applications must be processed through the Principal of Alternative Schools and Programs.

11. The same timelines used for the expulsion documentation would apply.
12. Voluntary/Involuntary placement students are placed through the end of the current semester unless the infraction occurs after the 1st or 3rd quarters, then the placement would extend through the next full semester.

Process/Procedures for students under 16 years

1. Principal shall meet with the parent just as they would for an expulsion.
2. If it is determined that the student should be removed from the original campus but not through the expulsion process, the Principal would have the option of placing the student in their on-site opportunity program or in Independent Study if the parent requests that option.
3. Have the parent and student sign the alternative placement application, and the contract (Document B).
4. E-mail the IR, alternative placement application, and the contract to Student Services.
5. Student Services will track all placements.
6. The site will meet with the parent and student at the end of the placement to determine if the student is allowed to re enter the main campus.
7. Return applications must be processed through the Principal.
8. The same timelines used for the expulsion documentation would apply.
9. Voluntary/Involuntary placement students are placed through the end of the current semester unless the infraction occurs after the 1st or 3rd quarters, then the placement would extend through the next full semester.

INVOLUNTARY PLACEMENTS

If the parent wants to contest the alternative placement please follow the following guidelines:

- Complete items 1-4 for students over the age of 16 or items 1 & 2 for students under the age of 16.
- Inform parents that you will forward the case to Student Services for a review.
- Notify Student Services of the parent's refusal of the alternative placement and Email the IR witness statements, and IEP (if applicable).
- Student Services will contact the parent as soon as possible.
- If the placement is upheld for students over the age of 16, Student Services will complete the application for alternative placement and contract (Document B) to process the student to the alternative placement.
- If the alternative placement is upheld for students under the age of 16, Student Services will notify the site. Parent will be returned to the site for enrollment in the on-site continuation program.
- In all cases where the involuntary placement is not upheld, the parent and student will be referred back to the site for placement.

Revised 5/30/19

Antelope Valley Union High School District
Voluntary/Involuntary Placement Contract

Meeting Date: _____ School: _____

Student Name: _____ ID#: _____ DOB: _____

Parent Name: _____ Phone: _____

Address: _____ City/Zip: _____

Ed Code 48900: _____ Incident Description: _____

Student will be placed at _____ for the ☐ 1st / ☐ 2nd semester of the
_____ - _____ school year.

Student must complete a 2- page essay entitled: _____

Student must make appropriate academic progress, demonstrate good attendance, and commit no violations of California Education Code 48900 during his/her time at the alternative school.

Student is not allowed on any other campus during this period of time. Failure to comply could result in the issuance of a trespassing citation.

Students who are on a Voluntary/Involuntary Placement cannot participate in any activities including athletics.

All items on this contract must be completed by the end of placement and the student must provide documentation showing completion of each item in order to clear the charges.

Signed:

Parent Date

Student Date

Principal Date

**GUIDELINES FOR PLACEMENT
OF SPECIAL EDUCATION
STUDENTS INTO INDEPENDENT
STUDY PROGRAMS**

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ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT

GUIDELINES

For Placement of Special Education Students into Independent Study Programs

Alternatives to comprehensive high school programs are in existence to meet the needs of students who do not experience success in a traditional school setting. Students receiving special education services are not denied access to alternative education programs based solely on their disability. Once enrolled in an alternative education program, they continue to receive the appropriate special education and related services as stipulated in their Individual Education Program (IEP). **An IEP team meeting must be convened, anytime an individual with exceptional needs is referred for placement in an alternative education setting to determine if such placement can appropriately meet the needs of that student.**

As with other program placements, when a student is placed in an alternative education program, the decision to discontinue special education services is made only by the IEP team. This decision is reached only after determining that the student's problems have been remedied to such a degree that the student is capable of functioning satisfactorily in general education programs without special education assistance.

In general, the IEP team may recommend the placement of a student in an alternative education program, but the final decision is made by District administration (Program Advisory, CA State Dept. of Education, March 30, 1990; EC Sect. 48432). There are specific procedures that a district must develop regarding the placement of student in alternative education programs. Prior to the placement of a student with special needs in an alternative setting, the IEP team must meet and agree upon, an appropriate educational plan that documents how the alternative education program will continue to meet the educational needs of that student. If the parties disagree with the placement recommendation, they are entitled to and may request a due process hearing. The student must remain in the last placement per his or her IEP until issues are resolved, unless parent agrees to another interim placement.

Placement in an independent study program of a special education student is only appropriate if the education placement needs of the student, as identified by the IEP team, can be met through that placement. Rarely, would a special education student who requires specialized instruction and services, benefit from an independent study program where the majority of the assigned work must be completed on his or her own. Therefore, careful consideration by the IEP team is always needed prior to making this type of recommendation. Two important points should be emphasized:

- Special education students who are "discipline problems" in the conventional high school setting shall not be placed in alternative education programs solely because of the discipline problem.
- Students with special needs cannot be placed involuntarily in an alternative education program.

