



FRESNO COUNTY PLAN

for

PROVIDING EDUCATIONAL  
SERVICES

to

EXPELLED YOUTH

November 16, 2017 – June 30, 2021

APPROVED BY THE  
FRESNO COUNTY BOARD OF EDUCATION

Original Approved June 1997  
Revision Approved June 2000  
Revision Approved June 2003  
Revision Approved June 2006  
Revision Approved June 2009  
Revision Approved June 2012  
Revision Approved June 2015  
Revision Approved November 2017

Jim Yovino  
Fresno County Superintendent of Schools

Plan for Providing Educational Services to Expelled Pupils  
between the  
Fresno County Superintendent of Schools  
and the following  
Fresno County School Districts:

Alvina Elementary School District  
Big Creek Elementary School District  
Burrell Union Elementary School District  
Caruthers Unified School District  
Central Unified School District  
Clay Joint Elementary School District  
Clovis Unified School District  
Coalinga-Huron Unified School District  
Firebaugh-Las Deltas Unified School District  
Fowler Unified School District  
Fresno Unified School District  
Golden Plains Unified School District  
Kerman Unified School District  
Kings Canyon Unified School District  
Kingsburg Elementary  
Kingsburg Joint Union High School  
Laton Unified School District  
Mendota Unified School District  
Monroe Elementary School District  
Orange Center Elementary  
Pacific Union Elementary  
Parlier Unified School District  
Pine Ridge Elementary School District  
Raisin City Elementary School District  
Riverdale Unified School District  
Sanger Unified School District  
Selma Unified School District  
Sierra Unified School District  
Washington Colony Elementary  
Washington Unified School District  
West Park Elementary School District  
Westside Elementary School District

# Fresno County Plan for Expelled Youth<sup>1</sup>

## Introduction

Fresno County, located in the heart of California, is the sixth largest county in California with an area of 5,957.99 square miles. Its ideal weather conditions and rich soil make Fresno the number one agribusiness county in the nation. In 2016, its population of 979,915 made it the tenth most populous county in California. Composed of both rural and urban areas, Fresno County has fifteen incorporated cities.

The population includes over 80 different nationalities that speak over 66 languages. Fresno County's 207,818 students are educated by the 9,284 teachers working at one of the 346 school sites of one of 32 school districts. These school districts range in size from Fresno Unified School District, the fourth largest district in the state with an enrollment of 80,051, to Big Creek Elementary with an enrollment of 53 students.

These school districts first developed Fresno County's Plan for Providing Education Services to Expelled Youth in 1997, following the enactment of AB 922, Statutes of 1995, Chapter 974. The Plan for Expelled Youth continues to be the blueprint for providing educational services to expelled youth in Fresno County.

## Legal Basis for Triennial Review of the Plan for Expelled Youth

AB 922 is codified at Section 48926 of the California Education Code, and requires that every three years the county superintendent of schools in counties that operate community schools, in conjunction with superintendents of the school districts within the county, develop a county plan for providing education services to all expelled students. Once developed, the Plan shall be adopted by the governing board of each school district within the county and by the county board of education.

To meet the requirements of Education Code Section 48926, the Plan for Expelled Youth must:

- Enumerate existing educational alternatives for expelled students (see, Section I);
- Identify gaps in educational services to expelled students, and strategies for filling those service gaps (see Section III); and
- Identify alternative placements for students who are expelled and placed in district community day school programs, but who fail to meet the terms and

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<sup>1</sup> The processes of, including, but not limited to, referral, admission, entry, and transition referenced in this Plan apply to all students referred to the FCSS Community School Program for any reason, including, but not limited to, expulsion.

conditions of their rehabilitation plan or who pose a danger to other district students, as determined by the governing board (see Section IV).

In addition, the triennial, county-adopted plan must be filed with the Superintendent of Public Instruction by June 30. (See Education Code Section 48926, attached as Appendix A).

### Overview of Plan History

The first Fresno County Plan for Providing Educational Services to Expelled Youth (“Plan”) was developed in 1997, and revisions were adopted in 2000, 2003, 2006, 2009, 2012, and 2015. The current revisions will be adopted in December 2017 following input, review, and revision from participating school districts.

### Requirement for Educational Program During Expulsion Period

California Education Code Section 48916.1 requires that when a governing board orders that a student be expelled, it must ensure that the student is provided with an education program during the expulsion period. This countywide plan reflects the programs available to expelled youth enrolled in Fresno County school districts. Section 48916.1 also requires that districts report annual “outcome data” to the Superintendent of Public Instruction by June 30 (see Education Code Section 48916.1, attached as Appendix A).

### Outcome Data Required under Education Code Section 48916.1(d)

The outcome data required under Education Code Section 48916.1(d), to be maintained by each school district, includes the following:

- The number of students recommended for expulsion;
- The grounds for each recommended expulsion;
- Whether the student was subsequently expelled;
- Whether the expulsion order was suspended;
- The type of referral made after the expulsion; and,
- The disposition of the student after the end of the period of expulsion.

### Implementation of the Plan

Implementation of the Plan is subject to the State’s funding of education during the next three years. Should the State reduce educational dollars resulting in the County program operating at a deficit, the Fresno County Superintendent of Schools (“FCSS”) will create an excess cost agreement in consultation with the County school district superintendents between districts and the FCSS to ensure adequate funding for serving students in the FCSS Community School Program.

