

# PLAN FOR PROVIDING EDUCATIONAL SERVICES TO ALL EXPELLED STUDENTS IN BREA OLINDA UNIFIED SCHOOL DISTRICT

As required by Education Code 48926, the Orange County Superintendent of Schools has developed an expulsion plan in conjunction with the Superintendents of the school districts in Orange County. The plan provides for educational services to all expelled students in the county for school years 2021-2022, 2022-2023 and 2023-2024. A student whose behavior has resulted in an expulsion is provided a rehabilitation plan which ensures placement in an educational program and establishes the criteria for return to the Brea Olinda Unified School District. All educational alternatives provided by Orange County school districts are not available to all expelled students. The type of offense, location of offense, grade level and nature of the student's individualized needs; all have the potential to affect the educational alternatives available to the student during the period of expulsion. Students expelled for any of the offenses listed in subdivision (a) or (c) of Section 48915 of the California Education Code shall not be permitted to enroll in any district-operated program during the period of expulsion unless it is a community day school (E.C. 48915.2).

As indicated in the Orange County Expulsion plan, the options available to Brea Olinda Unified School District after an expulsion decision include, but are not limited to the following:

1. Expulsion, suspended order, with placement on the same school campus [E.C. 48917 (a)].
2. Expulsion, suspended order, with placement on a different school campus within the district [E.C.48917 (a)].
3. Expulsion with referral to a district alternative suspension/expulsion classroom, if available (E.C. 48660).
4. Expulsion with subsequent transfer to another district.
5. Expulsion with referral to the Orange County Department of Education, Alternative, Community and Correctional Education Schools and Services (ACCESS) (E.C. 1981).

## Brea Olinda Unified School District Identified Gaps

2018-2021 Identified Service Gaps Summaries & Description of Strategies to fill those Gaps	Describe the progress the district has made to fill the Gaps since 2018
<p><b>Service Gap #1</b></p> <p>Expelled Students in Grades K-5 Students in grades K-5 who are expelled do not have as many educational options available as do expelled youth in grades 6-12. In some instances, it has been difficult to place elementary school students who are expelled, especially at the K-4 level. The number of community day schools at the elementary school grade level is very limited.</p>	<p><b>Service Gap #1 Progress</b></p> <p>No Expulsions have occurred in these grade levels. However we do have an online academy we can move students to as an alternative learning environment.</p>

<p><b>Service Gap #2</b></p> <p>Limited Special Education Placements in ACCESS. The Orange County Department of Education is committed to expanded program options for students with exceptional needs that have been expelled from school district programs. As identified through communications with SELPA and District-Special Education Directors, programs for emotionally disturbed and dual diagnosis (Emotionally Disturbed and Developmentally Delayed) students have been developed in some school districts as well as the OCDE Special Schools program. In addition, ACCESS continues to evaluate its Special Education services to provide a continuum of placement options. When a student's unique needs cannot be accommodated through existing OCDE program alternatives, the district of residence will continue to facilitate placement to meet the unique needs of individual students through district and non-public agency/school placements.</p>	<p><b>Service Gap #2 Progress</b></p> <p>We have utilized our OCDE ACCESS program to address students who are expelled with Special Needs through Non Public Schools or OCDE Special Schools Programs.</p>
<p><b>Service Gap #3</b></p> <p>Students sometimes do not meet the provisions of the expulsion rehabilitation plan and fall behind in their academic studies. In these cases, they are at high risk of not completing their necessary credits and are at a higher risk of dropping out of school.</p>	<p><b>Service Gap #3 Progress</b></p> <p>The district works on credit recovery options with our alternative high school. Summer School and Apex are options we use to fill the gap. District will set up a formal process for evaluating students' progress when they are not in the district on a quarterly basis. Assign an AP and Counselor to supervise this process</p>
<p><b>Service Gap #4</b></p> <p>Mental Health Services: Orange County School Districts are seeing an increased need for mental health services and a shortage of affordable and accessible options for students.</p>	<p><b>Service Gap #4 Progress</b></p> <p>District has Project Kinship K-12 to support at promise students and their families. District has created a MFT intern program with Intern support at all school sites. District has also invested in a full time MFT at the high school level.</p> <p>District has invested in teacher training in trauma informed care, Social Emotional Learning and access and equity.</p> <p>District has BASE education to support social emotional learning. District has also contracted with California Youth Services for intervention programs related to drugs and alcohol and curbing juvenile delinquency program.</p>