The same criteria, regarding the indicators of possible benefit, apply to students in special education that also apply to student in general education, who are placed in alternative education programs. These include, but are not limited to: student with poor achievement, students who need to work at a slower pace or in a smaller class with individualized attention, or students who have work permits. In all cases, the need for independent study must be clearly documented. The only exception is in the case where placement in an independent study program is a result of Board action, e.g., expulsion orders. **For students receiving special education services, the IEP team should exhaust other less restrictive placements before they recommend any alternative education program.**

To reiterate, the role of the IEP team is to determine what the educational needs of the student are, and whether these needs can be appropriately addressed in an alternative education setting. Only if they can be met, may an IEP team recommend an alternative education program. *However*, the District administration makes the final placement decision.

The District administration will make their final placement decision contingent upon the responses obtained to the following questions:

- 1) Did the IEP team appropriately document the educational needs of this student?
- 2) Did the IEP team document how the alternative education program would be able to meet the educational needs of the student, as stipulated in the IEP?
- 3) What were the less restrictive placements/interventions that were attempted prior to this recommendation for an alternative education program?
- 4) Why were these less restrictive options not successful in meeting the educational needs of this student?
- 5) If the student were to be placed in the alternative education program,
 - a. Does the student possess basic reading proficiency and the appropriate work habits in order to be able to complete course work independently? *(If not, what curricular modifications are needed and are they feasible?)*
 - b. Does the student have supervision at home during the day?
 - c. Does the student have transportation to be able to attend the alternative education site?

These questions should be addressed, answered, and documented during the IEP meeting. The standard application for alternative education program with all required attachments needs to be completed. The District administration will review attendance and discipline reports, transcripts, and health records (if appropriate). Placement in an independent study program is strictly voluntary; parent consent is required. In addition, it should be emphasized that placement in independent study is limited to one semester to discuss return to a comprehensive school or another alternative education program, such as a continuation school.

**SCHOOL LAW ENFORCEMENT SERVICES AGREEMENT
FOR SCHOOL RESOURCE DEPUTY PROGRAM
BY AND BETWEEN
COUNTY OF LOS ANGELES
AND
ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT**

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**FOR SCHOOL RESOURCE DEPUTY PROGRAM
BY AND BETWEEN
COUNTY OF LOS ANGELES
AND
ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT**

This School Law Enforcement Services Agreement for School Resource Deputy Program ("Agreement") is made and entered into this ____ day of _____, 20____, by and between the County of Los Angeles ("County") and the ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT ("School").

RECITALS

- (a) Whereas, the Los Angeles County Sheriff's Department ("Sheriff's Department") operates a School Resource Deputy Program which provides full-time law enforcement services to schools and school districts within Los Angeles County; and
- (b) Whereas, the School is desirous of contracting with the County for the performance of law enforcement services by the Sheriff's Department as described herein; and
- (c) Whereas, the County is agreeable to rendering such services on the terms and conditions set forth in this Agreement; and
- (d) Whereas, this Agreement is authorized by Section 56 3/4 of the Charter of the County of Los Angeles, California Government Code Sections 53060 and 53069.8, and/or California Education Code Section 35160.

NOW THEREFORE, in consideration of the mutual covenants contained herein, and for good and valuable consideration, the parties hereby agree as follows:

1.0 SCOPE OF SERVICES

- 1.1 The County agrees, through the Sheriff of the County of Los Angeles, to provide law enforcement services for the School to the extent and in the manner set forth in this Agreement.
- 1.2 Except as otherwise specifically set forth in this Agreement, law enforcement services shall encompass duties and functions of the type coming within the jurisdiction of and customarily rendered by the Sheriff under the Charter of the

County and the statutes of the State of California.

2.0 ADMINISTRATION OF PERSONNEL

- 2.1 The rendition of the services performed by the Sheriff's Department, the standards of performance, the discipline of officers, and other matters incident to the performance of such services and the control of personnel so employed shall remain with the County.
- 2.2 In the event of a dispute between the parties to this Agreement as to the extent of the duties and functions to be rendered hereunder, or the minimum level or manner of performance of such service, the School shall be consulted and a mutual determination thereof shall be made by both the Sheriff's Department and the School.
- 2.3 With regard to sections 2.1 and 2.2 above, the Sheriff, in an unresolved dispute, shall have final and conclusive determination as between the parties hereto.
- 2.4 All School employees who work in conjunction with the Sheriff's Department pursuant to this Agreement shall remain employees of the School and shall not have any claim or right to employment, civil service protection, salary, or benefits or claims of any kind from the County based on this Agreement. No School employees shall become employees of the County.
- 2.5 For the purpose of performing services and functions pursuant to this Agreement and only for the purpose of giving official status to the performance thereof, every County officer and/or employee engaged in performing any such service and function shall be deemed to be a representative of the School while performing such service for the School, as long as the service is within the scope of this Agreement.
- 2.6 The Antelope Valley Union High School District shall not be called upon to assume any liability for the direct payment of any Sheriff's Department salaries, wages, or other compensation to any County personnel performing services hereunder for said School. Except as herein otherwise specified, the School shall not be liable for compensation or indemnity to any County employee or agent of

the County for injury or sickness arising out of his/her employment as a contract employee of the School.

- 2.7 As part of its compliance with all applicable laws and regulations relating to employee hiring, the County agrees that the County Civil Service Rules to which it is subject, and which prohibit discrimination on the basis of non-merit factors, shall for purposes of this Agreement be read and understood to prohibit discrimination on the basis of sexual orientation.