## Existing Educational Alternatives for the Expelled Youth of Fresno County

School districts located within Fresno County offer a range of options for expelled students. Depending on the facts regarding the specific offense, the Education Code violation, and the governing board's order, a governing board may "suspend" the enforcement of the expulsion order and place the student:

- On the same school campus;
- At a different school campus within the district;
- In an alternative education program within the district; or,
- In an independent study program operated by the district.

A governing board may enforce the expulsion order and refer the student to:

- Its district community day school program;
- A district community day school program operated by another district on the condition that an attendance and behavior agreement has been developed by the districts;
- To the FCSS Community Schools Program; or,
- To a public charter school or to a private school. (The parents/guardians/responsible adults may elect to enroll the student in a private school; however, if they elect to do so, the parents/guardians/responsible adults are responsible for the costs, if any, associated with that private school enrollment.)

### **I. Fresno County Superintendent of Schools Services for Expelled Students**

FCSS offers educational alternatives through FCSS Community Schools Program. This Program requires referrals from the school districts or from the courts and/or probation officers. The referral process is as follows:

#### **A. Referral Process for FCSS Community School Program**

In order to refer a student to the FCSS Community School Program, it is necessary that a referral form be completed by the student's referring school district or agency.<sup>2</sup> The referral form includes details regarding the student, including:

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<sup>2</sup> Or any other source allowed by law. Specifically, pursuant to California Education Code section 1981, the FCSS Community School Program may accept students who have been expelled (consistent with § 1981(a)), are referred through the School Attendance Review Board ("SARB") (consistent with § 1981(b)), are on probation (consistent with § 1981(c)), or at the

- Information regarding the student's Section 504 plan or individualized education program ("IEP") status with relevant paperwork, including, but not limited to, the current Section 504 plan or IEP, all assessment reports for assessments conducted over the past three (3) years, progress reports for the past year, and all manifestation determination documentation related to the incident that is resulting in the referral to the FCSS Community School Program;
- Probation status;
- Dependency status;
- Reason for expulsion with relevant paperwork, including any stipulated expulsion or suspended enforcement agreements;
- Student's progress toward meeting the student's school district of residence's high school graduation requirements, including any relevant information (e.g. adjusted graduation requirements or plan to be a fifth year senior) related to the student's graduation requirements pursuant to California Assembly Bills 1806 and 2306 for students who are homeless, foster youth, or have attended a juvenile court school;
- Attendance information from the last school year and the current school year, including any information related to Student's participation in the SARB process (letters, court documents, etc.);
- Immunization records;
- ELPAC (or alternative assessment) and Smarter Balanced Testing;
- Information from any Response to Intervention, multi-tiered system of support, and/or other general education interventions in which the student has participated prior to referral; and,
- The date on which the student will be eligible to return to the school district of residence.

The referring school district or agency shall communicate with the student's parents/guardians/responsible adults regarding all aspects of the referral process.

Upon the FCSS's receipt of a referral from the referring school district or agency, FCSS will determine if it can appropriately serve and/or has space for the student at the FCSS Community School Program. While FCSS attempts to serve as many of the referred students as possible; it is not required to take any students and may not be able to serve all students who are referred.

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request of the student's parents/guardians/responsible adults and it is determined by the student's referring school district that placement in FCSS Community School Program will promote the educational interests of the student (consistent with § 1981(d)).

Reasons that a student may not be accepted into the FCSS Community School Program may include, but are not limited to, the following:

- Insufficient space in the FCSS Community School Program or in the student's specific grade level at the FCSS Community School Program;
- Insufficient space in or unavailability of the special education placement and/or services contained in a student's IEP or Section 504 plan;
- A review of the student's referral reveals potential issues related to child find under Section 504 or special education law;
- A review of the student's referral reveals a potential issue related to failure to assess the student for special education (either initial or re-evaluation) in all areas of suspected disability;
- A review of the student's file reveals that the student's special education placement and/or services per the student's IEP or Section 504 plan is likely inappropriate and the student likely cannot be appropriately served at the FCSS Community School Program;
- A review of the manifestation determination paperwork related to the incident resulting in referral to the FCSS Community School Program reveals that there may be an error—either procedurally or substantively—with the manifestation determination conducted;
- A review of the referral paperwork reveals inadequate general education interventions, especially alternatives to suspension;
- The student was previously unsuccessful in the FCSS Court or Community School Program;
- The student has been enrolled in the Community School Program and juvenile hall over the past six months and should be allowed the opportunity for success on a school district campus prior to additional enrollment in the Community School Program;
- The student's behavior prior to referral is too severe and/or dangerous and will pose a danger to staff and/or other students on the Community School Program campus;
- A victim of the student is already/will be on the Community School Program campus; and/or,
- There is a restraining order involving an other student(s) on Community School Program campus.

If the student cannot be appropriately served and/or there is not space available for the student in the FCSS Community School Program, the FCSS Community School Program will notify the referring school district or agency in writing with the general reason(s) for denying admission to the FCSS Community School Program; should the referring school district or agency wish to obtain further information regarding the denial of admission, they may contact [Tracy Klee/ Program Manager at 559-443-4851] via telephone only for further information; no further information will be shared in writing. Additionally, there is no appeal process for denial of admission to the FCSS Community School Program.