<b>Service Gap #5</b>  College Course Preparation Access for County Community Students. Within the ACCESS program there is an option for students to utilize GradPoint, an online course option with “a-g” approved satisfying the subject requirements for admission into the University of California and California State University systems. This addition has resolved the difficulty for some students returning to their district of residence following their expulsion period in regard to completing the required courses prior to graduation.	<b>Service Gap #5 Progress</b>  District is utilizing APEX for credit recovery and original credit when there are gaps when the student returns to District. This is also being utilized as an option for students during summer school.
<b>Service Gap #6</b>  Single District with only one Junior High and High School can make for limited options for students for alternative settings.	<b>Service Gap #6 Progress</b>  Created a more robust independent studies program with an online component utilizing APEX and alternative meeting locations such as the District Office or public library since the student was not allowed on home school campus . Use of alternative high school as an alternative intervention prior to recommendation for expulsion.

### **Brea Olinda Unified School District Prevention Activities**

Actual referral to a district alternative suspension/expulsion classroom or county community school is made by the Brea Olinda Unified School District governing board with recommendations from the district discipline review board, School Attendance Review Board (SARB), or by another established district referral process as required by statute.

District activities relating to the prevention of suspensions and expulsions are outlined in the following chart:

<b>Title of Activity</b>	<b>Description of Activity</b>	<b>Grade Level</b>
Annual Notice of Parent Rights and Responsibilities	State of the year communication regarding policies (annual)	K-12
After School Programs	Programs designed to address specific academic or behavioral issues or that expose students to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups.	K-12
Anti-bullying Programs	Programs designed to address specific behavioral issues surrounding bullying and bullying prevention through positive activities.	K-12
AVID	Targeted Academic Intervention	K-12
Behavior Assemblies	Explanation of school rules and policies to students	K-12
Conferences/Conflict Mediators/Conflict Resolution Services	Positive interventions aimed at resolving specific behavioral issues between peers through positive prosocial behaviors	K-12

Marriage and Family Therapist & Marriage and Family Therapist Intern	MFT's provided to school sites to support students social emotional and prosocial behaviors	K-12
Parent Education	Parent nights and classes	K-12
Positive Behavioral Support (PBIS)	Districtwide behavior management program	K-12
Peer Assistance League (PAL)	Peer Mentoring/Leadership	K-12
Project Kinship	Support for At Risk Youth through mentoring, art and support services	K-12
Restorative Practices	Range of methods and strategies aimed at prevention/resolving conflict and preventing harm	K-12
SART/SART	School site & District based interventions aimed at reducing chronic tardiness, absenteeism, and truant behavior	K-12
Saturday School	Program offered Saturdays at Brea Olinda High School and Brea Junior High School to allow opportunities for unit/credit/attendance recovery referred by counselors or administration	7-12
School Based Counseling	Group and individual counseling services on campus	K-12
Student Behavior Contracts	Set of various school-site and district-based contracts addressing various targeted behavioral issues for prevention and future transgressions	K-12
Universal Design For Learning	Educational Framework based on research in the learning sciences that guides the development of flexible learning environments to accommodate individual learning needs	K-12

### **Brea Olinda Board Policies Related to Discipline and Expulsions**

- 1.) BP 5131 Conduct- [Click Here](#)
- 2.) BP 5144 Discipline- [Click Here](#)
- 3.) AR 5144 Discipline- [Click Here](#)
- 4.) BP 5144.1 Suspension and Expulsion Due Process- [Click Here](#)
- 5.) AR 5144.1 Suspension and Expulsion Due Process- [Click Here](#)
- 6.) AR 5144.2 Suspension and Expulsion Due Process (Students with Disabilities)- [Click Here](#)

### **Brea Olinda Sample Procedures and Interventions**

**See Appendix A**

# **Appendix A**

## **Brea Olinda Sample Procedures and Interventions**

- 1. Behavior Contract**
- 2. Agreement and Stipulation for Expulsion**
- 3. Expulsion Summary and Case Review**
- 4. Procedures for Student Expulsion Hearing-  
Administrative Panel**
- 5. Administrative Panel Hearing Finding of Facts and  
Recommendations.**
- 6. Results of Administrative Hearing Letter & Rehabilitation  
Plan**
- 7. Checklist for Readmittance**
- 8. Re Enrollment Procedures**



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SAMPLE  
(School Name)  
BEHAVIOR CONTRACT

