



LOS ANGELES UNIFIED SCHOOL DISTRICT POLICY BULLETIN

TITLE: Referral to Community Day Schools

NUMBER: BUL-847.1

ISSUER: Frances Gipson, Ph.D., Chief Academic Officer
Division of Instruction

Gary P. Garcia, Administrator
Division of Instruction

DATE: December 21, 2016

ROUTING
Local District Superintendents
Local District Instructional
Directors
Operations Administrators
Local District Counseling
Coordinators
Secondary Principals
Secondary Assistant Principals
College Counselors
Counselors

POLICY: Pursuant to California Education Code Section 48662, the governing board of a school district that establishes a community day school (CDS) shall adopt policies that provide procedures for the involuntary transfer of pupils to a CDS. Therefore, it is the District’s policy that a student may be issued an involuntary transfer to a CDS for reasons specified under E.C. §48662, as well as for reasons of behavior intervention. If a student is transferred to a CDS for behavior intervention reasons, the transfer is considered an opportunity transfer and all the requirements described in BUL-6362.0, Opportunity Transfer (O.T.) – Policy and Procedures, shall be followed. In LAUSD, students may also be referred to a CDS for intensive academic and/or social emotional support upon the parent’s request and/or based on the sending school’s recommendation. When a student is referred from a comprehensive school to a CDS for non-behavior reasons, the principal must obtain parental consent. To minimize disruption to the academic progress, except for expulsion-related placements, transferring a student to a CDS may not be issued within the last six weeks of each semester and the duration of the transfer may not exceed the remainder of the current semester plus the following semester, unless continued enrollment in CDS is agreed upon by the school and parent/guardian. To consider a change of placement for students with an Individualized Education Program (IEP) and students eligible for nondiscrimination protections, follow the guidelines of the IDEIA (Individuals with Disabilities Education Improvement Act) and Section 504 of the Rehabilitation Act of 1973.

MAJOR CHANGES: This bulletin replaces BUL-847, of the same title, dated March 22, 2004. It revises District policy and procedures in referring students to a District-operated CDS and provides clear guidelines for issuing an involuntary transfer of a student from the comprehensive school to a CDS. It clarifies the process for transferring students to a CDS through a District-level process and establishes guidelines to address school-initiated or parent-requested transfer of students to a CDS. This bulletin also provides revisions to referral forms Attachments A and B. Attachment C has been added.



LOS ANGELES UNIFIED SCHOOL DISTRICT POLICY BULLETIN

GUIDELINES: The following guidelines apply:

I. BACKGROUND

Community Day Schools (CDS) were established by Assembly Bill (AB) 922 and amended in 1998 by AB 1845. CDS are structured for pupils in kindergarten through grade 12 as an educational placement option for expelled and other highly at-risk students (Ed Code Sections 48660-48666). The law also allows for the alternative placement of special education students with behavioral problems in addition to non-public school assignments. CDS placement should not be used for students whose primary need is credit recovery.

II. PROGRAM COMPONENTS

The legislative intent is that the CDS site include the following program components:

- A. Elementary CDS programs are for students in grades K-6. Secondary CDS programs are for students in grades 7-12. The two programs may not be combined. CDS sites must be located apart from comprehensive school campuses and should have separate addresses and location codes. Currently, LAUSD provides one school, Elementary CDS, for students in grades K-6 and one school, Secondary CDS, for students in grades 7-8. These schools have multiple sites and provide a limited number of classrooms in various locations. All other CDS are exclusively for students in grades 9-12.
- B. Programs shall provide individualized instruction and assessment in classes with low teacher to student ratios. Individualized learning plans should include specific goals for each student, covering strategies for improving academic performance and behavior, and the establishment of benchmark goals for the re-entry of students into traditional schools.
- C. CDS personnel shall collaborate with the Division of Instruction and the Local District instructional staff for instructional guidance and support. In addition, CDS personnel shall actively collaborate with multiple district support providers such as school counselors, school psychologists, special education support staff, pupil services and attendance counselors, health and human services personnel, and student discipline staff in order to ensure that appropriate support services are provided for students.
- D. The Student Discipline and Expulsion Support Unit shall collaborate with the Division of Instruction and the Local District regarding placement of students in elementary and secondary sites to ensure appropriate instructional supports are available at identified locations.



