

San Joaquin County Plan for Providing Education Services to Expelled Students AB 922

Triennial Update
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Approved by:

Fredrick A. Wentworth, Ed.D
Superintendent of Schools
San Joaquin County Office of Education

Date

Compiled by:

Jacqueline Flowers
Assistant Superintendent
County Operated Schools and Programs

**County-wide Plan for Expelled Students
Education Code 48926**

San Joaquin County Office of Education

AND

**Aspire Public Schools
Banta Elementary School District
Escalon Unified School District
Holt Elementary School District
Jefferson Elementary School District
Lammersville Elementary School District/Lammersville Charter
Lincoln Unified School District
Linden Unified School District
Lodi Unified School District/Joe Serna Charter
Manteca Unified School District
New Hope School District
New Jerusalem Elementary School District/Delta Charter
Oak View Union Elementary School District
Ripon Unified School District
Stockton Unified School District
Tracy Learning Center
Tracy Unified School District
Venture Academy Charter**

Introduction

The San Joaquin County Office of Education, in conjunction with superintendents of the school districts within the county, has assisted in the development of the Countywide Plan for Expelled Youth as required by Education Code 48926. The plan was adopted by the San Joaquin County Office of Education Governing Board on May 21, 1997 and has been updated every three years thereafter.

Education Code 48926

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

The plan shall enumerate existing educational alternatives for expelled pupils, identify gaps in educational services to expelled pupils, and strategies for filling those service gaps. The plan shall also identify alternative placements for pupils who are expelled and placed in district community day school programs, but who fail to meet the terms and conditions of their rehabilitation plan or who pose a danger to other district pupils, as determined by the governing board.

Education Code 48916.1

- a) 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.
- b) Notwithstanding any other provision of law, any educational program provided pursuant to subdivision (a) may be operated by the school district, the county superintendent of schools, or a consortium of districts or in joint agreement with the county superintendent of schools.
- c) Any educational program provided pursuant to subdivision (b) shall not be situated within or on the grounds of the school from which the pupil was expelled.
- d) If the pupil who is subject to the expulsion order was expelled from any kindergarten or grades 1 to 6 inclusive, the educational program provided pursuant to subdivision (b) shall not be combined or merged with educational programs offered to pupils in any of grades 7 to 12, inclusive. The district or county program is the only program required to be provided to expelled pupils as determined by the governing board of the school district. This subdivision, as it relates to the separation of pupils by grade levels, does not apply to community day schools offering instruction in any of kindergarten and grades 1 to 8, inclusive, and established in accordance with Section 48660.

General Service Overview

Educational programs within San Joaquin County provide numerous opportunities for students who are in need of traditional and/or alternative education programs. School districts and the county office of education provide a broad continuum of educational services for expelled youth. Each school district must take steps to see that services are provided for expelled youth. A rehabilitation plan, developed by the district of residence, may involve one or more of the options outlined below:

- 1) suspended expulsion with placement on the same school campus;
- 2) suspended expulsion with placement on a different school campus, within the district;
- 3) suspended expulsion with placement on District Contracted Study, if parent agrees;
- 4) suspended expulsion with subsequent transfer to another district;
- 5) expulsion with referral to a District Community Day School program, if available;
- 6) expulsion with referral to another District Community Day School program, if available, or;
- 7) expulsion with referral to the San Joaquin County Office of Education Court and Community School/Day Center program.

County and District Gaps and Strategies Related to Educational Services to Expelled Students

For each of the gaps in educational services to expelled pupils that were identified in the 2003 plan, discuss the implementation of the strategies outlined for filling those service gaps.

In 2003, it was noted that a student could be expelled under E.C. 48915 and be referred to either a district community day school or a county community school program. That student could then commit another violation of E.C. 48915, requiring another expulsion, and could exhaust the educational alternatives of a geographical region for both the district and county office. This gap has effectively been addressed on at least three occasions whereby students who committed an expellable offense while already on an expulsion order, were taken through the expulsion hearing again and simply transferred to another community school within the county. Since Ed Code does not address students who are expelled from community school programs, we expel to ourselves and move the student to another campus. In the case of San Joaquin County Office of Education, there are 21 community school sites located throughout the county, so finding another placement for a student is not difficult and therefore, the gap in service is closed.

A second gap that was identified in 2003 was the expulsion of students with special needs who were on Individualized Education Plans (IEPs), being referred to county community schools while districts had difficulty providing the special education services required. Since that time, San Joaquin County Community Schools Program has developed a Memorandum of Understanding (MOU) with each referring district to provide the services as outlined in the IEP, and the county office of education reimburses the district for such services. This plan has made a significantly positive difference in the relationship between the county office and districts relative to special education services for expelled students. This gap in service has been closed.