Date: \_\_\_\_\_

- Immediately remove posts and pictures related to the incident from your personal social media accounts. Request that your Instagram/Snapchat friends with access to these posts and pictures also delete them from social media.
- Post an apology on Instagram/Snapchat page in your personal name and leave on Instagram/Snapchat for a minimum of one week.
- Follow Acceptable Use of Technology Agreement conditions for any use, including personal use, of the Internet that relates to the school. Do not make any reference to the Brea Olinda Unified School District, (School Name), or school employees' names in social media or in Internet use.
- Write a letter of apology to the affected students.
- Write an essay on why what you posted on social media was harmful, the consequences whether intended or not of such actions, and how you will handle this type of situation in the future. Turn the essay in to (School Admin) by (Date).
- Student must sign agreement, with parent signature, to not violate school rules.
- No cell phone, tablet, or other personal electronic device on campus for the remainder of the (Quarter or Semester) for the ( ) school year.

By signing below, we acknowledge and agree that we understand the violation of any of the above-mentioned conditions for the ( ) school year can/will result in consequences, including but not limited to loss of privileges, suspension, expulsion, or transfer depending on the circumstances.

Print Student Name: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Parent Name: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Print School Official Name: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_



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## **AGREEMENT AND STIPULATION FOR FULL EXPULSION (SUSPENDED ENFORCEMENT) SAMPLE**

This **Agreement** is made and entered into by and between **(student last name) (student first name)**, **DOB: mo/da/year** (hereinafter referred to as the “Student”), **(Name of parents)** (hereinafter referred to as “Parent(s)/Guardian(s)”), and the **Brea Olinda Unified School District** (hereinafter referred to as the “District”).

### **RECITALS**

1. A Notice of Expulsion (“**Notice**”), pertaining to the Student (see **Exhibit A: Suspension Letter** attached to this Agreement) was provided to the Parent(s)/Guardian(s); 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, Sections 48900 and 48915; and,
3. The Student and Parent(s)/Guardian(s) have been provided along with the Notice the applicable provisions of the California Education Code, including Education Code sections 48900, 48915, and 48918, as well as District rules and regulations governing expulsions; and
4. The Student and Parent(s)/Guardian(s) 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(s)/Guardian(s) have met with District representatives to discuss the allegations contained in the Notice and applicable provisions of the California Education Code relating to expulsions; and
6. The Student and Parent(s)/Guardian(s) 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 Board of Education meeting, the District Governing Board will consider and take action on the issue of expulsion based on the Student's admissions and waiver of 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, the Parent(s)/Guardian(s), and the 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 the Agreement is to establish a framework for the amicable, beneficial, and expedited resolution of the issues raised in the Notice (**Exhibit A: Suspension Letter**).

**SECTION 3. Acknowledgement of Notice/Allegations.**

The Student and Parent(s)/Guardian(s) fully acknowledge, understand, and admit the following:

- A. Violation of *California Education Code*:
  1. **48900.2 - Sexual Harassment**
  2. **48900 (i) - Obscene act - habitual profanity or vulgarity**
- B. Incident Summary: **Student admitted to showing 3 students a pornographic video during lunch (cyber-sexual harassment)**
- C. **Student shall be expelled from the Brea Olinda Unified School District effective (day of the week), (month) (date), (year) through (day of the week), (month) (date), (year). The enforcement of the expulsion shall be suspended during the above-referenced expulsion period upon Board of Education approval allowing the student to attend school within the**



**Brea Olinda Unified School District. Student shall be transferred to: (name of school/facility)**

- D. Parent(s)/Guardian(s) and Student have received the Notice and have carefully read the allegations contained in the Notice and the applicable California Education Code sections and have had the opportunity to discuss the allegations with District representatives, and fully understand the allegations and the meaning and consequences of an expulsion order; and
- E. The Parent(s)/Guardian(s) and the Student acknowledge by this Agreement that they have been told 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, whether they constitute grounds for expulsion, and whether the Student should be expelled.
- F. 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(s) 48900 et seq.; and
- G. 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(s)/Guardian(s) 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 to: (a) all notices and timelines required by statute, rule, or regulation; (b) be represented by legal counsel at such expulsion hearing; (c) inspect and obtain copies of all documents which would have been used at the hearing; (d) confront and question all witnesses who would have testified at the hearing; (e) question all other evidence presented; and (f) present oral and documentary evidence on the Student's behalf, including witnesses.