3.0 DEPLOYMENT OF PERSONNEL

- 3.1 As requested by the School, law enforcement services under this Agreement may be performed by dedicated deputy personnel and/or dedicated supervisory personnel.
- 3.2 As requested by the School, the Sheriff's Department shall provide personnel to perform services under this Agreement as set forth in Exhibit A, School Law Enforcement Services Form SH-AD 575, of this Agreement.
- 3.3 A new Exhibit A, School Law Enforcement Services Form SH-AD 575, shall be authorized and signed annually by the School and the Sheriff or his designee on or before July 1, and attached hereto as an Amendment to this Agreement, to reflect the level of service for the upcoming Agreement year.
- 3.4 Should the School request a change in the level of service other than pursuant to the annual July 1 readjustment, an additional Exhibit A, School Law Enforcement Services Form SH-AD 575, shall be signed and authorized by the School and the Sheriff or his designee and attached hereto as an Amendment to this Agreement, to reflect the revised level of service.
- 3.5 The most recent dated and signed Exhibit A, School Law Enforcement Services Form SH-AD 575, attached to this Agreement shall be the staffing level in effect between the County and the School.

4.0 PERFORMANCE OF AGREEMENT

- 4.1 For the purpose of performing law enforcement services, County shall furnish and supply all necessary labor, supervision, equipment, communication facilities, and

supplies necessary to maintain the agreed level of service to be rendered hereunder.

- 4.2 Notwithstanding the foregoing, the School may provide additional resources for the County to utilize in performance of the services.
- 4.3 When and if both parties to this Agreement mutually agree as to the necessity of maintaining a law enforcement headquarters or Sheriff's Department substation within the School or at schools which would not normally be provided by the Sheriff's Department, the School shall furnish at its own cost and expense all necessary office space, furniture and furnishings, office supplies, janitor service, telephone, electricity, water, and other utilities.
- 4.4 It is expressly further understood that in the event a local office or building is maintained in said School, such local office or building may be used by the Sheriff of the County of Los Angeles in connection with the performance of his duties in territory outside of the School, provided, however, that the performance of such outside duties shall not be at any additional cost to the School.
- 4.5 It is mutually agreed that in all instances where special supplies, stationery, notices, forms, and the like must be issued in the name of said School, the same shall be supplied by the School at its own cost and expense.

5.0 INDEMNIFICATION

- 5.1 Subject to the limitations stated in this Section 5.0, Indemnification, or elsewhere, the County shall indemnify, defend, and hold harmless the School, its officers, directors, employees, and agents (collectively, "School Indemnified Parties") from and against any and all liability, expense (including but not limited to defense costs and attorney's fees), claims, causes of action, and lawsuits for damages, including, but not limited to, bodily injury, death, personal injury or property damage (including property of the County) arising from or connected with any negligent, intentional, or reckless act or omission of the County, its Agencies and Departments, their respective deputies, officers, Board of Supervisors, elected and appointed officials, directors, employees, agents, or representatives while providing services under this Agreement. With respect to

any action or claim within the scope of this Section 5.1, the County shall have the right to use counsel of its own choice, at its sole costs and expense, to defend School Indemnified Parties, and shall have the right to adjust, settle, or compromise any such action or claim without the prior consent of the School Indemnified Parties; provided, however, that such adjustment, settlement, or compromise in no manner whatsoever limits or circumscribes the County's indemnification of the School Indemnified Parties. The County's obligations hereunder shall be satisfied when the County has provided to the School Indemnified Parties the appropriate form of dismissal (or similar document) relieving the School from any and all liability for the action or claim involved.

- 5.2 Notwithstanding anything contained herein or stated elsewhere, the County shall have no obligation or liability, including any obligation to indemnify or defend any School Indemnified Parties (a) based or asserted upon any failure to prevent any crime or tortious act, (b) for any injury, loss, or damage caused directly or indirectly by a criminal or tortious act of anyone other than the County, its Agencies and Departments, their respective deputies, officers, Board of Supervisors, elected and appointed officials, directors, employees, agents, or representatives, while providing services under this Agreement, or (c) for any injury, loss or damage caused by any means whatsoever based or asserted upon any failure to be at any specific location at any time(s) while performing services under this Agreement.
- 5.3 The School understands and agrees that the school law enforcement services and the school resource deputies provided hereunder are not intended or expected to accomplish patrolling or law enforcement at any particular school at any particular time, or to prevent crime or wrongdoing from occurring at any particular place or time.
- 5.4 Notwithstanding anything contained herein, the County's obligations hereunder to the School or any School Indemnified Party shall be limited by any immunity or freedom from suit or liability provided by law, including but not limited to those stated in California Government Code sections 818.2 and 845, as if such

immunity or legal provision were incorporated in full in this Agreement and made applicable to the School and all School Indemnified Parties.

