# Sutter County Plan for Providing Educational Services to Expelled Students 2021-2024

By and Between

Sutter County Superintendents of Schools Office

and

AeroSTEM Academy

Brittan Elementary School District

**Browns Elementary School District** 

California Virtual Academy at Sutter

East Nicolaus Joint Union High School District

Franklin Elementary School District

Feather River Charter School

Live Oak Unified School District

Marcum-Illinois Union School District

Meridian Elementary School District

Nuestro Elementary School District

Pleasant Grove Joint Union School District

South Sutter Charter School

Sutter Peak Charter Academy

Sutter Union High School District

Twin Rivers Charter School

Winship Community School

Winship-Robbins Elementary School District

Yuba City Unified School District

Yuba City Charter School

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## I. Legislative Overview

California *Education Code (EC)* Section 48926 requires each county superintendent, operating County Community Schools (CCS) to develop, in conjunction with school district superintendents, a plan for providing educational services to all expelled students in that 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 youth may be provided by the school district, the County Superintendent of Schools, or in joint agreement with the County Superintendent of Schools.

Chapter 974, Section 8, was enacted into law in 1995, as a result of the passage of Assembly Bill 922, Friedman. Section 48926 requires the development of a plan for providing education services to all expelled students and the submission of the plan to the State Superintendent of Public Instruction prior to June 30, 1997, as well as triennial updates on June 30th thereafter, including the outcome data required by Section 48916.1. In addition, this plan shall be distributed to every district superintendent in Sutter County.

#### 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 be adopted by the governing board of each school district within the county and by the county board of education.

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 are 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.

Each county superintendent of schools, in conjunction with the superintendents of the school districts, shall submit to the Superintendent of Public Instruction the county plan for providing educational services to expelled pupils in the county no later than June 30, 1997, and shall submit a triennial update to the plan to the Superintendent of Public Instruction, including the outcome data pursuant to 48916.1, on June 30<sup>th</sup> thereafter.

## Education Code 48916.1(a)

At the time of 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. Except for pupils expelled pursuant to subdivision (d) of Section 48915, the governing board of a school district is required to implement the provisions of this section only to the extent funds are appropriated for this purpose in the annual Budget Act or other legislation, or both.

#### II. Expulsion

Education Codes 48900, 48900.2, 48900.3, 48900.4, 48900.7, 48915 describe the offenses that may or shall result in the suspension or expulsion of a student from his/her school of attendance. Education Code 48916.1 requires the governing board of the expelling district to ensure that an educational program is provided for the expelled pupil for the duration of the expulsion. Additionally, the governing board of the expelling district maintains the responsibility for developing a *Rehabilitation Plan* for the expelled student and referring the student to an appropriate educational setting. Part of this plan will include a review of the district rehabilitation conditions to be completed prior to readmission to the expelling district.

When the expelling district determines that an educational option does not exist within the district for grades 7-12 expelled students, the district may refer the student to Sutter County Superintendent of Schools (SCSOS) County Community Schools. SCSOS County Community Schools include Feather River Academy (FRA) and Pathways Charter Academy (PCA). SCSOS will review the rehabilitation plan and develop an Individual Learning Plan (ILP), which may include a goal of returning to the expelling district.

Staff from the County Superintendent's Office, in conjunction with the County Probation Department (when appropriate), 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.

## III. Countywide Educational Service Plan for Expelled Students

Educational programs within Sutter County provide excellent opportunities for expelled students who are in need of traditional and/or alternative education programs. Local school districts offer a broad spectrum of services supplemented by Sutter County Superintendent of Schools programs, providing a continuum of services to expelled students.

• Intervention strategies on comprehensive school sites, alternative programs on and off comprehensive school sites, and/or referral to the Sutter County Superintendent of Schools programs respond to student diversity and community needs by providing opportunity for academic, social and emotional success. Educational leaders meet regularly throughout the year and throughout the county on a number of topics, including reviewing best practices in serving high-risk youth and families. These groups include, but are not limited to, Superintendents' Council, Curriculum and Instruction, Student Support and Outreach, Tri-County Induction Program, School Attendance and Review Board (SARB), Special Education Local Plan Area (SELPA), Human Resources, Internal and External Business, Adult Education, Tri-County ROP, Sutter One Stop, Shady Creek, Family Assistance Service Team (FAST) and The Family Intervention Team (FIT).