**Right to Appeal to County Board of Education:** The Student and Parent(s)/Guardian(s) understand that under Education Code sections 48918 (j) (1) and 48919, they have a right to appeal within thirty (30) days

of the expulsion order of the District and to be given written notice of this right. However, by this Agreement, the Student and Parent(s)/Guardian(s) hereby relinquish their right, and make a voluntary waiver of their right to appeal the District's order of expulsion to the Orange 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 Board of Education.

#### **SECTION 6. Application for Readmission; Rehabilitation Program.**

Student shall be expelled from the Brea Olinda Unified School District effective **(day of the week), (month) (date), (year)** through **(day of the week), (month) (date), (year)**. **The enforcement of the expulsion shall be suspended during the above-referenced expulsion period upon Board of Education approval allowing the student to attend school within the Brea Olinda Unified School District. Student shall be transferred to: (name of facility)**

**Rehabilitation Program.** During the period of expulsion, the Student must successfully complete a Rehabilitation Program, which is listed below. The final approval and content of the Rehabilitation Program shall be within the discretion of the District's Board of Education, and shall include the following:

- A. Student must obey all laws of the State and Federal Government.
- B. Student must enroll in and maintain attendance in good standing in an educational program meeting the requirements of California's compulsory attendance laws. Student will attend **(name of facility)**.
- C. Students who are expelled to ACCESS, or whose expulsion has been suspended to any other school site, may be immediately expelled after review by the Coordinator of Student Services or the Principal of the County School if there are any violations of a serious nature pursuant to District Board policy, Administrative regulations, and Education Code.
- D. 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.**

- E. **Not be on any campus except the school that the student is assigned to attend unless accompanied by parent(s)/guardian(s).**
- F. **Counseling:** Student is required to participate in an outside counseling program. Counseling should assist Student in the following areas:
  - 1. Decision Making
  - 2. Peer Relationships
  - 3. Peer Relationships
  - 4. Digital Citizenship
- G. Perform **20 hours** of community service, which is to be completed by **(day of the week), (month) (date), (year)**. Prior approval of the specific community service is required by the District Representative or administrator at the community school site.
- H. Complete a **3 to 5 page** reflective paper on **“How has this event/choice impacted my education - my family and my future?”**
- I. Participate in and follow the rules of a behavior contract developed by the school administration in conjunction with student and family in order to successfully meet the terms of this agreement.
- J. During the period of expulsion - the student must test negative on 12 Panel Drug Tests administered once a month by a reputable drug-testing or medical facility during the period of expulsion. Copies of the drug test results must be provided to the Coordinator of Student Services upon application for readmission to the Brea Olinda Unified School District.
- K. Attend and successfully complete 10 credits (or more) in summer school if needed.
- L. 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).
- M. Prior to the conclusion of the expulsion term, Mayu shall demonstrate:
  - 1. Appropriate academic progress,
  - 2. Positive attitude, and
  - 3. Regular school attendance.

## **SECTION 7. Reinstatement.**

Pending the 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.

## **SECTION 8. Effective date.**

The effective date of this Agreement shall be the date approved by the District's Board of Education, tentatively scheduled for **(day of the week), (month) (date), (year)**.

## **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.

## **SECTION 11. Approval.**

This Stipulated Expulsion. is subject to and contingent upon Board of Education approval and, as a result, the Parent(s)/Guardian(s) and Student agree to waive the expulsion timelines in Education Code section 48918 until ten (10) school days after Board Action within which time the District will make a new recommendation.

***SIGNATURE PAGE***

**IN WITNESS WHEREOF**, the Student, the Parent(s)/Guardian(s), and the District have caused this Agreement to be executed on their behalf by their duly authorized representatives.

**STUDENT**

\_\_\_\_\_  
(name of student) Date \_\_\_\_\_

**PARENT**

\_\_\_\_\_  
(name of parent(s)) Date \_\_\_\_\_

**PARENT**

\_\_\_\_\_  
(name of parent(s)) Date \_\_\_\_\_

**BREA OLINDA UNIFIED SCHOOL DISTRICT**

\_\_\_\_\_  
Jeanine Leech, Administrative Director  
Special Education & Student Support Services Date \_\_\_\_\_

