Oroville Union High School District

Your Rights – Transfers to the OUHSD Community Day School

Transfers to OUHSD Community Day School are governed by Board Policy and Administrative Regulation 5116.2. If you are considering a transfer or if an involuntary transfer has been recommended, you will be provided with a copy of this policy and procedure.

Involuntary Transfer

I. Reasons for Transfer

An involuntary transfer to OUHSD Community Day School can only be made if you were: (1) expelled for any reason; (2) the Probation Department referred you pursuant sections 300 and 602 of the Welfare and Institutions Code; or (3) a referral was made by a School Attendance Review Board.

Before you are transferred for either reason (2) or (3), the District needs to show that it provided you with other supports, interventions, and services to help you improve your behavior, attendance, and/or progress in school and those supports, interventions, and services did not work. The exception to the requirement to exhaust other ways of helping you before transfer is if the principal has determined that your presence causes a danger to other people or threatens to disrupt the school's instructional process.

II. Written Notice of Transfer

If after completing these steps, the Superintendent or someone he or she picks decide that an involuntary transfer to the OUHSD Community Day School is the best educational option, you and your parent/guardian shall receive written notice of the decision that includes the opportunity to meet with the Superintendent or someone he or she picks prior to being transferred.

IV. Meeting with Superintendent or Designee

At the meeting with the Superintendent or someone he or she picks, you must be told the specific facts and reasons that a decision to transfer you has been made. You can look at any of the documents relied on, such as those showing supports and interventions were tried. You can question any of the information and even present witnesses (like a teacher or counselor) in support of your desire to stay at your current school or go to another one. You can have anyone attend the meeting with you to support you.

V. Written Decision and Length of Transfer

After the meeting, a decision whether to transfer you shall be made. None of the people involved in the final decision to transfer you can be a staff member of the school where you are currently enrolled.

If the decision is to transfer, it shall be in writing, stating the facts and reasons for the decision.

The written notice will also say that the transfer cannot go for longer than the end of the semester that follows the semester when you committed the acts that caused the transfer, unless you and your parent/guardian receive written notice telling you that the involuntary transfer has been extended. Any extension must be consistent with your expulsion order, if one exists, or another agreement.

The written decision must be sent to you and your parent/guardian.

VI. Written Notice to Stay Longer at Community Day School

If you later receive written notice that the district is planning to extend your enrollment at the community day school, you have a right to request a meeting with the District Superintendent or someone he or she picks to review that decision. However, you need to make the request for the meeting within ten (10) days of receiving the written notice; the notice should inform you again of this timeframe.

At this meeting, you also have the right to review documents and to bring support people and witnesses.

(BP/AR 5116.2)

Voluntary Transfer

You can also transfer voluntarily to the Community Day School. Before doing so, you can request to meet with a counselor, principal, or administrator from your current school and the Community Day School to discuss whether this is the best option. If you voluntarily transfer, you have the right to return to the regular high school at the beginning of any new semester or at any time, if a person who the District Superintendent picks says it is okay. While at the Community Day School and before you return to a comprehensive high school, you will receive counseling about the credits you earned, the credits you need to graduate from the Community Day School, and the credits you need to earn to graduate from a comprehensive school. The District will also give you a copy of Board Policy and Administrative Regulation 5116.2.

Students with Disabilities or Suspected Disabilities

If you have an Individualized Education Program (IEP), a Section 504 plan, or you think you may have a disability (e.g., dyslexia or Attention Deficit Hyperactivity Disorder), the District has a duty to make sure that you have all of the services and supports you need to receive an appropriate education and to progress from grade to grade. Before changing your placement to a community day school, the District must follow specific procedures, including holding an

IEP or Section 504 meeting and deciding whether any behavior difficulties you are having are related to your disabilities. The District is also required to obtain records from your prior school districts regarding any services and plans you have had in the past, discuss your progress, and assess whether such a transfer will meet your unique needs and whether you need an assessment. You and your parent/guardian have a right to dispute any placement decision and to receive a hearing and information about other protected available under special education and disability laws.

(AR 5166.2)

<u>You must receive a copy of this document if you will be transferred to the OUHSD Community Day School.</u>

I received a copy of the "Your Rights" in the transfer process document, and I have had an opportunity ask questions. I have also received a copy of the Board Policy and Administrative Regulation 5116.2.

Signature of Student	Date
Signature of Parent/Guardian (if student is minor)	Date