LOS ANGELES UNIFIED SCHOOL DISTRICT POLICY BULLETIN

III. INSTRUCTIONAL PROGRAM

- A. The minimum school day for CDS is 360 minutes of instructional time [E.C. 48663(a)]. Time allotted for breaks, recess, and lunch does not count toward the minimum day requirement of six hours of instruction for each student. There is no option for a shorter day unless it is specified in the Individualized Educational Program (IEP) for a student with disabilities.
- B. The District provides CDS continuous enrollment for students under expulsion and students in this category may be enrolled at any time during the school year (AB1845 and AB922).
- C. Independent study assignments shall not be used to provide any part of the minimum instructional day. Students shall be under the direct supervision of a certificated staff member for the entire instructional day.
- D. The CDS academic programs shall be comparable to those available to other pupils of a similar age and grade level in the district. Courses taught in the CDS are the same as those taught in the traditional schools. Students must meet the same standards-based course requirements and participate in district and state mandated testing. Credits earned by students are transferable to district schools, and high school CDS qualify as diploma granting schools. Students should not be enrolled in more than six courses (30 credits) in a semester. All marks are subject to Education Code and Board policies.
- E. CDS may offer after-school programs if the school has the fiscal resources. If a school offers an after-school program, it shall be a quality instructional program and students shall be under the direct supervision of a certificated staff member for the duration of the after-school program.

IV. INVOUNTARY TRANSFER

A. Eligibility

Pursuant to E.C. Section 48662 and District Policy, a pupil may be assigned to a CDS if the student is:

1. Expelled for any reason;
2. Probation referred pursuant to Sections 300 and 602 of the Welfare and Institutions Code;
3. Referred by a school attendance review board (SARB) or other District



LOS ANGELES UNIFIED SCHOOL DISTRICT POLICY BULLETIN

level process, such as interim placement following an expulsion recommendation by the SDES unit or placement for safety concerns by the LD School Operations;

4. Issued an opportunity transfer for behavior intervention.

B. Priority of Enrollment

1. First priority for assignment to a community day school shall be given to a pupil expelled pursuant to E.C. Section 4891, subdivision (c).
2. Second priority shall be given to pupils expelled for any other reasons.
3. Third priority shall be given to all other students pursuant to E.C. Section 48662 unless there is an agreement that the county superintendent of schools shall serve any of these pupils.
4. Fourth priority shall be given to students who are issued an opportunity transfer to a CDS.

C. Referral

1. Students recommended for expulsion, students with an active expulsion order, including other districts' expellees, and students who are eligible under a District-established Memorandum of Understanding are assigned to a CDS by the Student Discipline and Expulsion Support Unit.
2. Students on probation may be referred to the CDS by the Probation Department and/or District Pupil Services. In addition, the recommending comprehensive school site personnel, including assistant principals, deans, and counselors may decide, with the principal's approval, that a student who is on probation would be better served in a CDS setting after multiple interventions have been used (Welfare and Institutions Code Sections 300 and 602).
3. Students released and returning from juvenile justice facilities should be referred to the District's Juvenile Hall/Camp Returnee Program for further guidance regarding school placement in a CDS. For more information, refer to BUL-6718.0, Educational Rights and Guidelines for Youth in Foster Care, Experiencing Homelessness and/or Involved in the Juvenile Justice System, dated October 6, 2016.



LOS ANGELES UNIFIED SCHOOL DISTRICT POLICY BULLETIN

4. School principals can initiate a transfer process for students in LAUSD after making a determination that the student will be better served in a CDS setting but must receive consent from a parent/guardian or educational rights holder. Students involved in the juvenile justice system and/or foster care have the right to remain in their school of origin. For more information, refer to BUL-6718.0, *Educational Rights and Guidelines for Youth in Foster Care, Experiencing Homelessness and/or Involved with the Juvenile Justice System*.
5. Appropriate school staff may refer students and families to a School Attendance Review Board (SARB) if a student has been identified as a habitual truant and/or has behavior issues (CA Education Code §48263). For SARB referrals to CDS, contact Local District SARB Chairs and/or Pupil Services and Attendance Field Coordinators. For more information on truancy classifications and notifications, refer to REF-5464.5, Initial Notification of Truancy (1st NOT) Central Automation and School Generated (2nd and 3rd NOT) Procedures and the SARB Intervention Guide for Schools on the Pupils Services website www.pupilservices.lausd.net.

V. VOLUNTARY TRANSFER WITH PARENTAL CONSENT

- A. A parent may request a voluntary transfer of the student to a CDS for other reasons including, but not limited to, academic intervention and/or social emotional adjustment. The comprehensive school principal, after reviewing documented evidence that the student is unable to function within the traditional classroom setting, may also request to transfer the student to the CDS.
- B. When the transfer is considered, the comprehensive school principal or designee shall conference with the student and parent or education rights holder to discuss educational options, review documented evidence supporting the consideration, and ultimately obtain the parent's consent to transfer the student to a CDS. The referring school must offer clearly documented evidence to support the referral request. This evidence should be in the form of a Student Support and Progress Team (SSPT) recommendation, referral to school resources, and evidence of prior interventions.
- C. School personnel shall arrange placement to the appropriate CDS with the agreement and cooperation of the student's parent. This process should not cause a student to be absent from school. The check-out dates and the enrollment dates should be within a 48-hour period.