The referring school district or agency shall be responsible for notifying the student's parents/guardians/responsible adults that the referral to the FCSS Community School Program was denied; FCSS shall have no responsibility for communicating with the parents/guardians/responsible adults regarding the referral process and/or denial of admission. The referring school district or agency shall not refer the student's parents/guardians/responsible adults to FCSS staff for information regarding these processes and/or additional information regarding a denial of admission. Any and all such contact to FCSS by parents/guardians/responsible adults will be referred back to the referring school district or agency for response.

If a student is able to be appropriately served and there is space available in the FCSS Community School Program, the FCSS Community School Program will mail the student and his/her parents/guardians/responsible adults notice of the date to report to the school for intake. As part of the intake process, the student, the parents/guardians/responsible adults, and FCSS staff will develop an Individual Learning Plan (“ILP”) for the student. In addition to addressing the student’s academic plan, the ILP will include the goal of the student’s return to the school district of residence after the expulsion term. The ILP shall be in addition to and will not replace or override any of the components of the student's Section 504 plan or IEP.

Referrals should be sent to:

FCSS County Community Program  
Attention: Annabel Guerra and Tracy Klee  
Violet Heintz Education Academy  
4939 East Yale Avenue  
Fresno, CA 93727  
aguerra@fcoe.org  
tklee@fcoe.org

**B. Transition Process from FCSS Community School Program**

Enrolled students will attend the FCSS Community School Program for the remainder of the expulsion period. At least 30 days prior to the end of the expulsion term, FCSS shall provide the school district of residence and any referring agency of notice of transition of student back to the school district of residence. Within the last 30 days of the student's term of attendance in the FCSS Community School Program, FCSS will convene a transition meeting with at least the following invited to attend: the student, at least one of his/her parents/guardians/responsible adults, FCSS representative(s), and at least one representative of the student's district of



residence. Other collaborative partners may be invited to attend this meeting as well. Failure of any invited members, including, but not limited to, the district of residence, to attend this meeting will not prevent the meeting from moving forward. At this meeting, the team will review, and the district of residence will be provided with, a transition report indicating the reason for transition back to the district, transition recommendations, FCSS Community School Program attendance and the following:

- Information regarding the student's Section 504 plan or IEP status with relevant paperwork, including, but not limited to, the current Section 504 plan or IEP, developed while the student was enrolled in the FCSS Community School Program;
- Probation status;
- Dependency status;
- Discipline records;
- Student's progress toward meeting the FCSS Court and Community School high school graduation requirements, including any relevant information (e.g. adjusted graduation requirements or plan to be a fifth year senior) related to the student's graduation requirements pursuant to California Assembly Bills 1806 and 2306 for students who are homeless, foster youth, or have attended a juvenile court school;
- Attendance information;
- Immunization records;
- ELPAC (or alternative assessment) and Smarter Balanced Testing; and,
- Information from any Response to Intervention, multi-tiered system of support, and/or other general education interventions in which the student has participated in the FCSS Community School Program.

Failure of the district of residence to participate in this transition process will not prevent the student from being returned to the district of residence; the FCSS Community School Program shall have no obligation to maintain the student's attendance following date of exit for which the school district of residence is provided at least 30 days' notice. A school district of residence may take a student back prior to the end of the 30-day transition time period if it so chooses. If a student is enrolled for less than 30 days or is disenrolled by the district of residence prior to the 30-day notice time period, the district of residence will receive the transition report within five (5) business days of the student's disenrollment from the FCSS Community School Program.

If the school district of residence or referring agency believe it is appropriate to remove the student from the FCSS Community School program to return to the school district of residence but the FCSS Community School Program staff do not believe that it is appropriate for the student to return to the district of residence and the student should remain in the FCSS

Community School Program at the end of the expulsion term, this recommendation will be communicated to the district of residence and referring agency.

This process does not replace any other meetings and/or hearings (such as a readmission hearing) that may be convened by the student's district of residence. Any district of residence processes (such as a readmission hearing) should be scheduled and held by the district of residence prior to the FCSS Community School Program transition meeting described herein.

Once a student is transitioned or removed from the FCSS Community School Program for any reason by any entity for five (5) or more school days, including, but not limited to disenrollment by parents/guardians/responsible adults or incarceration in juvenile hall, the student will be deemed exited from the FCSS Community School Program. The student will not be able to return to the FCSS Community School Program without going through the referral process again. The FCSS Community School Program, however, will comply with all laws related to school of origin for foster and homeless students.

C. Educational Services Provided to Expelled Students with Exceptional Needs

1. Consistent with state and federal law, a student with exceptional needs (who has a current IEP or Section 504 plan) may be expelled and referred by a school district for placement in the FCSS Community School Program. Enrollment in the FCSS Community School Program will be determined on an individual basis, and is dependent, in part, upon the appropriateness of placement and services available at the FCSS Community School Program to meet the individual needs of the student as stated in the current IEP or Section 504 plan as well as other factors described in Section II(A) above. As indicated above, a referral is not a guarantee of placement at the FCSS Community School Program. Districts may refer students with exceptional needs provided that:
  - a. all procedural safeguards regarding the discipline of students with special needs have been met, including, but not limited to a procedurally and substantively appropriate manifestation determination meeting;
  - b. the referring school district or agency has complied with all legal requirements regarding the education of special needs students, e.g., all procedural timelines have been met regarding annual/triennial reviews/assessments (Note: No students will be accepted if they have pending and/or overdue IEP/Section 504 plan assessments, meetings, etc. unless and until all timelines are brought current and/or are completed as specified on the referral form. This means that if anything is overdue or needs to be corrected, the referring school district or, if the student is being referred by an agency, the school district of residence must do so. Moreover, if an assessment is due within 60 days or less or an IEP team or Section 504 team meeting is due within 30 days or less, the referring school district or, if the student is being referred by an agency, the school district of residence must complete these processes.);
  - c. the requirements as stipulated in Education Code Section 48915.5 have been met;