## (School Year) EXPULSION SUMMARY AND CASE REVIEW

### CONFIDENTIAL

**STUDENT NAME:**

**EXPULSION TYPE:**

**STIPULATION OR HEARING DATE:**

**BIG  
3**

#### THINGS TO KNOW ABOUT THIS CASE:

- Item number one
- Item number two
- Item number three

**EDUCATION CODE VIOLATION: SAMPLE**

- 48900 (b) - possession of a weapon or dangerous object
- 48900 (a)(1) - caused, attempted to cause, or threatened to cause physical injury
- 48900 (k) - disrupted school activities or defied school personnel
- 48915 (a)(2) - possession of a knife or dangerous object

**INCIDENT BRIEF:** Description of event

**ENROLLMENT HISTORY:**

GRADE	DATE RANGE	SCHOOL	NOTE(S)
GRADE 8			
GRADE 7			
GRADE 5-6			
GRADES 1 - 4			

**SMARTER BALANCED (SBAC):**

YEAR	MATHEMATICS	CONCEPTS & PROCEDURES	PROB SOLVING & MODELING	COMMUNICATING/REASONING

YEAR	ENGLISH/LANG. ARTS	READING	WRITING	LISTENING	RESEARCH/INQUIRY

**CURRENT ACADEMIC PROGRESS:**

CLASS/SUBJECT	CURRENT PERFORMANCE	MOST RECENT GRADE	# OF MISSING ASSIGNMENTS
Reading			
Writing/Language			

<b>Speaking and Listening</b>			
<b>Social Studies</b>			
<b>Science</b>			
<b>PE/Health</b>			
<b>Mathematics</b>			
<b>Visual PErf Arts</b>			
<b>Technology/ Tech skills</b>			
<b>Behavior/Contribute to Learning/Responsibility</b>			
<b>Participation</b>			
<b>Interpersonal Skills</b>			
<b>Assignment Completion</b>			
<b>Organizational Skills</b>			

## **PROCEDURES FOR STUDENT EXPULSION HEARING** **ADMINISTRATIVE PANEL**



“These proceedings will be tape-recorded. Under the Education Code, the Board of Trustees is permitted to conduct a hearing of this type in closed session unless the student demanded that the hearing be conducted in public by notifying the school district five days in advance.

**Chairman (or Board President):** “The District and the student are permitted to call and cross-examine witnesses and introduce documentary evidence. The technical rules of evidence will not apply, but all witnesses will be required to testify under oath. Will all persons who may testify in this matter please stand, raise your right hand and be sworn.”

All witnesses, including the student if he or she wishes to address the board, should stand and the chairman should read the following oath.

“Do each of you swear or affirm that the testimony you may give in this hearing shall be the truth, the whole truth and nothing but the truth?”

The chairman should wait until the witnesses have responded.

**Chairman (or Board President):** “Unless either the District or the student objects, all witnesses will be permitted to remain in the room during the hearing. If either party objects, all witnesses will be excluded until they are called to testify. However, the District and the student will be permitted to have one or more representatives present to assist in presenting evidence throughout the hearing. Does either party wish to exclude witnesses?”

The district and the student are asked to respond. If either party requests that witnesses be excluded, the chairman shall so order.

“District requests that no students’ last names, other than (student’s name) be used in this hearing because to do so would violate those students’ confidentiality and privacy rights under state and federal law.”

**Chairman (or Board President):** “The burden of proof in this matter rests with the District. I call upon the District’s representative to make an opening statement at this time.”

The district’s representative makes an opening statement.

**Chairman (or Board President):** “At this time, the student’s representative may make an opening statement or may wait until the District has completed its evidence. Do you wish to make an opening statement at this time?”

The student’s representative responds and makes an opening statement if he requests to do so at this time.

**Chairman (or Board President):** “The District will now present witnesses and evidence. After each witness’ testimony, the student or his representative may cross-examine the witness. Re-direct and re-cross examination is permitted and panel members may ask clarifying questions. The District may proceed.”

The district, through its representatives, calls each witness in succession. The student’s representatives may cross-examine each witness. If documents are submitted in evidence, they shall be received by the chairman and marked consecutively as the district’s exhibits No. 1, No. 2, etc.

After the district indicates that it has completed its evidence, the student may make an opening statement if he has not done so and then may proceed to call his witnesses and introduce his documents in the same manner as the district has done, and the district may cross-examine the student’s witnesses.

**Chairman (or Board President):** “The student may make an opening statement if he/she has not done so and then may proceed to call his/her witnesses and introduce his/her documents in the same manner as the district has done. The district may cross-examine the student’s witnesses.”