Each school district provides intervention strategies that may include, but are not limited to, providing counseling, student study teams, academic and emotional assessments, parent trainings, in-school suspensions, off-campus suspensions, Special Education services, after school activities, School Based Mental Health, and inclusion of Child Welfare and Attendance.

## IV. Sutter County Superintendent of Schools Alternatives

County Community Schools educate students who are expelled from school districts or who are referred because of truancy or behavior problems. They also serve students who are homeless, on probation or parole, and who are not attending any school. Parents or guardians may also request that their child attend a county community school by submitting such a request to their district of residence.

## V. Existing School District Alternatives

Each school district shall ensure that instructional services are provided for pupils who have been recommended for expulsion hearing and/or awaiting placement. A pupil whose behavior resulted in expulsion, including a stipulated expulsion, shall be given a *Rehabilitation Plan* that is designed by the expelling district. Student progress towards meeting the requirements of the *Rehabilitation Plan* should be monitored by the district of residence and the site of placement. Appropriate documentation should be maintained by the school of placement and presented to the expelling district upon a recommendation to return to district. The *Rehabilitation Plan* may involve one or more of the options outlined below.

The governing board of each school district shall determine which educational alternatives are appropriate and available. Educational alternatives throughout Sutter County for pupils recommended for expulsion include, but are not limited to:

- Expulsion, suspended order, with placement on the same campus.
- Expulsion, suspended order, with placement on a different school campus within the district.
- Expulsion, suspended order, with placement in district independent study, if the parent/guardian consents.
- Expulsion with referral to a district community day school, if available.
- Expulsion with subsequent transfer to another district.
- Expulsion with referral and recommendation to a specified school within the SCSOS County Community Schools programs (grades 7-12).

## VI. County Community School Referral Process

The referring district shall provide the following documentation to SCSOS at the time of referral for enrollment:

- SCSOS County Community School Referral Form
- CSIS Number
- Expulsion Rehabilitation Plan (If expelled)
- Attendance and Discipline information
- Current transcripts and grades
- Assessment data
- Current SST Plan (if applicable)
- IEP/504 Plan (if applicable)

In addition, families/caregivers must provide a completed enrollment packet. Once all required information is received, a new student orientation is scheduled prior to

enrollment. While SCSOS cannot guarantee that its schools will never become full and therefore unable to accept new students, SCSOS will attempt to maintain space for expelled students through strategies such as limiting the enrollment of students who wish to attend the school on a voluntary basis in order to maintain space for students who are referred by probation, referred by a district, referred through SARB, or who have been expelled. Such strategies shall be implemented as SCSOS deems practical and reasonable, and as permitted by statute.

Expelled pupils referred to SCSOS County Community Schools, including Feather River Academy and Pathways Charter Academy, are under a *Rehabilitation Plan* developed by each district and will be held accountable to both the district and SCSOS for complying with the plan. For all pupils referred to a County Community School, if the placement does not result in meeting the pupil's needs or the pupil commits an offense(s) that precludes them from continuing at the county community school, the county community school staff will:

- Upon consultation with the expelling district, offer the student the option of enrolling in other programs available through SCSOS County Community Schools, or an alternative program operated by the expelling district
- Refer the pupil to the police department or probation (if appropriate)
- Inform and refer the pupil to their home district to find an alternative placement
- Inform the family/caregiver of the option of attending a charter school including charter schools other than a SCSOS County Community School, in or out of the county, or a private school (at the family's expense)

SCSOS County Community School staff will provide the expelling district with ongoing progress reports and notification of a pupil's change of residence, termination from the program, or completion of requirements for graduation. SCSOS County Community School staff will provide each district the data necessary to meet all necessary reporting requirements associated with Education Code section 48916.1.