- d. the referring school district or agency has completed a Community School Referral Form and has provided the required attachments and documents; and,
  - e. an IEP or Section 504 team has determined that a referral for placement at FCSS Community School Program meets the student's needs per the current IEP or Section 504 plan.
2. In accordance with the Fresno County SELPA Plan, any excess costs incurred in providing special education and related services to a student with an IEP shall be billed back to the school district of residence. Notification of the need for bill back will be provided and input from County school district superintendents will be sought prior to any bill backs that are not currently occurring.

All costs in excess of the average daily attendance ("ADA") recouped for the student with a Section 504 Plan shall be billed back to the school district of residence. Notification of the need for bill back will be provided and input from County school district superintendents will be sought prior to any bill backs that are not currently occurring.

3. Prior to enrollment and attendance at the FCSS Community School Program, the district of residence shall be responsible for any and all requirements under state and federal law related to students with exceptional needs. Except for the excess costs referenced in Section (II)(C)(2) above and the IEP process referenced in Section (II)(C)(4) below, during the time period of the student's enrollment in the FCSS Community School Program, FCSS shall be responsible for any and all requirements under state and federal law related to students with exceptional needs except as provided for in Sections (II)(C)(4), (5) and (6) below. Except when stay put is ordered during a special education due process proceeding, whether the district of residence agrees with the student's transition back to the district or not, upon the date of transition noticed pursuant to Section (II)(B), Sections (II)(C)(4), (5), and (6) or Sections (III)(2), (3), and (6), the school district of residence shall be responsible for any and all requirements under state and federal law related to students with exceptional needs.
4. If FCSS receives an initial evaluation request for special education services or a Section 504 Plan for students in FCSS Community School Program, FCSS shall follow the FCSS school calendar in order to comply with state and federal law related to the initial evaluation request and any subsequent IEP or Section 504 team meetings. FCSS shall provide the district of residence with a courtesy-copy of the assessment plan when it is sent to the parents/guardians/responsible adults. FCSS shall conduct the initial evaluation. FCSS shall invite the District of residence to the initial IEP team meeting during which it will be considered whether FCSS Community School Program can provide the student with a free appropriate public education ("FAPE"). The district of residence shall attend this initial IEP team meeting or Section 504 team meeting and is responsible for being fully prepared to discuss the full continuum of placements and services at this IEP team meeting; any placement outside of FCSS's Community School Program shall be the responsibility of the district of residence. FCSS shall be responsible for this IEP or Section 504 Plan if the offer of FAPE remains in the FCSS Community

School Program; the district of residence shall be responsible for this IEP or Section 504 Plan if the offer of FAPE is in any other location or program.

5. If at any time during a student's enrollment in the FCSS Community School Program it is determined by an IEP or Section 504 team convened by FCSS staff that placement in the FCSS Community School Program is no longer appropriate for a student, FCSS will provide the student's district of residence with 30 days' notice prior to transitioning the student back to the district of residence pursuant to Section (II)(B) above for an alternative placement. The district of residence shall convene an IEP or Section 504 team meeting prior to the end of that 30 day notice time period during which they shall offer a placement other than FCSS Community School Program. FCSS shall attend this IEP or Section 504 team meeting; but the district of residence shall bear all responsibility for this meeting, including sending notice to the parents/guardians/responsible adults.
6. The FCSS Community School Program will convene any required manifestation determination meetings for students during their enrollment in the FCSS Community School Program. The school district of residence will be invited to, and shall attend, each manifestation determination meeting. Under such circumstances, despite not receiving 30 days' notice as required by (II)(C)(4) above, the school district of residence may need to come prepared to discuss a change in placement if the team determines that the student needs a change in placement or if the team determines that the student's interim alternative education setting ("IAES") placement (during a removal in excess of 10 school days or a 45-school day IAES) should be somewhere other than at the FCSS Community School Program. FCSS shall be responsible for this IEP or Section 504 Plan if the offer of FAPE or the IAES remains in the FCSS Community School Program; the district of residence shall be responsible for this IEP or Section 504 Plan if the offer of FAPE or the IAES is in any other location or program.

D. High School Credits Awarded at FCSS Community School Program

1. The referring school district or, if the student is referred by another agency, the school district of residence shall calculate and provide all credits earned by the student, including partial credits for the portion of the current semester attended in the school district, to FCSS Community School Program within two (2) business days of the student's enrollment in the FCSS Community School Program.
2. The FCSS Community School Program awards credits to high school students in accordance with the rules and regulations governing court and community schools. If the student does not earn full credits, partial credits will be awarded by FCSS Community School Program for the time of attendance in the FCSS Community School Program.
3. The school district of residence shall accept any and all partial credits awarded to the student by any school district or the FCSS Court and Community School Program.
4. FCSS Community School Program complies with California Assembly Bills 1806 and 2306 for students who are homeless, foster youth, or have attended a juvenile court school. Information regarding the student's status under these bills will be provided as

part of the transition report when the student leaves the FCSS Community School Program.