VI. ENROLLMENT AND RE-ENROLLMENT GUIDELINES

- A. Students must be transferred or referred to a CDS. Direct enrollment is not permitted. A parent wishing to enroll a child in a CDS must be referred by a comprehensive school to determine the most appropriate pathway for the student.
- B. When a decision is made to transfer the student to a CDS, the referring school shall contact the requested site and provide the principal of the CDS with pertinent student information. The CDS principal shall set up an intake conference for enrollment using Attachment C.
 - 1. For students and parents: The purpose of the intake conference is to provide an opportunity to visit the schools, meet with the principal, learn first-hand about the unique features and requirements of the school, and have the opportunity to ask and receive answers to their questions.
 - 2. For the CDS principal: The intake interview provides an opportunity to review a student's academic progress, set goals, begin to develop a plan to achieve those goals and determine if enrollment at the CDS is in the best interest of the student.
- C. With the exception of expelled students, the determination of successful academic and behavioral performance must be aligned to academic and behavioral goals established with the parent/guardian and student during the intake/enrollment process as outlined in Attachment C. At the end of the term of the transfer or when the student has successfully performed in a CDS setting for a minimum of one semester, the student shall be eligible to re-enroll at his/her sending school.
- D. For expelled students, successful performance shall be determined by the SDES Reinstatement Review Committee based on the conditions of their reinstatement contract. Students deemed to have met their reinstatement requirements shall be reinstated and placed in an appropriate post-expulsion educational placement.
- E. A student under voluntary transfer to a CDS whose parent may request to cancel the transfer at any time during a term shall re-enroll at their sending school.



LOS ANGELES UNIFIED SCHOOL DISTRICT POLICY BULLETIN

VII. UNSUCCESSFUL CDS PLACEMENT

If it is determined that a student is unsuccessful at the CDS:

- A. For expulsion-related placements, transferring a student from one school site to another must be done in collaboration with the CDS administrator and the AB 922 counselor. The SDES Placement Advisor must be contacted immediately to assist with a new placement.
- B. Probation-referred students are to be returned to their sending school.
- C. SARB-referred students are to be referred to the SARB chairperson.
- D. Other referred students are to be referred to the sending school for reassessment.

VIII. SERVICES PROVIDED

- A. Students enrolled at a CDS shall receive the same services available as for other students in the district, such as PSA, counseling, testing, transportation, food, psychologist, nurse, etc. Students with disabilities shall have access to special education services in accordance with their IEP while attending a CDS.
- B. Students assigned to a CDS due to an expulsion shall receive the state-mandated AB 922 expulsion support services provided by the SDES Unit. (See BUL-6050.2)
- C. Local district offices are to provide assistance to all community day schools in a manner similar to that provided in traditional schools.

AUTHORITY: Assembly Bill 922
Assembly Bill 1845
Education Code sections 48633, 48660-48662, 48915
Welfare and Institutions Code sections 300 and 602

RELATED RESOURCES: Additional information on regarding Community Day Schools can be found at California Department of Education, Educational Options website, <http://www.cde.ca.gov/spbranch/essdiv/dcds.index.html> and the Division of Instruction website. achieve.lausd.net/Instruction



LOS ANGELES UNIFIED SCHOOL DISTRICT POLICY BULLETIN

BUL-6362.0 *Opportunity Transfer (O.T.) – Policy and Procedures*, dated August 14, 2014

BUL-5655.3, *Guidelines for Student Suspension*, dated August 16, 2016

BUL-2430.1, *Enrollment in Continuation High Schools*, dated December 16, 2016

ASSISTANCE: For assistance or further information, please contact Gary P. Garcia, Administrator, Division of Instruction, at (213) 241-5333 or Carmen Hermosillo, Counseling Coordinator, Options Schools at (213) 241-2540.

For additional information regarding Expulsion, contact Isabel Villalobos, Student Discipline and Expulsion Support at (213) 202-7555.

For additional information regarding Probation, contact Pupil Services at (213) 241-3844.