## VII. Referral Process for Students Receiving Special Education Services

For any pupil referred to SCSOS County Community Schools with an active IEP, the referring district must follow the established process to assure compliance with the Individuals with Disabilities Education Act (IDEA), Education Code section 56000, et seq, and Title 5 of the California Code of Regulations. The following steps include:

- 1. The referring district notifies county community school staff and SCSOS Special Education Administration of a pending referral to the County Community Schools.
- 2. The referring district will send to County Community School staff and Sutter County Special Education administration the following documents:
  - · Documentation of prior interventions
  - Transcript
  - All testing records (SBAC, CELDT, ELPAC, etc.)

- Immunization records w/ TDAP
- · Discipline/behavior records
- School attendance records
- Expulsion documents (if student is expelled)
- Rehabilitation plan to return to district (if student is expelled)
- Most recent IEP (if student has IEP)
- Most recent special education assessments
- 3. Upon receiving the corresponding documents from the referring district, the site administrator will review the information and determine a student's eligibility. Other staff will be used to review the information as needed - e.g., School Psychologist, Special Education Staff, Probation Officer, etc. Special Education students must be provided with the normal provisions, within SELPA timelines, to ensure the due process rights of the student and family, as well as ensure that the expelled student is placed in an appropriate environment that can meet the educational needs of the student per his or her IEP. This includes holding a Transition IEP Meeting once the student's referral has been reviewed and deemed appropriate by SCSOS Special Education Administration and County Community School staff. SCSOS staff must be in attendance at the student's Transition IEP. If the student's IEP stipulates services or materials not available on the County Community School campus, it shall be the responsibility of the referring district to provide and or fund the identified services and materials - e.g., transportation. No student with an IEP that does not provide for independent study will be placed in an independent study program.
- 4. Once the information has been received, the referring school district shall be notified as soon as possible but no longer than five working days if the SCSOS staff does not believe that it offers an alternative program appropriate for the student. A written explanation for the decision will be provided.
- 5. Once the student has been accepted, the parents/guardians are invited to an orientation meeting at the County Community School. SCSOS staff will notify the referring district if the parent misses two enrollment appointments or is not responsive to phone calls. SCSOS staff and the district will then determine next steps.
- 6. Once the parent participates in the orientation meeting, the student may begin school immediately or on the following day.
- 7. If the DOR is not the local education agency responsible for special education, County Community School staff will invite the DOR to all IEP meetings.

#### VIII. Support for Students Returning from Expulsion

Transition support for students returning from expulsion includes an end-of-term transition meeting to include the student/family, SCSOS County Community School staff, and district and/or school of residence staff. These meetings will be routinely scheduled by SCSOS staff, and held approximately five weeks before the end of each

semester. The transition team will review eligibility to apply for readmission.

- If readmission is determined to be the appropriate goal, the application timeline and paperwork will be initiated and a transition plan will be created. Transition plans should address time to acclimate from the alternative school setting to the comprehensive schools site and should include identification of a caring adult mentor established as a point of contact at the home school.
- If readmission is not determined to be the appropriate goal, the transition team should establish a 1-year plan aligned with established long-term goals.

## IX. Gaps in Educational Services for Expelled Students

There were several potential gaps in providing a comprehensive service model for expelled youth in Sutter County as identified in the 2018 plan. The districts and SCSOS must work to develop solutions that are both educationally sound and financially possible.

1. 2018 Plan Identified Gap and Strategy: A pupil expelled under Education Code 48915 by a district could potentially reoffend under Education Code 48915, during placement in a district community day school or a county community school, resulting in a referral back to the district of residence.

## a. 2018 Strategy:

- When all educational options available to Feather River Academy are exhausted, placement in a contiguous county will be explored. Sutter County Superintendent of Schools has established a reciprocal relationship with Yuba and Colusa counties to address the service gap identified in the 2012 Plan.
- Pupils have the option to apply to a private school at no expense to the school district or apply to a charter school in or out of the county. The private school or charter school is not obligated to accept the pupil.

