

# Plan for Providing Educational Services To Expelled Youth In Tuolumne County <sup>1</sup>

2009-12

## Overview

Education Code 48962 requires each County Superintendent, operating County Community Schools (CCS) to develop, in conjunction with school district superintendents, a countywide plan for providing educational services to all expelled students in the county. The plan must be adopted by each school district's governing board and by the County Board Of Education. Educational programs established to serve expelled students may be provided by the school district, or the County Superintendent of Schools, or in joint agreement with the County Superintendent of Schools.

The plan must:

1. Enumerate existing educational alternatives for expelled students;
2. Identify gaps in educational services to expelled students.
3. Identify strategies for filling the service gaps;
4. Identify alternative placements for students who are expelled and who (as determined by the district governing board) failed to meet the terms and conditions of their rehabilitation plan or who pose a danger to other students.

Further, the county plan for providing educational services to all expelled students must be submitted to the State Superintendent of Public Instruction by June 30, 2009. The plan is subject to triennial updates.

## Plan for Tuolumne County

Eleven public school districts, (eight K-8 school districts, two 9-12 high school districts, one K-12 unified school district) and one community college, serve Tuolumne County. Tuolumne County is home to approximately 6,600 public school students. These young people have special talents, interests, and needs as diverse as the county in which they live.

Both traditional and alternative educational programs are offered within the county. While all of the school districts offer traditional environments, some also make alternatives such as Continuation, Community Day School (CDS), and Independent Study available to students. The County Superintendent of Schools Office operates a Pregnant Minor Program (Cal-SAFE) and a Community School/Independent Study program for students who have special circumstances and needs.

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<sup>1</sup> Revised 8/30/09

All school districts within Tuolumne County provide early intervention strategies which include, but are not limited to: individual and group counseling; student study teams; academic and emotional assessment; special education; parent support meetings; in-school suspension; off-campus suspension; after school activities; conflict resolution training; and student behavioral contracts. Students in need of educational alternatives access these programs through a site or County referral process.

Districts within Tuolumne County do not typically expel large numbers of students. However, Education Code 48916.1 requires each of the eleven governing boards to insure that an educational program is provided to the expelled pupil for the duration of the expulsion.

## **Existing Educational Alternatives**

School districts located within the County offer the following options for expelled youth:

- (a) Suspended expulsion in which the student is placed on the same school campus under the directives of a plan specified by the local school board;
- (b) Suspended expulsion with placement in a district Community Day School or district Independent Study Program, if the parent agrees and the strategy is appropriate.
- (c) Expulsion with a referral to the Tuolumne County Community School under the directives of a rehabilitation plan.

Ten of the school districts located within Tuolumne County operate District Community Day Schools or Opportunity Programs. These districts offer the additional option of expulsion to a district Community Day School or Opportunity Program under the directives of a rehabilitation plan. Some parents have opted to place their children in Gold Rush Charter School which is under the sponsorship of Summerville High School District.

## **Gaps in Educational Services**

### **Previous Plan**

In addressing the previous Plan for Expelled Youth:

- School districts made efforts to accommodate the exchange of students who were in their respective CDS.
- In certain instances where issues of service to students need to be addressed, school districts operated in a cooperative fashion to provide special education services.
- Districts reviewed their policies for placement in their own CDS program
- Students who could not get transportation were placed in Community School Independent Study Programs or provided bus coupons for public transit.

## **School Attendance Review Board (SARB)**

The Tuolumne County SARB has aligned its practice with the State SARB guidelines. All districts in Tuolumne County have been trained in the SARB process and a consistent set of forms, practices (including online referral), and hearing procedures have been established. In an effort to reduce truancy and behavior issues, the County SARB coordinates its activity with the Inter-agency Resource Committee. The Inter-agency Resource Committee is a team whose representation includes all the social, welfare, mental health, law enforcement and educational agencies in the County. The committee meets weekly to establish intervention plans for individuals or families referred by any of the agencies or SARB.

Students going through SARB are referred to the most appropriate agencies that can provide a variety of interventions prior to placement in any alternative education program. Interventions may include counseling, parenting, health care, educational assessment or mental health assessment. In some instances, placement in alternative education occurs simultaneous with agency referrals. The District Attorney works with the SARB to ensure compliance with directives establishing these interventions.