5.5 The School shall indemnify, defend, and hold harmless the County, its Agencies and Departments, their respective deputies, officers, Board of Supervisors, elected and appointed officials, directors, employees, agents, and representatives (collectively, "County Indemnified Parties") from and against any and all liability, expense (including, but not limited to defense costs and attorneys' fees), claims, causes of action, and lawsuits for damages of any nature whatsoever, including but not limited to bodily injury, death, personal injury or property damage (including property of the School), based or asserted upon any act or omission of the School, its officers, directors, employees, agents, or representatives arising out of or in any way relating to this Agreement. With respect to any action or claim within the scope of this Section 5.5, the School shall have the right to use counsel of its own choice, at its sole cost and expense, to defend the County Indemnified Parties and shall have the right to adjust, settle, or compromise any such action or claim without the prior consent of the County Indemnified Parties if the indemnity tender by the County Indemnified Parties is accepted without a reservation of rights; provided, however, that such adjustment, settlement, or compromise in no manner whatsoever limits or circumscribes School's indemnification of the County Indemnified Parties. The School's obligations hereunder shall be satisfied when the School has provided to the County Indemnified Parties the appropriate form of dismissal (or similar document) relieving the County Indemnified Parties from any and all liability for the action or claim involved. Any insurance coverage shall in no way limit or circumscribe the School's obligations to indemnity and hold harmless the County.

5.6 The School shall provide and maintain a program of liability insurance, which includes comprehensive general liability and comprehensive auto liability coverage, a program of self-insurance, or any combination thereof, at the School's sole option and discretion, to satisfy the School's indemnity obligations under this Agreement.

5.7 This Section 5.0, Indemnification, shall survive termination of this Agreement and/or final payment thereunder.

6.0 TERM OF AGREEMENT

The term of this Agreement shall commence July 1, 2021 or upon execution by the Sheriff, whichever is later, and shall terminate June 30, 2022, unless sooner terminated or extended in whole or in part as provided for herein.

7.0 RIGHT OF TERMINATION

7.1 Either party may terminate this Agreement as of the first day of July of any year upon notice in writing to the other party of not less than sixty (60) calendar days prior thereto.

7.2 Notwithstanding any provision herein to the contrary, the School may terminate this Agreement upon notice in writing to the County given within sixty (60) days of receipt of written notice from the County of any increase in the rate for any service to be performed hereunder, and in such an event this Agreement shall terminate sixty (60) calendar days from the date of the School's notice to the County.

7.3 This Agreement may be terminated at any time, with or without cause, by either party upon written notice given to the other party at least sixty (60) calendar days before the date specified for such termination.

7.4 In the event of a termination, each party shall fully discharge all obligations owed to the other party accruing prior to the date of such termination, and each party shall be released from all obligations, which would otherwise accrue subsequent to the date of termination.

8.0 BILLING RATES

8.1 For and in consideration of the rendition of the law enforcement services to be performed by the County for the School under this Agreement, the School shall pay the County for said services provided by County under the terms of this Agreement at the appropriate and prevailing billing rates set forth on Exhibit A, School Law Enforcement Services Form SH-AD 575, as established by the County Auditor-Controller.

- 8.2 The billing rates set forth on Exhibit A, School Law Enforcement Services Form SH-AD 575, shall be readjusted annually by the County Auditor-Controller effective July 1 of each year to reflect the cost of such service. In such case, the annual rate readjustment shall be attached to this Agreement as an Amendment consistent with Section 10.0, Amendments, of this Agreement to reflect the change in billing rates each fiscal year.

9.0 PAYMENT PROCEDURES

- 9.1 The County, through the Sheriff's Department, shall render to the School a summarized invoice which covers all services performed during said month, and the School shall pay County for all undisputed amounts within sixty (60) calendar days after date of said invoice.
- 9.2 If such payment is not delivered to the County office, which is described on said invoice, within sixty (60) calendar days after the date of the invoice, the County is entitled to recover interest thereon.
- 9.3 In the event of any disputed amounts, the School shall provide the County with written notice of the dispute including the invoice date, amount, and reasons for dispute within ten (10) calendar days after receipt of the invoice. The parties shall memorialize the resolution of the dispute in writing. For any disputed amounts, interest shall accrue if payment is not received within sixty (60) calendar days after the dispute resolution is memorialized.
- 9.4 Said interest shall be at a rate of ten percent (10%) per annum or any portion thereof, calculated from the date payment was due pursuant to Section 9.2 and Section 9.3 above.
- 9.5 Notwithstanding the provisions of California Government Code section 907, if payment is not delivered to the County office which is described on said invoice within sixty (60) calendar days after date of the invoice or the date of memorialized resolution, then the County may satisfy such indebtedness, including interest thereon, from any funds of the School on deposit with the County without giving further notice to the School of the County's intention to do so.

10.0 AMENDMENTS

All changes, modifications, or amendments to this Agreement must be in the form of a written Amendment duly executed by authorized personnel of the County Board of Supervisors and the School. Notwithstanding, the Sheriff or his designee shall be authorized to execute, on behalf of the County, those Amendments and/or supplemental agreements referenced in Sections 3.3, 3.4, 8.2, and 9.3 of this Agreement.

11.0 ASSIGNMENT, DELEGATION, AND SUBCONTRACTING

A party shall not assign its rights and/or subcontract, or otherwise delegate, its duties under this Agreement, either in whole or in part, without the prior written consent of the other party, and any attempted assignment or delegation without such consent shall be null and void.

12.0 AUTHORIZATION WARRANTY

The School represents and warrants that the person executing this Agreement for the School is an authorized agent who has actual authority to bind the School to each and every term, condition, and obligation of this Agreement and that all requirements of the School have been fulfilled to provide such actual authority.