## b. 2021 Update:

- Neither strategy identified above proved to be regularly available.
   Contiguous county programs are typically at capacity and enrollment in private or charter schools is difficult to facilitate.
- Instead, pupils reoffending under Education Code section 48915 were typically given the choice of moving to an Independent Study Program offered at SCSOS County Community School. This was successful in that expelled students were not routinely referred back to the district of residence during the term of their original expulsion.
- 2. 2018 Plan Identified Gap and Strategy: The geographic spread of schools in Sutter County present a transportation challenge for the pupils and referring school districts to Feather River Academy.
  - a. <u>2018 Strategy</u>: The county receives a limited number of referrals from schools not within the city limits of Yuba City. One staff member is available each morning to pick up students. In addition, students receive

Independent Study making it easier to access the program because they are required to come to campus only one day per week. This strategy remains in effect.

- b. <u>2021 Update</u>: This strategy proved to be successful and should be continued.
- 3. 2018 Plan Identified Gap and Strategy: Elementary students may not be housed on the same campus as students in grades 7-12. Currently, Feather River Academy's programs are housed on a single site. Also, Elementary schools expel very few students.

## a. <u>2018 Strategy</u>:

Sutter County continues to experience a small number of pupils expelled from elementary schools. These small numbers continue to pose a cost prohibitive challenge to establishing a classroom for Sutter County's expelled elementary pupils. This strategy remains in effect.

- b. <u>2021 Update</u>: A gap still exists. Elementary students are typically moved to a district independent study program rather than being referred to the community school. There is interest from the districts and SCSOS to explore expansion to include community school options for elementary aged students.
- 4. 2018 Plan Identified Gap and Strategy: Students whose behavior becomes increasingly dangerous or whose truancy does not respond to Probation or judicial consequences may no longer qualify to attend Feather River Academy and may be referred back to their DOR.
  - a. <u>2018 Strategy</u>:In an effort to support students and families, FRA developed an afterschool program designed to provide education for students who have no other options. This program follows an Independent Study Program (ISP) style with the exception that an afterschool student could attend ISP daily if determined appropriate by FRA and parent. In the case where the afterschool program is not an option, FRA will provide the student's family a list of alternative schools and assist students in finding a new school and advise the district of residence.

#### b. 2021 Update:

The option to enroll in Independent Study with after normal school hours appointments was successful in reducing the number of students referred back to DOR. Another action that proved effective was the establishment of a flow chart ensuring the involvement of DOR, Probation and Community School staff in problem solving prior to resorting to return to DOR.

There are several potential gaps in providing a comprehensive service model for expelled youth in Sutter County as identified in the 2018 plan and others added in 2021. The districts and SCSOS must work to develop solutions that are both educationally sound and financially possible.

- Identified Gap and Strategy: A pupil expelled under Education Code section 48915 by a district could potentially reoffend under the same section during placement in a district community day school or a county community school, resulting in a referral back to the district of residence.
  - a. 2021 Strategy:In consultation w
    - In consultation with the expelling district, students/families may be given the choice of transfer between FRA and PCA. Short-term Independent Study is offered through FRA and both independent study programs can make arrangements to meet with students outside of normal student attendance hours or at a mutually agreed upon off-site location.
    - When all educational options available to SCSOS County Community Schools are exhausted, placement in a contiguous county will be explored. SCSOS has established a reciprocal relationship with Yuba and Colusa counties to address the service gap.
    - Pupils have the option to apply to a private school at no expense to the school district or apply to a charter school, including charter schools other than a SCSOS County Community School, in or out of the county. The private school or charter school is not obligated to accept the pupil.
- Identified Gap and Strategy: The geographic spread of schools in Sutter County present a transportation challenge for the pupils and referring school districts to FRA.

#### a. 2021 Strategy:

- The County receives a limited number of referrals from schools not within the city limits of Yuba City. City bus passes are provided where appropriate. One SCSOS staff member is available each morning to pick up students. In addition, students receive Independent Study making it easier to access the program because they are required to come to campus only one day per week. This strategy remains in effect.
- SCSOS expanded Independent Study opportunities through the addition of PCA upon referral by the District of Residence.
- 3. Identified Gap and Strategy: Elementary students may not be housed on the same campus as students in grades 7-12. Currently, Feather River Academy's programs are housed on a single site. Also, elementary schools expel very few students.