5. A student who completes the FCSS Community School Program graduation requirements during the term of their enrollment in the FCSS Community School Program shall be awarded a regular high school diploma by FCSS and will be exited from the FCSS Community School Program. This diploma shall be recognized by the student's school district of residence as a regular high school diploma. Parents'/guardians'/responsible adults' refusal of an FCSS diploma is cause for a 30-day notice of transition back to the district of residence pursuant to Section (II)(B) above.

## **II. Gaps in Educational Services to Expelled Students**

The school districts of Fresno County, in conjunction with the FCSS and FCSS Community School Program, offer alternative educational opportunities for students, including those students expelled from their district of residence. District community day schools authorized by Education Code Section 48660 and charter schools provide students with additional options. Through the countywide collaborative process, gaps have been identified in respect to providing educational services to expelled students. The identified gaps are listed below, along with suggested strategies for addressing the gaps.

1. Students referred to the FCSS Community School Program fail to attend intake.

County/District Strategy for Addressing this Gap. Currently, upon referral, students assigned to the FCSS Community School Program receive a letter instructing them to report to intake on a specific date and time. FCSS Community School Program staff will courtesy-copy the referring school district or agency on the notice of intake letter so that the referring school district or agency knows it has been sent; the referring school district or agency staff and FCSS staff will both telephone each family to remind them of the intake date and time. The parents/guardians/responsible adults of a student who fails to report for intake at the assigned time and location will receive a second letter that will also be courtesy-copied to the referring school district or agency. A student who fails to report for intake after the second letter will not be enrolled in the FCSS Community School Program. The parents/guardians/responsible adults and the referring school district or agency via courtesy-copy will then receive a letter notifying them they are no longer being accepted into the FCSS Community School Program and have been referred back to their district of residence for an educational program. FCSS shall have no responsibility for this student and he/she shall remain the responsibility of the referring school district or agency, including for any and all attendance and SARB proceedings that may result from failure to enroll in and attend the FCSS Community School Program.

2. Students referred attend FCSS Community School Program intake, but fail to attend class.

County/District Strategy for Addressing this Gap. Students who enroll but do not ever attend the FCSS Community School Program shall be disenrolled from the FCSS Community School Program after five (5) consecutive days of non-enrollment. FCSS shall have no responsibility for this student and he/she shall remain the responsibility of the referring school district or

agency, including for any and all attendance and SARB proceedings that may result from failure to attend the FCSS Community School Program.

Students will be considered enrolled in the FCSS Community School Program once they attend the first day of instruction following the FCSS intake. If this student subsequently fails to attend school at least 80% of the time, the school district of residence will be contacted for a joint effort to obtain student's at least 80% attendance at the FCSS Community School Program, including, for example: phone calls, emails, and text messages to the student's parents/guardians/responsible adults; home visits by FCSS Community School Program staff; home visits by district home-school liaisons; Probation Department intervention; Department of Family and Children Services intervention; and/or court intervention. Any and all SARB processes (including, but not limited to written notices) and proceedings shall be the responsibility of the school district of residence. FCSS Community School staff can assist in mailing any written SARB notices on behalf of the school district of residence and can participate in any SARB court processes; but, is not responsible for developing or initiating these processes related to truancy. Lack of at least 80% attendance may also be cause for a 30-day notice of transition back to the district of residence pursuant to Section (II)(B) above.

3. Lack of confirmation of enrollment at a new school for students dis-enrolling from FCSS Community School Program.

County/District Strategy for Addressing this Gap. When a student leaves the FCSS Community School Program for any reason, the FCSS program registrar will contact the student's school district of residence and, if applicable, the referring agency to advise them of the change, including if the student is incarcerated in juvenile hall or intends to enroll in a charter school. Once a student leaves FCSS Community School Program, he/she will no longer be the responsibility of FCSS Community School Program for any reason. FCSS Community School Program will provide the district of residence with the transition paperwork referenced in Section (II)(B) above within five (5) business days, but, no 30-day time period will apply.

4. Fresno County is a large county with remote districts. Distances between districts and the county program sites make it difficult for some students to participate in programs for expelled students offered by FCSS, charter schools, and/or other districts.

County/District Strategy for Addressing this Gap. Remote districts within Fresno County may develop a community day program, or work with FCSS to provide a program for their expelled students. Districts may choose to form a consortium with the consultation of FCSS and create a program of school district-shared costs.

5. Due to the small number of grade K-6 students expelled and the legal requirement that such students be served in a separate program, service delivery can be problematic.

County/District Strategy for Addressing this Gap. Such instances will be addressed on a case-by-case basis, considering district and/or the FCSS Community School Program resources. Districts may consider operating their own K-6 community day school programs or form a consortium with consultation of FCSS to create a program of school district-shared costs and space.