The student, through its representatives, calls each witness in succession. The district’s representatives may cross-examine each witness. If documents are submitted in evidence, they shall be received by the chairman and marked consecutively as the student’s exhibits No. 1, No. 2, etc.

**Chairman (or Board President):** “All evidence has been received. The student’s representative may make a closing statement.”

The student’s representative makes a closing statement.

**Chairman (or Board President):** “The District, which has the burden of proof, may make its closing statement at this time.”

The district makes a closing statement.

“At this time, the Administrative Panel will retire to reach a decision.”

The Panel retires or clears the room and discusses the matter and votes.

“The question before the Administrative Panel is: ‘Shall (student’s name) be expelled from the Brea Olinda Unified School District?’ I call for a roll call vote.”

Each Administrative Panel Member votes YES, to sustain the expulsion, or NO, to reinstate the student.
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**Chairman (IF THE HEARING IS HELD BEFORE THE ADMINISTRATIVE PANEL):** “The Administrative Panel finds that (student’s name) violated Education Code Section 48900 by (e.g., possession marijuana on a school campus) on , 20\_\_. The administrative panel recommends to the board of trustees that the student be expelled, or “The Administrative Panel will deliberate at this time and notify you in writing of its decision.”



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## **ADMINISTRATIVE PANEL HEARING FINDING OF FACTS AND RECOMMENDATIONS**

**CASE: #SAMPLE**

**STUDENT NAME:** \_\_\_\_\_ **(Name of School Student Attending)**

**EDUCATION CODE VIOLATION:**



### **RECOMMENDATION:**

The above-entitled matter involving the recommended expulsion of **Student Name**, hereinafter referred to as “student,” came for hearing at the **Brea Olinda Unified School District Central Office, Brea**, California, on **((Day of the Week), (month) (date), (year))**, before the Administrative Panel, composed of the following persons:

1. (Chairperson Name) (Chair)
2. (Panel Member Name)
3. (Panel Member Name)

The following person(s) represented Brea Olinda Unified School District:

1. “Sam Smith”

The following person(s) appeared with/on behalf of the Student:

1. (student name) - Student
2. (Parent(s) name) - Mother
3. (name of any other family or legal representation)(relationship to the student)

The following person(s) served as Facilitator of the Administrative Hearing Panel and Proceedings:

1. Eric Barrientos, Student Services Coordinator

Competent evidence was introduced, the matter submitted, and the hearing closed.

**I. FINDINGS OF FACT:**

**A.** There is sufficient evidence to support an expulsion as follows:

**1.** Findings of fact:

- A) That on or about (day of the week), (month) (date), (year) the Student was enrolled at (name of school).
- B) Finding of Fact
- C) Finding of Fact
- D) Finding of Fact
- E) Finding of Fact
- F) Witness statements were consistent and also supported by additional witnesses to these events.

(1) Three (3) students provided witness statements including (name of student).

**2.** That such violation(s) was/were related to a school activity or attendance and occurred including but not limited to the following:

- A) While on school grounds
- B) While going to or coming from school

**3.** That (name of school) complied with all required deadlines and other procedural guidelines prior to and after the suspension of Student.

**4.** That due to the nature of the violation, the presence of the pupil causes a continuing danger to the safety of the pupil or others.

**5.** Other means of correction?

**II. ADDITIONAL CONSIDERATIONS:**

**III. RECOMMENDATIONS:**

**A.** The Administrative Hearing Panel recommends full expulsion (with conditions) from all schools and programs of the Brea Olinda Unified School District. The expulsion shall be effective starting **(day of the week), (month) (date), (year)** through **(day of the week), (month) (date), (year)**, at which time the Student may apply for readmission. The student's case will be forwarded to the Brea Olinda Unified School District's Board of Education.

**IV. REFERRAL TO ALTERNATIVE PLACEMENT:**

**A.** Student must enroll in and maintain attendance in good standing in an educational program meeting the requirements of California's compulsory attendance laws.

**B.** Student has 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 the family must inform that school of student's expulsion.**

**V. REHABILITATION PLAN:**

**A.** The following rehabilitation plan is recommended for the pupil and is to be completed on or before **(day of the week), (month) (date), (year):**

- 1.** Student must obey all laws of the State and Federal Government.
- 2.** Student must enroll in and maintain attendance in good standing in an educational program meeting the requirements of California's compulsory attendance laws.