13.0 GOVERNING LAW, JURISDICTION, AND VENUE

This Agreement shall be governed by, and construed in accordance with, the laws of the State of California. The parties agree and consent to the exclusive jurisdiction of the courts of the State of California for all purposes regarding this Agreement and further agree and consent that venue of any action brought hereunder shall be exclusively in the County of Los Angeles.

14.0 NOTICES

Unless otherwise specified herein, all notices or demands required or permitted to be given or made under this Agreement shall be in writing and shall be hand delivered with signed receipt or mailed by first class registered or certified mail, postage prepaid, addressed to the parties at the following addresses and to the attention of the person

named. Addresses and persons to be notified may be changed by either party by giving ten (10) calendar days prior written notice thereof to the other party.

Notices to the County shall be addressed as follows:

Los Angeles County Sheriff's Department
Contract Law Enforcement Bureau
Attn: Captain Sergio V. Escobedo
211 W. Temple St.
Los Angeles, California 90012

Notices to the School shall be addressed as follows:

ATTN: _____

15.0 VALIDITY

If any provision of this Agreement or the application thereof to any person or circumstance is held invalid, the remainder of this Agreement and the application of such provision to other persons or circumstances shall not be affected thereby.

16.0 WAIVER

No waiver by the parties of any breach of any provision of this Agreement shall constitute a waiver of any other breach or of such provision. Failure of the parties to enforce at any time, or from time to time, any provision of this Agreement shall not be construed as a waiver thereof.

17.0 ENTIRE AGREEMENT

This Agreement, including Exhibit A, and any executed Amendments hereto or thereto, constitute the complete and exclusive statement of understanding of the parties which supersedes all previous agreements, written or oral, and all communications between the parties relating to the subject matter of this Agreement. No change to this Agreement shall be valid unless prepared pursuant to Section 10.0, Amendments, of this Agreement and signed by both parties.

**SCHOOL LAW ENFORCEMENT SERVICES AGREEMENT
FOR SCHOOL RESOURCE DEPUTY PROGRAM
BY AND BETWEEN
COUNTY OF LOS ANGELES
AND
ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT**

IN WITNESS WHEREOF, the Los Angeles County Board of Supervisors has caused this Agreement to be executed on its behalf by the Sheriff of Los Angeles County, and the School has caused this Agreement to be executed on its behalf by its duly authorized officer, on the dates written below.

COUNTY OF LOS ANGELES

By _____
Alex Villanueva, Sheriff

Date _____

**ANTELOPE VALLEY UNION HIGH SCHOOL
DISTRICT**

By _____
Name, Title

Date _____

APPROVED AS TO FORM:
RODRIGO A. CASTRO-SILVA
County Counsel

By _____
Deputy County Counsel

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

SCHOOL DISTRICT LAW ENFORCEMENT SERVICES

EXHIBIT A

SCHOOL DISTRICT: Antelope Valley Union High School District

FISCAL YEAR: 2021-2022

EFFECTIVE DATE: 1-Jul-21

CODE #	SERVICES	TOTAL SERVICE UNITS PURCHASED			CONTRACT LAW USE ONLY
		NEW	PREVIOUS	CHANGE	
	SCHOOL RESOURCE DEPUTY SERVICE UNIT	9.0000	9.0000	0.0000	
	SCHOOL RESOURCE DEPUTY SERVICE UNIT (B1)	0.7000	0.7000	0.0000	
	SERGEANT	0.7000	0.7000	0.0000	

EACH SRD SERVICE UNIT WORKS 180 REGULARLY SCHEDULED SCHOOL DAYS.

SUMMER SESSION COVERAGE IS NOT INCLUDED BUT IS AVAILABLE AT THE PREVAILING HOURLY RATE.

DEPLOYMENT SURVEY

STATION ASSIGNED TO	CAMPUS	DEPUTY	BONUS 1	SERGEANT	CSO/LET
Lancaster	Desert Winds Continuation	1.0000			
	Littlerock High School	1.0000			
	Antelope Valley High School	1.0000			
	Lancaster High School	1.0000			
	Quartz Hill High School	1.0000			
	Highland High School	1.0000			
	Palmdale High School	1.0000			
	Pete Knight High School	1.0000			
	Eastside High School	1.0000			
	All Campuses		0.7000	0.7000	

SRD WORKING HOURS ARE REGULARLY SCHEDULED SCHOOL HOURS.

SRDS SHALL NOT BE ADJUSTED TO WORK SUPPLEMENTAL EVENTS OUTSIDE REGULAR SCHOOL HOURS.