6. Students fail to meet policies/procedures of the FCSS Community School Program after several interventions.

County/District Strategy for Addressing this Gap. Students who fail to meet the rules of the FCSS Community School Program will be provided with information about and may be, with the written consent of parents/guardians/responsible adults, voluntarily enrolled in a FCSS-operated independent study program with the goal of returning the student to the classroom as soon as possible. However, students who are not successful in the FCSS Community School Program may also be referred back to their school districts of residence through the transition process described in Section (II)(B) above rather than being enrolled in the FCSS Community School Independent Study Program. Students who are eligible for special education or a Section 504 plan who fail to meet the rules of the FCSS Community School Program will not be enrolled in a county-operated independent study program unless it is determined to be an appropriate placement by the student's IEP or Section 504 team.

### **III. District Level Behavioral Intervention Approaches: Options to Minimize Number of Suspensions Leading to Expulsions and Expulsions Ordered; Support for Students Returning to Home Schools following Expulsion**

Districts shared behavioral intervention strategies employed prior to expulsion and referral to the FCSS Community School Program. Those strategies include:

**Advancement Via Individual Determination (AVID):** The AVID program targets students in the academic middle who have the desire to go to college and the willingness to work hard. AVID places academically average students in advanced classes and provides them with an elective class designed to prepare them to succeed in rigorous curricula, enter mainstream activities in school, and increase their opportunities to enroll in four-year colleges.

**AAMI-African-American Male Initiative:** AAMI is a specialized AVID program focusing on High School African-American males. Its emphasis is on exposing participants to college life and directing their sights to earning a college degree.

**Assertive Discipline in the Classroom:** Assertive discipline is a structured, systematic approach to classroom discipline designed to assist educators in running an organized, teacher-in-charge classroom environment.

**ATOD Intervention Program and Liaison:** The ATOD program is centered on creating an environment conducive to academic success and wellness. It is geared for students with alcohol, drug or tobacco offenses on campus and/or those identified as at risk for substance abuse.

**Behavioral Office:** The Behavioral Office assists families in solving concerns that may affect the safety and well-being of their children. Solutions are geared toward finding the most appropriate school placement with an emphasis on sustaining healthy communication and problem solving at a student's current school of attendance. Direct services include: safety placements to schools other than the current school of attendance; administrative school placements to ensure school/resource alignment; support to school administrators in determining appropriate consequences for behavior utilizing Behavior Matrix; utilizing a Multidisciplinary

Team as a means to identify alternatives for mitigating disruptive and/or dangerous behaviors exhibited by children in grades K-6; access to other interagency support systems such as Youth Court, counseling services and mentors; and mediation as necessary to improve communication between school and family.

**Cara y Corazón:** Cara y Corazón is a culturally based family strengthening /community mobilization program that assists parent and other extended family to raise and teach their children with a positive bicultural base (3-day training).

**CHAMPs Classroom Management:** The overall goal of the CHAMPs classroom management system is to develop an instructional structure in which students are responsible, motivated, and highly engaged in the specific task at hand. More particularly, the teacher's goal is to teach students directly how to be successful in specific class situations.

**Character Education Program:** Character development programs that focus on creating a positive school climate while helping students achieve social and emotional learning goals, improve academics, assist teachers with classroom management skills, and reduce incidents of bullying and misbehavior.

**Check-in Check out** - Students check in with the Transition Team on Monday and Thursday mornings. They receive positive interaction with an adult before starting the week. As they go through the day, they must periodically check in with each teacher and ask them to fill out the online student evaluation. The evaluation consists of the following categories: classroom behavior, attendance, work completion, and attitude. There is also a section for teachers to leave constructive comments and positive praise for students. On Thursdays, when students check out, they receive a print out of the weekly evaluation form. The Transition Team then uses the feedback to help the student with any areas of concern and praises them for their accomplishments of the week.

**Child Welfare & Attendance Specialists:** Serving students districtwide, CWA focus on supporting students with chronic attendance issues and connecting them to community and site based resources to improve attendance and behavior.

**Collaboration Team:** The Collaboration Team includes the school psychologist, school social worker, school counselor, counseling groups focusing on social skills.

**Behavior Intervention/Support Plan:** Behavior intervention/support plans are individual plans specialized to support a student's classroom success. A multi-disciplinary team, including the parent, develops the plan collaboratively.

**El Joven Noble:** El Joven Noble is a comprehensive indigenous based, youth leadership development program that supports and guides youth through their "rites of passage" process while focusing on the prevention of substance abuse, teen pregnancy, relationship violence, gang violence and school failure. There are two phases of training and curriculum, base-training (Hombres Jovenes con Palabra, 3-day training) and advanced-training that includes youth leadership development curriculum (5-day training).



**Girl Talk:** This program assists young teenage girls to build self-esteem, develop leadership skills and recognize the value of community service.

**Individualized Education Program (IEP) Team Meetings:** IEP team meetings provide a multi-disciplinary approach to addressing behavior for students who are eligible for special education.

**Interagency Child Empowerment Team (ICET):** The ICET provides a multi-agency comprehensive review of elementary students (K-6) who may eventually be referred for expulsion. The main purpose of the ICET is to assist in providing interventions to the student and his/her family so the student can be successful at school. The ICET consists of representatives from the school district, Department of Social Services, Fresno Police Department, and Department of Prevention and Intervention.