#### a. 2021 Strategy:

 Sutter County continues to experience a small number of pupils expelled from elementary schools. These small numbers continue to pose a cost prohibitive challenge to establishing a classroom for Sutter County's expelled elementary pupils. There is interest from

- the districts and the SCSOS to explore expansion to include community school options for elementary aged students.
- SCSOS has added PCA as an Independent Study option for elementary students.
- 4. Identified Gap and Strategy: Students whose behavior becomes increasingly dangerous or whose truancy does not respond to Probation or judicial consequences may no longer qualify to attend FRA and may be referred back to their DOR.
  - a. 2021 Strategy:
    - In an effort to support students and families, SCSOS will provide Independent Study with contacts limited to 'outside of normal student attendance hours' or enrollment in PCA if determined appropriate by SCSOS, DOR and parent.
    - Establishment of a flow chart ensuring the involvement of DOR, probation and community school staff in problem solving and exploration of service models prior to resorting to return to DOR.
- 5. Identified GAP and Strategy: All students have experienced some learning loss as a result of disruptions caused by COVID and the decreased instructional time.
  - a. 2021 Strategy:
    - Students will be assessed to identify academic and social strengths and needs. An Individual Learning Plan (ILP) and Individual Success Plan (ISP) will be developed for each student. Supplemental supports and services will be assigned and monitored through the ILP/ISP.
- 6. Identified GAP and Strategy: It was difficult to support English Learners progress toward fluency during COVID.
  - a. 2021 Strategy:
    - Supplemental services will be provided in the form of online designated ELD curriculum and support from para educators.

## X. School Wide Focus and Foundation

In 2019/20 community school staff began a transition from Nurtured Heart to Positive Behavioral Interventions and Supports (PBIS). In 2020/21, the staff committed to becoming a PBIS school and engaged in intensive training and implementation support with Placer County Office of Education. PBIS is grounded in the Multi-Tiered System of Supports (MTSS) model and supports the Mission and Vision of our schools. Staff, students and families have identified a positive change in culture and atmosphere even in the early stages of implementation which occurred under pandemic conditions.

The mental health needs of students and families continues to be high. SCSOS

County Community Schools have identified resources to implement strategic supports for all students. The following represents key resources:

- Ensuring strong Tier I supports including PBIS, Social Emotional Learning (SEL) signature practices, equity work on bias and culturally and linguistically responsive instruction
- Partner with the SCSOS Student Support and Outreach department for mental health supports
- Increase the ratio of Counselors to students
- Study and implement concepts of Growth Mindset
- Study and implement concepts of Trauma Informed Care and Adverse Childhood Experiences (ACEs)
- Study and implement concepts of Restorative Justice
- Pursue mentoring opportunities

#### Long Term Outcomes - Decreases in:

- Suspension
- Expulsion, students failing placement in the County Community School
- Discipline Referrals
- Referrals to Special Education
- Chronic Absenteeism
- Incidents of Bullying or harassment
- Risk Factors

#### <u>Long Term Outcomes – Increase in:</u>

- Pupil Attendance
- Graduation Rates
- Measure of Student Academic Achievement
- School Climate
- Average instructional time in integrated settings for student with IEP's and students' social emotional competence.
- Protective Factors

#### XI. Intervention and Referral Report

As a condition of the re-authorization of the Sutter County's *Plan for Providing Educational Services to Expelled Students*, SCSOS County Community School staff will implement and send a bi-annual report to each expelled student's DOR keeping them current on their students' progress. This report will also include interventions that have been provided to students, students who have dropped from a SCSOS County Community School, students who have transferred to other educational settings, or who move from the area as changes take place.