REPORT PREPARED BY: Sergeant Rudy Sanchez

DATE: 5/17/2021

APPROVED BY:

STATION COMMANDER

DATE:

APPROVED BY:

SCHOOL DISTRICT OFFICIAL "I certify that I am authorized to make this change on behalf of the School District"

DATE:

PROCESSED AT CLEB BY:

DATE:

NO YES

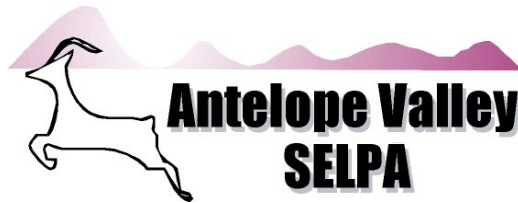
BILLING MEMO REQUIRED:

"BLUE" REQUIRED:

SH-AD 575 (REV. 6/16)

Antelope Valley Union High School District

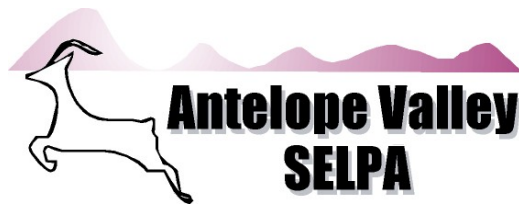
REV: 6/16



BEHAVIOR EMERGENCY REPORT (BER) GUIDELINES

To **prevent** emergency interventions ***from being used in lieu of*** planned, systematic behavioral interventions:

1. The parent and/or residential care provider, if appropriate, shall be notified within one school day when an emergency intervention is used or serious property damage occurs.
2. The AV SELPA Behavioral Emergency Report (BER), current version is available in the SEIS document library, shall immediately be completed and maintained in the student's file. The report shall include all of the following:
 - a. The name and age of the individual with exceptional needs.
 - b. The setting and location of the incident.
 - c. The name of the staff or other persons involved.
 - d. A description of the incident and the emergency intervention used, and whether the individual with exceptional needs is currently engaged in any systematic behavioral intervention plan.
 - e. Details of any injuries sustained by the individual with exceptional needs, or others, including staff, as a result of the incident.
 - f. In addition to this information, the following information will also be submitted to the school site administrator, district special education administrator, (or designee) and SELPA:
 - Grade
 - Primary Ethnicity
 - Primary Special Education Designation
 - Time period of restraint – meaning the time the emergency intervention (hold) began and the time the emergency intervention (hold) ended.
3. The Behavioral Emergency Report (BER) shall immediately be forwarded to, and reviewed by the designated responsible administrator.
 - a. A "designated responsible administrator" is the individual identified by the district to review BERs, collect data on the reports and recommend needed trainings at the site and district level to decrease the use of physical interventions. A "designated responsible administrator" may be a Principal or Assistant Principal at a school site, and a Special Education Director or Program Specialist at the District level.
 - b. The "designated responsible administrator" should review each report to ensure it has been fully and properly completed prior to signing the form.
4. If the "Behavioral Emergency Report" was written regarding a student who ***does not have*** a behavioral intervention plan, the designated responsible administrator shall, within two days, **schedule** an IEP to determine whether an FBA should be conducted and/or an interim behavior intervention plan developed. Parent notice is given and



consent must be obtained prior to commencement of an FBA. The IEP team must document the reasons for not conducting an FBA and/or developing an interim BIP.

- a. Parent is provided a Notice of Action (Prior Written Notice). This form must have a statement of the district's intent to provide or not provide an assessment, in order to understand the function of the student's behavior and provide a recommendation to the IEP team regarding the possible need for a Behavior Intervention Plan (BIP).
5. If the "Behavioral Emergency Report" was written regarding a student who **has** a behavioral intervention plan, any incident involving a previously **unseen** serious behavior problem or where a previously designed intervention is **not effective** should be referred to the IEP team to review and determine if the incident constitutes a need to modify the plan.
 - a. An "unseen behavior" is a behavior not previously seen by school staff that requires an emergency intervention. An example of this may be a student, who has a BIP to address self-injurious behavior only, elopes from the school campus and a restraint is utilized in order to maintain the student's safety.
 - b. After four to six weeks of BIP implementation, if a student fails to make progress towards utilizing the Functionally-Equivalent Replacement Behavior (FERB) instead of the targeted high-risk behavior, the team should meet to review and determine the need for a modified BIP. Failure to make progress towards the FERB goal indicates that the current plan is not effective in supporting the student to change the behavior.
 - c. Designated responsible administrators will monitor reports and follow-up with school personnel to ensure IEP meetings are scheduled, appropriate resources are provided for the implementation of the BIP, discuss a possible need to modify the BIP or call for an IEP meeting, as appropriate.
6. The designated responsible administrator will forward a copy of the completed BER to the district office for review by an identified responsible district designee.
7. The district designee or designated responsible administrator will submit a copy to the AVSELPA office **within 20 school days**.
8. The District-level designated responsible administrator will regularly report district BER data to the school superintendent and school board.