3. **Not be on any campus except the school that the student is assigned to attend.**
4. **Counseling:** Student is required to participate in an outside counseling program at Parent's expense. Counseling should assist Student in the following areas:
  - A) **Decision Making**
  - B) **Peer Relationships**
  - C) **Peer Relationships**
  - D) **Digital Citizenship**
5. Perform 20 **hours** of community service, which is to be completed by the end of the second quarter on **(day of the week), (month) (date), (year)**. Prior approval of the specific community service is required by the District Representative or administrator at the community school site.
6. Complete a **3 to 5 page** reflective paper on **"How has this event/choice impacted my education - my family and my future?"**
7. During the period of expulsion - the student must test negative on 12 Panel Drug Tests administered once a month by a reputable drug-testing or medical facility during the period of expulsion. Copies of the drug test results must be provided to the Director of Student Services upon application for readmission to the Brea Olinda Unified School District.
8. Attend and successfully complete 10 credits (or more) in summer school if needed.
9. 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).
10. Prior to his/her return to BOUSD, shall demonstrate:
  - A) Appropriate academic progress,
  - B) Positive attitude, and
  - C) Regular school attendance.

## **VI. EXPULSION ORDER:**

- A. Expulsion - Stipulated Agreement
- B. Effective Dates: **(day of the week), (month) (date), (year)** through **(day of the week), (month) (date), (year)**
- C. Student may apply for readmission to Brea Olinda Unified School District at the conclusion of the **(school year) (Fall/Spring) Semester** which ends on **(day of the week), (month) (date), (year)**.
- D. Placement upon readmission will be determined by the superintendent or designee.
- E. Student may be placed on behavior contract with administrative conferences ("check-ins") in order to support the student upon his/her return to the Brea Olinda Unified School District.

***SIGNATURE PAGE***

**IN WITNESS WHEREOF: The Administrative Hearing Panel recommends full expulsion (with conditions) from all schools and programs of the Brea Olinda Unified School District.**

\_\_\_\_\_  
**(name)**, Administrative Panel Chair: Date \_\_\_\_\_

\_\_\_\_\_  
**(name of panel member)** Date \_\_\_\_\_

\_\_\_\_\_  
**(name of panel member)** Date \_\_\_\_\_

\_\_\_\_\_  
**Jeanine Leech**  
Administrative Director, Student Services and Special Education  
Facilitator of the Administrative Hearing Panel and Proceedings



Learning is Our Priority, With Opportunity for ALL!

1 Civic Center Circle, Level 2, Brea, CA 92821 | Department of Student Services | (714) 990-7825 | [www.bousd.us](http://www.bousd.us)

Parent(s)/Guardian(s) Name

Address

City, State Zip Code

Re: Results of Administrative Hearing for **(student)** | DOB: xx/xx/xxxx

Dear (Name of parent(s)/Guardian(s)):

As a result of the Administrative Hearing held on (day of the week), (Month) (date), (year), the panel has recommended the following for (student name):

The Administrative Hearing Panel recommends full expulsion (with conditions) from all schools and programs of the Brea Olinda Unified School District. The enforcement of the expulsion shall be suspended during the above-referenced expulsion period upon Board of Education approval allowing the student to attend school within the Brea Olinda Unified School District. Student shall be transferred to: **(Name of school/facility)** The expulsion shall be effective starting **(day of the week), (month) (date), (year)** through **(day of the week), (month) (date), (year)**, at which time the Student may apply for readmission. The student's case will be forwarded to the Brea Olinda Unified School District's Board of Education.

Readmission to BOUSD is contingent upon completion of the following ***Rehabilitation Plan*** and is to be completed on or before **(day of the week), (month) (date), (year)**:

- Student must obey all laws of the State and Federal Government.
- Student must enroll in and maintain attendance in good standing in an educational program meeting the requirements of California's compulsory attendance laws. Student will attend **(Name of school/facility)**.
- Students who are expelled to ACCESS, or whose expulsion has been suspended to any other school site, may be immediately expelled after review by the Coordinator of Student Services or the Principal of the County School if there are any violations of a serious nature pursuant to District Board policy, Administrative regulations, and Education Code.
- 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.**
- **Not be on any campus except the school that the student is assigned to attend unless accompanied by parent(s)/guardian(s).**
- **Counseling:** Student is required to participate in an outside counseling program. Counseling should assist Student in the following areas:
  - **Decision Making**
  - **Peer Relationships**
  - **Peer Relationships**
  - **Digital Citizenship**
- Perform **20 hours** of community service, which is to be completed by **(day of the week), (month) (date), (year)**. Prior approval of the specific community service is required by the District Representative or administrator at the community school site.
- Complete a **3 to 5 page** reflective paper on **"How has this event/choice impacted my education - my family and my future?"**