For additional information regarding students with disabilities, contact the Special Education Service Center – Operation at (213) 241-6701

For additional information regarding the equitable treatment of students, contact the Educational Equity Compliance Office at (213) 241-7682



LOS ANGELES UNIFIED SCHOOL DISTRICT POLICY BULLETIN

ATTACHMENT A

Referral to Community Day School (CDS)

STUDENT NAME _____ BIRTHDATE ____/____/____ GRADE ____ GRAD YR ____ M/F

HOME ADDRESS _____
Street City Zip Code

ETHNICITY _____ DISTRICT ID _____ ELD LEVEL _____

SBAC MATH or ENGLISH _____ CELDT _____ SP ED _____ Eligibility _____ IEP DUE DATE _____
Y/N

PARENT/GUARDIAN(s) _____
Last First

() _____ () _____ () _____ () _____
Home Phone Number Work Phone Number Cell Phone Number Emergency Phone Number

REFERRING SCHOOL _____ REFERRAL DATE _____
Location Code

PERSON MAKING REFERRAL _____
NAME TITLE

PHONE NUMBER () _____ EXT. _____ BEST TIME TO CONTACT _____

RECOMMENDED SCHOOL _____ CONTACT NAME _____

REASON FOR REFERRAL: SARB ____ PROBATION ____ OPPORTUNITY TRANSFER ____ DISTRICT LEVEL REFERRAL ____

VOLUNTARY TRANSFER ____ CONSENTING PARENT SIGNATURE _____

STATEMENT OF CONCERN OR REASON FOR REFERRAL _____

REFERRING PRINCIPAL: _____
NAME SIGNATURE DATE OF REFERRAL

School Mail or Hand Deliver Attachments A & B and all supporting documents to the Local District Operations Coordinator

Do not fax or scan

Note: Do not use this form for expulsion placement referrals.

For questions regarding expulsion, contact the Student Discipline and Expulsion Support Unit at (213) 202-7555.



**LOS ANGELES UNIFIED SCHOOL DISTRICT
POLICY BULLETIN**

ATTACHMENT B

Community Day School (CDS) Referral Form

Indicate area of concern (X)

School Performance		Behavior	
1. Does not complete assignments		9. Isolated	
2. Lacks motivation or interest		10. Defiant towards authority	
3. Frequent tardies		11. Disruptive	
4. Fails to bring materials		12. Verbal/Physical aggression	
5. Failing classes		13. Poor peer relations	
6. Frequent Absences		14. Other (Please specify)	
7. Short Attention Span			
8. Other (Please specify)			

Indicate actions taken prior to initiating CDS/SARB Referral (X)

ACTIONS TAKEN	X	DATE(S)	COMMENTS
1. Change Seating/Schedule			
2. Home Visits			
3. Peer Mediation			
4. Differentiated Assignments			
5. Program Change(s)			
6. Review of Cumulative Record			
7. Student Conference(s)			
8. Parent Conference(s)			
9. Referral to Dean/Principal			
10. Tutoring			
11. Daily Check			
12. Behavior/Attendance Contract			
13. Detention(s)			
14. Restorative Justice Intervention(s)			
15. Suspension(s)			
16. Referral: Psych/Nurse/PSA/PSW			
17. Referral to Academic Counselor			
18. SART/SARB			
19. Comm. Agency Referral			
20. SSPT			

ATTACHED DOCUMENTS: (X) Copies must be attached

Attendance Record () Transcripts () MiSiS Social Adjustment Record () IEP (if applicable) ()
 Test Scores () Suspension Records () SARB (if applicable) () Instructional Interventions ()
 Student Success and Progress Team (SSPT) Transfer Form ()



LOS ANGELES UNIFIED SCHOOL DISTRICT POLICY BULLETIN

ATTACHMENT C

Intake Form - Community Day School (CDS)

STUDENT NAME _____ BIRTHDATE ____/____/____ GRADE ____ GRAD YR ____ M/F

HOME ADDRESS _____
Street City Zip Code

PARENT/GUARDIAN(s) _____
Last First

() _____ () _____ () _____ () _____
Home Phone Number Work Phone Number Cell Phone Number Emergency Phone Number

SBAC MATH or ENGLISH _____ CELDT _____ SP ED _____ Eligibility _____ IEP DUE DATE _____

REFERRING SCHOOL _____ REFERRAL DATE _____
Location Code

PHONE NUMBER () _____ EXT. _____ BEST TIME TO CONTACT _____

REASON FOR REFERRAL: RECOMMEND REFERRAL TO _____ CONTACT NAME _____

SARB _____ PROBATION _____ OPPORTUNITY TRANSFER _____ DISTRICT LEVEL REFERRAL _____

VOLUNTARY TRANSFER _____ CONSENTING PARENT SIGNATURE _____

GOAL SETTING :

ACADEMIC GOALS: _____

BEHAVIORAL GOALS _____

ATTENDANCE GOALS _____

MEASURES OF SUCCESS/NOTES: _____

This form should be placed in the student's cum folder and should be revisited and updated with the parent at the end of the term (not to exceed the remainder of the current semester plus the following semester).