BEHAVIORAL EMERGENCY REPORT (BER) BEHAVIORAL INCIDENT REPORT

Student:	DOB:	Primary Disability:	Race/Ethnicity:	Grade:
Date of Incident	Emergency Procedure Start Time:	End Time:	Name/Title of Person Completing Form:	
Current BIP: <input type="checkbox"/> Yes <input type="checkbox"/> No	Type of Report: <input type="checkbox"/> BER <input type="checkbox"/> Incident Report	District:	School:	Location of incident:

Describe Student Behavior/Description of Incident		Staff Response		Instructions for Completing: 1. Determine if emergency or incident and mark appropriate box. 2. Determine if student does or does not have a current BIP and mark appropriate box. 3. Document duration of physical intervention. 4. Use pen or complete electronic version. 5. If you include information on the back, indicate. 6. Report must be completed and submitted to administrator on same day of incident. Incident or Emergency? 1. An Emergency is defined as serious, dangerous behavior that staff has determined to present a clear and present danger to others. It requires a Non-violent Physical Intervention to protect the safety of student, self, or others. A physical intervention has been used. OR, a physical intervention has not been used, but an injury or serious property damage has occurred. Disengagement Skills may or may not have been used. 2. Emergencies <i>require</i> this form to be completed and submitted to the administrator for administrative action. 3. An incident is defined as behavior that is unusual or out of the ordinary for the student, is disruptive to the classroom, and/or abuse of the environment occurs. Behavior incidents should be documented with this form if the student does not have a behavior plan addressing the behavior. Then submit to the administrator for administrative action. <i>*Procedure may vary between districts</i> ADMINISTRATIVE ACTION: <i>(To be completed by Administrator)</i> Emergency: <input type="checkbox"/> Notified parents within 24 hrs. via phone call <input type="checkbox"/> copy emergency report other: _____ <input type="checkbox"/> Parents contacted by: Admin _____ Teacher _____ <input type="checkbox"/> No BIP, schedule IEP meeting within 2 days <input type="checkbox"/> Yes BIP, refer to IEP team for possible revisions <input type="checkbox"/> Copy to confidential file & Copy to SELPA <input type="checkbox"/> Date BER sent to SELPA: _____ Incident: -Determine if copy to be sent home -Copy to cumulative/teacher file (use as data for behavior plan if necessary/purge annually) <i>*Procedure may vary between districts.</i>
Anxiety/Defensive		Supportive/Non-judgmental: <input type="checkbox"/> Proximity <input type="checkbox"/> Listening <input type="checkbox"/> Counseling <input type="checkbox"/> Accommodations <input type="checkbox"/> Restructure routine / environment <input type="checkbox"/> Referral to: <input type="checkbox"/> Other: Directive/Setting Limits: <input type="checkbox"/> Redirect, restate direction <input type="checkbox"/> Set limits, give choices <input type="checkbox"/> Separate student from group <input type="checkbox"/> Go to specific location <input type="checkbox"/> Other:	Prevention	
Risk Behavior		Physical & non-physical interventions that DO NOT require a BER: <input type="checkbox"/> Clear area <input type="checkbox"/> Lower-level holding <input type="checkbox"/> Call Administrator <input type="checkbox"/> Disengagement Skills Physical Interventions that REQUIRE a BER (Med or High Level only): <input type="checkbox"/> Seated Position <input type="checkbox"/> Children's Control Position <input type="checkbox"/> Standing Position <input type="checkbox"/> Team Control Position with Transport	Intervention	
Tension Reduction		Re-establish Communication: <input type="checkbox"/> Review Events <input type="checkbox"/> Make Plan <input type="checkbox"/> Review Schedule <input type="checkbox"/> Other:	Debriefing	
Injury	Injury/Medical: <input type="checkbox"/> Student <input type="checkbox"/> Staff	<input type="checkbox"/> Nurse <input type="checkbox"/> First Aid <input type="checkbox"/> 911 Paramedics <input type="checkbox"/> CPR <input type="checkbox"/> Other:	Action Taken	
Team Members Involved with intervention (names):				



Postvention Resolution Process

This is a form to be used for TEAM use ONLY, not to be placed in student's file.

To be completed by involved staff members after a physical intervention was implemented as the Tension Reduction stage of the crisis development model.

CONTROL

Date of Incident: _____ Time: _____ ☐ AM ☐ PM

Date of Postvention Resolution Meeting: _____ Time: _____ ☐ AM ☐ PM

ORIENT

Team Members Involved:

Name	Position	Signature

PATTERN

Identify patterns of response by team members:

INVESTIGATE/NEGOTIATE

Identify alternative methods of team response that may be appropriate:

GIVE

Document positive support to involved crisis intervention team members:



VACANCY ANNOUNCEMENT #21-22-73

POSITION: CAMPUS SUPERVISOR

OPEN: NOVEMBER 2, 2021 CLOSE: NOVEMBER 9, 2021 4:00 PM

The online application for this posting may be found at <https://www.edjoin.org/avuhsd>

To print and submit application via email or fax, visit www.avdistrict.org

Anticipated Vacancy

TRANSFER INFORMATION: Employees who wish to transfer to any school in the District are requested to submit a District Classified Transfer Request to the Personnel Services Office by the closing date listed on this announcement. Transfer requests for school locations other than the one announced may be considered in the event an opening is created at the desired school in the process of filling this announced vacancy.

CLASS DEFINITION: Under the immediate supervision of the Director of Campus Security, assists in the supervision and control of persons in or around campus buildings, facilities, and areas adjacent to the school sites.