**Intervention programs:** The districts reported various community agencies which collaborate and use a team approach to reduce drug, alcohol usage, and non-productive behaviors. The goals of the collaborative teams approach are to improve student attendance, grades, behavior, and graduation rates. Eminence, Prodigy, Promesa, and Westcare are being utilized in the county but we are not limited to them.

**Involuntary Transfers:** Students are transferred to a continuation or community day school.

**Link Crew:** Link Crew develops student mentors for middle and high schools who work to create positive, healthy, educational campuses.

**Men's Alliance and Women's Alliance:** The mission of the Men's and Women's Alliance is to facilitate the development of personal behavior and academic skills that will lead students to success in the classroom, in their career and in their adult lives. The program's strategies include: leadership development, mentoring and academics to empower students to become self-sufficient learners and adults, increase coping skills and lessen negative behaviors that lead to suspension and expulsion through training; academic opportunities to support student learning, extracurricular opportunities aligned to career, college and post-secondary options, and develop positive relationships with peers and adults through the fostering of self-awareness and respect.

**Mentoring:** Includes individual, group, e-mentoring and specialized mentoring services. Mentees meet with mentors at school, after school and in community programs with a goal of improving student well-being and school success.

**Middle School Social Emotional Support Specialist:** focusing on providing individual and group intervention for at risk students in our comprehensive middle school sites.

**Opportunity Programs:** The Opportunity Program provides a supportive environment with specialized curriculum for students who are habitually truant, irregular in attendance, insubordinate, disorderly while in attendance, or unsuccessful academically.

**Peer Mentoring:** High School Mentors and Junior High Mentees are matched in 1-on-1 partnerships designed to improve the students' academic performance and school connectedness. Includes a service learning component.

**Positive Behavioral Interventions and Support (PBIS):** Is a proactive, multi-tiered behavior framework that, when implemented well, can establish positive social learning environments. The model emphasizes implementation of evidence-based practices by defining, teaching, and acknowledging student behaviors. The tiered framework builds a continuum of positive behavior support for all students in instructional and non-instructional settings. Schools and educational organizations (including alternative and community day schools), establish school-wide systems of support (Tier I), targeted interventions (Tier II), and individual systems of support (Tier III) that improve the well-being of children and youth by making problem behaviors less effective. An essential feature of SWPBIS is the use of data for decision-making and self-assessment of adult's efforts towards action planning and effective implementation on an ongoing basis.

**Project Success:** Project Success is a program designed to teach middle and high school students how to take positive steps towards healthy life goals.

**Restorative Practices:** A model for building, affirming and repairing the networks of relationships that are central to learning. The transformational shift from the traditional school discipline and culture paradigm moves staff away from many approaches which aren't reaching the outcomes we want for our students socially, emotionally or academically. A restorative approach to discipline places primary focus on the people and relationships that are impacted when a rule is violated, as opposed to just the rule itself. It follows a consistent process where everyone impacted by wrong-doing is given an opportunity to share their voice and participate in seeking solutions and making things as right as possible. For the student who did the harm, the process has them take greater ownership for their actions and the responsibility for making repairs.

**Restoring Learning Environment Counselors (RLE Counselors):** RLE Counselors work closely with district crisis response teams and school sites to address cultural barriers to achievement for Hmong students of all grade levels. This proactive prevention program provides socio-educational individual/group, consultation, case management, and cultural intervention services. RLE counselors also provide a transition/social educational program for incoming 9th grade Hmong students.

**Student Against Destructive Decisions (SADD):** This group meets twice a week during lunch to discuss alternatives to destructive decisions. These students also counsel other students away from making destructive decisions.

**Safe and Civil Schools and Bullying Prevention Initiatives:** A system-wide approach to developing behavior management strategies, learning effective classroom management strategies, implementing positive behavior supports and Response to Intervention (RTI), and designing and implementing a school improvement plan.

**Safety Placements:** The goal of a safety placement is to allow a student to transfer school sites at the middle and high school levels when the student experiences harassment or has a sense of being unsafe at the home school site.

**Safe School Ambassadors:** Safe School Ambassadors focuses on preventing bullying and violence by training students in nonviolent communication and intervention skills to stop bullying and violence among their peers. The program builds leadership skills and empowers students to prevent violence on their own campus.

**School Academies:** This approach to school organization breaks high schools into grade level academies, e.g., freshmen, sophomore, junior and senior level academies. Each academy is staffed with a counselor, social work intern, intervention specialist, and administrator. The academy staff knows and understands the needs of each student, and ensures the provision of services.

**School Attendance Review Board (SARB):** The SARB is comprised of representatives from various school sites and includes school district personnel, probation and the courts who come together with families to put together a plan to improve attendance and behavior with a goal of reducing the expulsion rate. SARB's focus is to assist parents/guardians/responsible adults and students to recognize and eliminate the barriers that inhibit regular attendance.

**School Social Workers:** Provide Social Emotional Support in group and individual settings. Social Workers also provide suicide prevention, intervention and postvention services.

**Second Step K-2, 7-8:** Second Step is a violence-prevention program that focuses on developing social-emotional skills for children in preschool through eighth grade with the goal of improving academic success.

**Section 504 Team Meetings:** Section 504 team meetings provide a multi-disciplinary approach to addressing behavior for students who are eligible for such a plan.