Existing Alternatives Available Through the San Joaquin County Office of Education

The San Joaquin County Office of Education offers educational alternatives to expelled students through the Court and Community schools. Court schools require the formal placement of students into the program by the juvenile court. Districts can recommend referral of expelled students to County Community schools.

Community Schools

21 school sites located throughout San Joaquin County

Court Schools

Juvenile Hall, The Camp, and Mary Graham Children's Shelter

Identify gaps in educational services to expelled pupils and outline strategies for filling those service gaps.

Gap: There has always been a gap in ensuring that expelled students enroll in a timely fashion in the county office alternative program following the expulsion hearing and the referral.

Strategy: Our Student Services staff has worked diligently with referring districts to develop a much improved tracking system. We work with the referring districts' DRB and SARB to assist students enrolling as quickly as possible. Districts are notified in a timely fashion when students do not enroll and typically, someone from the district truancy division will work with the student and family to facilitate placement in the program.

Gap: Students enrolled in grades one through six who are expelled do not have the same educational options available as do expelled youth who are in grades seven through twelve due to the low numbers of students who are expelled in these grades. These younger students cannot attend the programs designed for middle and high school students. For the small school districts, having a special class or program is not financially possible.

Strategy: Referral to the San Joaquin County Office of Education Community School/Day Center Program. We currently operate one k-6 school site which is centrally located within the county. For outlying districts where transportation is an issue, placing the student on District Contracted Study is a more feasible option. We also consult with the larger districts, as well as districts in adjacent counties, for possible placements for students when all other options are exhausted.

Gap: There are significant geographical distances between local small districts, thus district or county operated classroom sites/programs, for small school districts would require either extensive busing or parent provided transportation.

Strategy: Referral to the San Joaquin County Office of Education Community School/Day Center Program. We currently operate one k-6 community school site which is centrally located within the county and 20 community schools for students in grades 7-12 located throughout the county. For outlying districts where transportation is an issue, placing the student on District Contracted Study is a more feasible option. We also consult with the larger districts, as well as districts in adjacent counties, for possible placements for students when all other options are exhausted.

The school district of residence will continue to maintain responsibility for developing a rehabilitation plan for the student, referring the student to an appropriate educational setting and ensuring that an educational program is provided to the expelled student. A rehabilitation plan may involve both District(s) and County staff members, as well as the student and his/her parent/guardian.

Identify alternative placements for pupils who are expelled and placed in district community day school programs but who fail to meet the terms and conditions of their rehabilitation plan or who pose a danger to other district pupils, as determined by the governing board.

For each of the districts in San Joaquin County that operate community day schools for expelled students, another option is available if the students fit the criteria stated above. Those students who fail to meet the terms and conditions of their rehabilitation plan or who pose a danger to other district pupils, are referred to the San Joaquin County Office of Education Community School/Day Center program. They will serve out the term of their expulsion and return to the district of residence, or remain in the community school for the duration of their high school years. Should they leave the program and opt to return at a later date, if they are progressing toward graduation and making progress in their credit acquisition, they are readmitted to the program. Once they have turned 18, as long as they show adequate progress, they may return to the community school.

Articulation and Coordination of the County-wide Plan

The countywide plans require a regional perspective. Discuss the articulation and coordination between school districts and with the county office of education in providing education placements for expelled pupils.

Beginning in December of 2005, meetings were scheduled with every superintendent and/or a designee from each district in San Joaquin County and the Assistant Superintendent from the San Joaquin County Office of Education, to meet and review the existing plan for expelled youth and to discuss the changes that have occurred within the districts over the years that influence how services to expelled youth are delivered. More and more, districts are providing alternatives for their students before referring them to the county community schools. In addition to the Community Day Schools operated on many district campuses, districts are much more proactive in their approach to student discipline by working closely with the students and their parents before serious problems occur.

Since 2003, there has been an increase in referrals to outside service agencies, primarily for parenting classes, one-on-one counseling, and group counseling services. In the community school program, we have increased our health nurse services, after school programs, CAHSEE tutoring classes, and opportunities to participate in county-wide events such as Mock Trial and Academic Decathlon. Each year, more and more students choose to remain in placement at community schools following completion of their rehabilitation plan due to their academic success.

Districts work more closely with the county office of education and neighboring districts to find placements to accommodate students in the most appropriate setting. There is much more county-wide communication regarding options for expelled youth and sharing of successful interventions, placements and programs available.