

Ventura County SELPA

Policy: Referral Process for Special Education Students to Gateway Community Schools

Approved: Superintendents' Policy Council – September 26, 2008

Education Code Section 1981 states that the county board of education may enroll pupils in a community school program who meet any of the following criteria:

1. Are expelled from a school district for any reason;
2. Upon the recommendation of a school attendance review board; or by the school district of attendance, upon the request of a pupil's parent/guardian, with the approval of the school district of attendance;
3. On probation or parole and not in attendance in any school;
4. Homeless children

Gateway Enrollment

Gateway School shall serve eligible sixth through twelfth grade special education students when staff has determined that the goals and objectives written on the student's Individualized Education Program (IEP) can be met.

Related Services

It shall be the responsibility of the district of residence to fund/provide related services stipulated on a student's IEP if those services are not available at Gateway School.

Independent Study

Education code section 51745(c) states that independent study cannot be used unless it is stipulated in the student's IEP.

Referral

Member districts of the Ventura County SELPA shall follow the steps outlined below when referring a special education student to Gateway Community Schools.

1. The Gateway Principal or Designee shall be invited to participate in the IEP meeting where referral to Gateway Community School is under consideration. This will also include the Manifestation Determination IEP meetings. If a Gateway staff member is unable to attend the IEP meeting, participation may be via telephone or by providing written information to the IEP team. If Gateway staff are unable to participate, the IEP meeting shall be conducted as planned. If Gateway staff are in attendance and are confident the student can get their needs met at Gateway, the IEP will be developed reflecting Gateway services. If not, the IEP will note on the

additional page that a referral to Gateway will be completed, and an IEP will be developed reflecting services to be provided during the interim.

2. A complete referral packet will be submitted to Gateway. The referral packet shall include:
 - a. A completed Referral Recommendation Form signed by the parent/guardian, student and designee from district of residence.
 - b. The most current IEP. If at the most recent triennial review new assessment was not administered, attach copy of Triennial Review Worksheet.
 - c. The most recent Psychoeducational Assessment reports. If applicable, the Manifestation Determination Review Worksheet.
 - d. The Positive Behavior Support Plan or Behavior Intervention Plan (if applicable). If one does not exist, please indicate why it was not necessary.
 - e. Other psychological, medical and educational records, including all standardized state required assessments (CELDT, CAHSEE, CST)
 - f. The name, phone and e-mail of the district's designated special education contact person.
3. Gateway staff shall notify the referring school district within five days, by phone or e-mail, if the referral packet is not complete. The Gateway staff shall provide to the referring district a list of the missing information that needs to be submitted.
4. Once a completed packet has been received, the referring school district shall be notified within five working days if the Gateway staff does not believe that Gateway is the appropriate setting for the student. A written explanation for the decision will be provided.
5. If the student's IEP stipulates services or materials not available on the Gateway campus, it shall be the responsibility of the referring district to provide and or fund the identified services and materials.
6. Once the student has been accepted, Gateway staff will notify district if child misses two enrollments appointments.

Appeal Process

1. The district of residence shall have the option to challenge the denial of enrollment.

Within five days of the denial of enrollment the district of residence shall request a review meeting with the Ventura County Office of Education, Student Services. If the meeting between the representative of the referring district and the Associate Superintendent does not end in consensus, the referring school district shall have the right to appeal to the Ventura County Office of Education.

2. The referring school district representative and the representative of Gateway School shall meet with the Ventura County Office of Education to resolve the dispute.
3. The Gateway School representative shall present documentation and a rationale as to why Gateway school is not the appropriate educational placement option for the student and the referring district shall have the opportunity to present evidence as to why Gateway is the appropriate placement.
4. The Ventura County Office of Education Superintendent or Designee shall hear all relevant evidence and render a final decision within seven calendar days.

Annual/Triennial Evaluations

If an evaluation is due within 90 days of the student enrollment in Gateway, the referring district is responsible for completing the assessment.

If an evaluation is due beyond 90 days of the student enrollment in Gateway, the Ventura County Office of Education is responsible for completing the assessment.

Student Return to District

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

Special Education Students may be returned to the district of residence for the following reasons:

1. The student has met the terms of the expulsion (if applicable).
2. The student has completed middle school and is transitioning to high school.
3. The non-expelled student has completed a full semester at Gateway and is deemed ready to return to district by Gateway Staff. "Ready" means on track to graduate *and* behavior or attendance issues have shown significant improvement.
4. The student's educational needs as defined in the IEP are not being met.
5. The student has exhibited severe behavioral or attendance issues and Gateway interventions are not working.
6. The student has committed an expellable offense while enrolled at Gateway.

When considering returning a student to district, Gateway and the district of residence will agree on an appropriate date and time to convene an IEP.

Referral Process for Providence Students

When a student has been enrolled in Providence an IEP must be held prior to referring to Gateway Community School. If the student has been committed to Juvenile Hall, Gateway will be responsible for the IEP. However, if the student has only been detained, the student's home school/district is responsible for the IEP.