- Participate in and follow the rules of a behavior contract developed by the school administration in conjunction with student and family in order to successfully meet the terms of this agreement.
- During the period of expulsion - the student must test negative on 12 Panel Drug Tests administered once a month by a reputable drug-testing or medical facility during the period of expulsion. Copies of the drug test results must be provided to the Coordinator of Student Services upon application for readmission to the Brea Olinda Unified School District.
- Attend and successfully complete 10 credits (or more) in summer school if needed.
- 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).
- Prior to the conclusion of the expulsion term, Mayu shall demonstrate:
  - Appropriate academic progress,
  - Positive attitude, and
  - Regular school attendance.

The recommendation for expulsion will be presented to the Board of Education at its meeting scheduled for **(day of the week), (month) (date), (year)**. You or your representative have the right to address the Board in closed session. Please call my office at (714) 730-7301 (326), no later than ***two weeks prior to this date*** if you wish to address the Board, and if you will be accompanied by legal representation.

If school is in session (not summer), **(name of student)** needs to attend school prior to the Board's meeting date when it will take formal action on this recommendation for expulsion. The Office of Student Services will assist you and your family with a referral to the Orange County Department of Education's ACCESS Alternative Education Program if **(name of student)** is not already attending. The parent/guardian have the right to enroll the student in a private or parochial school (at parent's expense), or in another school district, but the parent must inform that district of the student's expulsion.

**(Name of student)** may apply for readmission to school at the end of the **(school year) (Fall/Spring) Semester**. To apply for readmission, please contact my office just prior to **(day of the week), (month) (date), (year)** to set an appointment for review of all documentation. The student's progress will be evaluated for possible reinstatement to BOUSD. This meeting must be held ***prior*** to readmission to a BOUSD school. Bring evidence that supports that **(student)** has successfully completed all elements of the Readmission Plan to this meeting.

If you should have questions, please do not hesitate to call.

Sincerely,

Jeanine Leech, Administrative Director  
Special Education & Student Services

C: Brad Mason, Ed.D., Superintendent  
Kerrie Torres, Assistant Superintendent, Educational Services



## **BREA OLINDA UNIFIED SCHOOL DISTRICT CHECKLIST FOR RE-ADMITTANCE**

### **Checklist for Re-admittance to BOUSD:**

1. Attendance Records
2. Discipline Records
3. Meet graduation requirements
4. Signed Re-admission Form
5. Proof of Residency

### **Optional:**

1. Letter from family counseling
2. Letter from student addressed to Board

Date \_\_\_\_\_



**MOTION #33-21**  
**UPDATE TO DISTRICT PLAN FOR PROVIDING**  
**EDUCATIONAL SERVICES FOR EXPELLED STUDENTS**

March 12, 2021

To Whom It May Concern:

The following is the excerpt from the Minutes of the Regular Board Meeting of the Board of Education held on Thursday, March 11, 2021:

It was moved by Trustee Lyons, seconded by Trustee Miller, and passed unanimously to approve the updated 2021-2024 District Plan for Providing Educational Services to all Expelled Students, as per legislative mandates and regulations.

Ayes: Colon, Flanders, Lyons, Miller, Ruiz

Noes: None

Absent: None

Abstain: None

I hereby certify that the above is a true excerpt from the minutes of the above date.

A handwritten signature in blue ink that reads "Brad Mason".

---

Brad Mason, Ed.D., Superintendent and  
Secretary to the Board of Education

1 Civic Center Circle, Level II · P.O. Box 300, Brea, California 92822-0300 · (714) 990-7800; Fax (714) 529-2137

**BOARD TRUSTEES:** Paul Ruiz, President · Carrie Flanders, Vice President/Clerk · Nicole Colon · Gail Lyons · Deana Miller  
**ADMINISTRATION:** Brad Mason, Ed.D, Superintendent · Kerrie Torres, Asst. Supt/ Educational Services ·  
Richard Champion, Asst. Supt/ Business Services · Brinda Leon, Asst. Supt/ Human Resources