**Student Study/Success Teams (SST):** The SST process emphasizes that early intervention for struggling students is a function of the general education program. The SST is a school-based problem solving team composed primarily of general educators who provide support to teachers to improve the quality of the general education program and reduce the underachievement of students. An SST is a "think-tank", a peer support group, or a forum for structured and routine focus on addressing student needs. The intervention team is a common sense approach that offers a systematic process to successfully close the gap through which students have traditionally fallen. The team is not so much a "new" service, but rather it builds on existing services and efforts in order to upgrade the school's ability to respond effectively to student needs. The SST has a vital role in creating a high achieving school as expressed in the following goals: 1) enable teachers to teach students more effectively, 2) enable students to acquire academic and social competencies, achieve standards, become independent learners for life, and 3) create a collaborative culture among all staff.

**Suicide Prevention Training:** Suicide prevention training teaches best and evidence-based suicide prevention practices, warning signs for youth suicide, prevention and postvention principles, how to reintegrate a student after a suicide attempt, dealing with traumatic loss, risk factors for youth suicide, how to assess a youth at risk, how to work with parents of a youth at risk, creating safety contracts for youth at risk, and contagion.

**Support Intervention (SI):** Groups last 8 weeks and include topics such as teen issues, anger management, grief and loss, divorce, and other topics as needed. Students are recommended for the groups by certificated staff, classified staff, or parents/guardians/responsible adults.

**School Transition Services (STS):** Transitional Team Members support students moving to Alternative Education Sites as well as support their return back to a comprehensive site.

**Time To Teach:** Is an evidenced based classroom management model which uses practical, proven, and powerful strategies.

**Transition Program:** Designed for students that require social emotional support during the day. Students can be served in the transition classroom for three period or less.

**Xinachtli:** Xinachtli is an indigenous, culturally based female rites of passage program that provides a supportive process for young girls to develop identity, life skills, and support system (3-day training).

**Youth Court:** Youth Court is a diversion program for students who are first-time offenders. It was developed as an alternative to the juvenile justice system. Juvenile cases are heard on high school campuses where the Youth Court functions primarily as a sentencing body and does not determine innocence or guilt. Youth Court enables high school students to learn more about the justice system and play an active role in promoting acceptable “safe school” standards for student behavior. Youth Court paves the way for early intervention and prevention by taking steps to redirect negative student behavior and prevent the occurrence of more serious crimes. The interagency partners charged with implementing the program include the Fresno County Superior Court, Fresno County Probation, and the Fresno Police Department.

#### **IV. Alternative Placement for Students who Fail in District Community Day Schools**

Students who have been placed in a district community day school, but fail to meet the terms or conditions of their rehabilitation plan or who pose a danger to other district students may be referred to another district’s community day school program or to FCSS Community School Program. These programs will then proceed with their referral processes to see if they will accept this student.

#### **V. District Responsibilities**

In accordance with Sections 48916 and 48916.1 of the Education Code, the school district of residence will be responsible for: 1) recommending a rehabilitation plan for expelled students; 2) ensuring that an educational program is provided to expelled students; and 3) complying with the state reporting requirements.

**VI. Suspension and Expulsion Data\***

<b>Fresno County</b>	<b>2014-15</b>
Enrollment	207,818
Students suspended	11,437
Suspension rate	5.5
Students Expelled	350
Expulsion Rate	0.2

\*Most recent data available from the California Department of Education.

This data indicates that, due to the interventions listed in Section VI above, suspensions and expulsions are on the decline in Fresno County. Expulsions have reduced by 50% and suspensions by 1.4%. The FCSS and County school districts have a history of developing programs, services, and academic events that encourage development and achievement starting with the youngest learners in pre-school, as well as students in grades K-12. The FCSS and County school districts continue to pursue opportunities to meet the needs of our diverse learners as we prepare them for the global market place.

For additional information regarding FCSS Community School Program, contact:

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## **Appendix A: Relevant Education Codes**

### **Cal Ed Code § 48926 County plan for educational services to expelled pupils**

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 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 all 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 Section 48916.1, on June 30th thereafter.

### **Cal Ed Code § 48916.1 District to ensure provision of educational program for expelled pupils; Data and reports**

(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. 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

(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) may 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 of kindergarten or grades 1 to 6, inclusive, the educational program provided pursuant to subdivision (b) may 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.

(e) (1) Each school district shall maintain the following data:

- (A) The number of pupils recommended for expulsion.
- (B) The grounds for each recommended expulsion.
- (C) Whether the pupil was subsequently expelled.
- (D) Whether the expulsion order was suspended.
- (E) The type of referral made after the expulsion.
- (F) The disposition of the pupil after the end of the period of expulsion.

(2) The Superintendent may require a school district to report this data as part of the coordinated compliance review. If a school district does not report outcome data as required by this subdivision, the Superintendent may not apportion any further money to the school district pursuant to Section 48664 until the school district is in compliance with this subdivision. Before withholding the apportionment of funds to a school district pursuant to this subdivision, the Superintendent shall give written notice to the governing board of the school district that the school district has failed to report the data required by paragraph (1) and that the school district has 30 calendar days from the date of the written notice of noncompliance to report the requested data and thereby avoid the withholding of the apportionment of funds.

(f) If the county superintendent of schools is unable for any reason to serve the expelled pupils of a school district within the county, the governing board of that school district may enter into an agreement with a county superintendent of schools in another county to provide education services for the district's expelled pupils.