EXAMPLES OF DUTIES AND RESPONSIBILITIES: Reports incidents of misbehavior to proper school authority; serves as a positive role model for students; provides general campus supervision, including classrooms, cafeteria, recreational and athletic areas. Directs campus visitors to proper authorities and prevents unlawful loitering; provides security for parking areas; supervises restroom and locker room areas; and other duties as assigned by the Principal or designee. *Exercise physical control only to the extent reasonably necessary to maintain order, protect property, protect the health and safety of pupils, or to maintain proper and appropriate conditions to learning. Punitive measures or corporal punishment is not authorized or condoned.* This position shall have no regularly assigned custodial duties (with the exception of individuals with a twelve month permanent status in the class during the summer months and those persons that may be assigned to Continuation schools). Campus Security Supervisors may be called upon when custodians or other appropriate personnel are not available to clean up after students as needed when they are ill or other similar emergency circumstances. The Principal or his or her designee shall determine any bona fide emergencies. Campus Security Supervisors may also be required to assist in the removal of graffiti from school sites and perform other student control related tasks.

DESIRABLE QUALIFICATIONS:

Experience:	Prefer experience working with people.
Education:	Completion of 12th grade or equivalent.
Knowledge of:	School regulations in connection with student conduct; laws pertaining to juveniles; controlled substances and their effect upon behavior; customs and activities indicative of undesirable youth groups.
Ability to:	Supervise and direct students in a friendly, unemotional manner and work cooperatively with faculty and staff; ability to interpret rules and regulations; ability to enforce rules and regulations firmly and fairly; ability to work effectively with students and staff.

PERSONAL QUALIFICATIONS: Pleasant personality, neat and pleasing appearance.

CONTINUES ON REVERSE



PHYSICAL ABILITIES: Visual ability to read handwritten or typed documents and instructions. Able to conduct verbal conversation. Able to hear normal range verbal conversation (approximately 60 decibels). Able to sit, stand, stoop, kneel, bend and walk. Able to stand for sustained periods of time. Able to walk for sustained periods of time. Able to climb slopes, stairs, steps, ramps and ladders. Vision which allows accurate observation from a distance. Able to lift up to forty pounds. Able to carry up to forty pounds for extended distances. Able to exhibit full range of motion for shoulder external rotation and internal rotation. Able to exhibit full range of motion for shoulder abduction and adduction. Able to exhibit full range of motion for elbow flexion and extension. Able to exhibit full range of motion for shoulder extension and flexion. Able to exhibit full range of motion for back lateral flexion. Able to exhibit full range of motion for hip flexion and extension. Able to exhibit full range of motion for knee flexion. Able to work in a wide range of weather conditions. Able to perform non-violent crisis intervention procedures. Able to push and/or pull a variety of tools and equipment weighing up to 60 pounds. Able to sustain strenuous manual labor for 8 hours. Able to operate a variety of vehicle in a safe and effective manner. Able to work at various elevated heights in a safe and effective manner. Able to work in restricted spaces in a safe and effective manner. Able to work with chemical agents in a safe and effective manner without allergic reaction. Able to demonstrate manual dexterity necessary to perform fine maintenance procedures and operate both manual and power hand tools in a safe and effective manner. Able to operate a variety of powered and manual equipment commonly found in janitorial and custodial services in a safe and effective manner.

REQUIRED TO: Hold and maintain a valid California Motor Vehicle Operator's License, proper insurance and a good driving record satisfactory to the District. Possess and maintain CPR and First Aid certification during the course of employment. Pass a pre-employment physical examination regarding the tasks assigned to this classification and drug test. Submit to fingerprint testing through the California Bureau of Justice and/or the Federal Bureau of Investigation.

SUPERVISION OVER: Students assigned. No supervision over employees.
SUPERVISION FROM: Administrative Supervisor
HOURS: 8 hours per day / 10 months per year
SALARY: Range 30, Step 1 (\$3,212.15 per month)

APPLICATION INFORMATION: All qualified individuals interested in this position may apply online at www.edjoin.org/avuhsd OR print and complete the application available at www.avdistrict.org. For online application, submit the complete AVUHSD Application and attach a complete chronological resume and at least one letter of recommendation (professional preferred). To submit a printed application, include a complete chronological resume and at least one letter of recommendation (professional preferred) and forward via email (elopez@avhsd.org) or fax (661-726-0673). You are strongly encouraged to also attach copies of degrees, certificates and diplomas demonstrating relevant training and education. Incomplete packets will not be considered. Be advised that any falsification and/or omission of information may be sufficient cause for immediate termination. Applications will be screened and selected candidates will be contacted for further testing and/or interview.

ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT WORKFORCE DIVERSITY

Diversity is one of the defining strengths of America, and the diversity of the Antelope Valley Union High School District workforce is essential in the preparation of our students with academic, technical, and work-related skills necessary for success in the 21st century. To accomplish this undertaking, it is essential that we have a workforce that reflects the diversity of the community we serve and educate. The Antelope Valley Union High School District is committed to recruiting, hiring, and retaining highly qualified employees who not only represent our community, but are also dedicated to creating a culture of inclusion that values each individual and promotes collaboration and fairness. The Antelope Valley Union High School District is committed to offering an employment and educational environment free from discrimination with respect to race, color, national origin, ancestry, religious creed, age, marital status, pregnancy, physical or mental disability, medical condition, veteran status, gender, actual or perceived sexual orientation, or any other unlawful consideration.

EQUAL OPPORTUNITY EMPLOYER


Brett Neal, Assistant Superintendent Personnel Services

661.948.7655 | avdistrict.org | 44811 North Sierra Hwy., Lancaster, CA 93534