### **The following gaps exist in respect to providing educational services to expelled pupils:**

1. Students who are expelled vary by age, grade level, and the nature of the offense that led to their expulsion. The California Education Code requires separate sites for expelled students, grades K-6 and 7-12;
2. There are significant geographical distances between local districts. Transportation to the Community Day Schools is not provided and is too costly for the program to absorb which makes it difficult for parents to transport. There is minimal availability of public transit;
3. The Tuolumne County Superintendent of Schools has closed all County operated Community Day Schools. The result is expelled or probation- placed students are placed through an agreement to attend local school district's community day schools or the county operated Community School/Independent Study Program.
4. There is no program for students in the K-6<sup>th</sup> grade who are attending a district Community Day School and then commit another violation of Education Code 48915;
5. The combined number of students expelled from any school district may exceed the capacity of local school district(s) operated community day schools.
6. There is no Juvenile Hall in Tuolumne County for serious juvenile offenders and/or probation placed students.
7. State funding sources may not be sufficient or reliable limiting the ability for districts to continue alternative education settings.

## **Strategies for Addressing Identified Gaps in Service**

The strategies for addressing the identified gaps in educational service for expelled youth are:

1. To use existing District Community Day Schools as a primary source of service for K-6 students in that district;
2. To provide a modified program that meets the needs of the students through a change in hours of attendance or any range of educational options unique to the student's needs;
3. To refer expelled students to the Tuolumne County Community School when the district is unable to serve the student at their District Community Day School and individual needs indicate that an independent study program would be an appropriate placement because the student is an independent worker, has parent support, and reliable transportation. This placement is voluntary, pursuant to EC Section 51747 (c) (7);
4. To consider Independent Study as an instructional alternative for those students not on probation who pose a danger within the Community Day School setting, or those whose parents agree that this instructional strategy fits the expelled student's needs and a rehabilitation plan is developed showing this; no individual with exceptional needs as defined in section 56026 may be placed in an independent study program unless his or her individualized education program developed pursuant to Article 3 commencing with Section 56340 of Chapter 4 of Part 30 specifically provides for the participation;
5. To develop a system that coordinates intake and return for all students attending any district operated CDS Programs; and
6. To develop a transition plan that will assist students in return to the regular education programs.

## **Placement/Rehabilitation Plans**

A Rehabilitation Plan will be developed by the district for every expelled student who is referred to the County Community School Program or a District Community Day School. Part of this plan will include a review of district rehabilitation directives to be completed prior to readmission to the school district of residence.

School districts will maintain responsibility for developing, directing, and implementing rehabilitation plans for students attending Community Day Schools, as well as for students with suspended expulsions. School districts will provide for the special education needs of students living in their respective school districts and attending non-district programs.

Staff from the County Superintendent's Office, in conjunction with the County Probation Department and the referring school district, will collaboratively develop alternate strategies for those Community School students who have difficulty meeting the terms of their plan or who continue to pose a danger to other students

## References

Education Code 48926

*Each county superintendent of schools in counties that operate community schools pursuant to Section 1980, in conjunction with the superintendents of school districts within the county, shall develop a plan for providing education services to all expelled pupils in the county.*

Education Code 48916.1

*(d) At the time an expulsion of a pupil is ordered, the governing board of the school district shall ensure that an educational program is provided to the pupil who is subject to the expulsion order for the period of the expulsion, but only to the extent funds are appropriated for this purpose in the annual Budget Act or other legislation, or both.*

## SIGNATURES

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Joe Silva, County Superintendent

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Mike McCoy, Sonora High School District

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Dr. John Keiter, Summerville High School District

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Mike King, Big Oak Flat Groveland School District

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Dr. John Pendley, Belleview School Dist.

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Dr. John Pendley, Columbia School District

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Margie Bulkin, Curtis Creek School Dist.

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Dr. John Keiter, Twain Harte-Long Barn School District

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Diane Dotson, Jamestown School Dist.

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Margie Bulkin, Sonora Elementary School District

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Jeff Winfield, Soulsbyville School Dist.

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Leigh Shampain, Summerville School District