Interventions provided to students, which may be included in the report, are:

- Warnings/resets
- Parent/Teacher contact
- Referral to on-site counseling and/or Student Support and Outreach staff

- Exclusion from school activities
- Behavior contract
- Community referral services
- Parent visitation in class
- Student Success Team (SST)
- Projects on campus
- Community service
- In-school suspension
- Behavior support plan
- Placement in an alternative classroom for a defined time period
- Referral to SARB
- Increased Home Visits and Parent participation
- Trauma Informed Care Process, i.e. ACEs survey
- Partnership with Sutter County Probation
- PBIS
- Practices of Restorative Justice
- Access to Career Technical Education (CTE)

As deemed appropriate, SCSOS County Community School staff will make appropriate referrals for students who meet the criteria for the following services and programs:

- Forward Thinking Journaling
- Cognitive Behavioral Therapy for Substance Using Adolescents
- The Parent Project
- Sutter-Yuba Behavioral Health (SYBH)
- Children Systems of Care (CSOC)
- Seeking Safety
- Grief Counseling
- Brief Intervention
- Why Try
- Student Support and Outreach Student Care Team (SCT)
- Aggression Replacement Therapy (ART)
- Transitional Aged Youth (TAY)
- Family Assistance Service Team (FAST)
- The Family Intervention Team (FIT)
- Youth for Change
- Coordinated Entry
- Hands of Hope
- Yuba Sutter Food Bank
- Sutter County Welfare Services
- Sutter County One Stop and Adult Education
- Alta California Regional Center
- Sutter County Public Health
- Sutter County Welfare Division

#### XII. Revenue

The referring district will pass all ADA and other revenue generated by pupils while in attendance at FRA or PCA, including but not limited to Supplemental and Concentration funds, Lottery and special one-time funds to SCSOS. For students receiving special education services, the referring district, not SCSOS, shall be responsible for all special education costs per the Sutter SELPA billing model. If the student changes District of Residence or District of Attendance while enrolled in SCSOS County Community School, the district that would otherwise be responsible for Special Education costs had the student not been enrolled in the CCS shall be responsible for Special Education costs. The District of Special Education Accountability will be included through the IEP process. For out of county placements, please refer to the SELPA interagency agreement. Districts shall be directly involved in creating new programs that address specific district needs and which may generate costs to the districts. In the event the districts request services or programs that create additional costs, each district's share of those costs will be billed back to the districts based on their share of the program's usage. A district's share of program usage will be calculated based on the district enrollment of students on December 1st of each school year.

Districts agree to notify SCSOS by January 15<sup>th</sup> of the school year, prior to implementing alternative programs that would result in significant loss of ADA for the community school. The notification would allow SCSOS to make appropriate adjustments in staffing for the following year and present March 15<sup>th</sup> certificated layoff notifications as required by Education Code, if necessary. Should a district fail to notify SCSOS in a timely manner, and deficits result, the district will be included in the bill back based on figures generated from the prior attendance period, whether the district remains in the program or not.

## **Sutter County**

# Plan for Providing Educational Services to Expelled Students

#### 2021-2024

California Education Code Section 48926 requires each county superintendent of schools, in conjunction with the superintendents of the school districts within the county, to develop a plan for providing educational services to all expelled pupils in that county. It further requires that the governing board of each school district within the county and the county board of education adopt the plan. Finally, this section requires that "each county superintendent of schools, in conjunction with the superintendents of local school districts.... shall submit a triennial update to the plan." In order to satisfy the legal requirement for a triennial update to the plan, I submit the following request on behalf of my district.

As superintendent, I would like to request that the Plan for Providing Educational Services to Expelled Students be submitted for triennial update in June 2021.

AeroSTEM Academy	Board Meeting Date
Brittan Elementary School District	Board Meeting Date
Browns Elementary School District	Board Meeting Date
California Virtual Academy at Sutter	Board Meeting Date
East Nicolaus Joint Union High School District	Board Meeting Date
Feather River Charter School	Board Meeting Date
Franklin Elementary School District	Board Meeting Date
Live Oak Unified School District	Board Meeting Date

Marcum-Illinois Union School District	Board Meeting Date
Meridian Elementary School District	Board Meeting Date
Nuestro Elementary School District	Board Meeting Date
Pleasant Grove Joint Union School District	Board Meeting Date
South Sutter Charter School	Board Meeting Date
Sutter Peak Charter Academy	Board Meeting Date
Sutter Union High School District	Board Meeting Date
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