

FRESNO COUNTY PLAN
for
PROVIDING EDUCATIONAL
SERVICES

to
EXPELLED YOUTH
July 1, 2015 – June 30, 2018

APPROVED BY THE
FRESNO COUNTY BOARD OF EDUCATION

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Revision Approved June 2000
Revision Approved June 2003
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Jim Yovino
Fresno County Superintendent of Schools
Fresno County Office of Education

**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
Burrel 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 Charter School District
Kingsburg Joint Union High School District
Laton Unified School District
Mendota Unified School District
Monroe Elementary School District
Orange Center Elementary School District
Pacific Union Elementary School District
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 School District
Washington Unified School District
West Park Elementary School District
Westside Elementary School District

Fresno County Plan for Expelled Youth

Introduction

Fresno County, located in the heart of California, is the sixth largest county in California with an area of 6,017.4 square miles. Its ideal weather conditions and rich soil make Fresno the number one agribusiness county in the nation. In 2014, its population of 965,974 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 199,366 pupils 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 73,543, to Big Creek Elementary with an enrollment of 51 pupils.

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 pupils. 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 pupils (see, Section I);
- identify gaps in educational services to expelled pupils, and strategies for filling those service gaps (see Section III); and
- 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 (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, and 2012. In March 2015, the Administrator for Fresno County Court Schools contacted all Fresno County school districts, asking for district representatives to join the collaborative team that would complete the triennial update. Multiple meetings were held by the multidistrict team in developing the 2015-2018 Plan.

Requirement for Educational Program During Expulsion Period

California Education Code Section 48916.1 requires that when a governing board orders that a pupil be expelled, it must ensure that the pupil 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 pupils recommended for expulsion;
- the grounds for each recommended expulsion;
- whether the pupil was subsequently expelled;
- whether the expulsion order was suspended;
- the type of referral made after the expulsion; and
- the disposition of the pupil 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 further reduce educational dollars which will result in the county program continuing to operate at a deficit, the Fresno County Office of Education (“FCOE”) may need to create an excess cost agreement between districts and the FCOE to ensure adequate funding of district student services in the county community schools.

I. Existing Educational Alternatives for the Expelled Youth of Fresno County

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

- 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 order expulsion of the pupil, and refer the pupil 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 Fresno County Community Schools Program; or
- to a public charter school or to a private school. (The parents/guardians may elect to enroll the pupil in a private school; however, the parents/guardians are responsible for the costs, if any, associated with private school enrollment.)

II. Fresno County Office of Education Services for Expelled Pupils

FCOE offers educational alternatives through FCOE Kermit Koontz Education Complex. 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 FCOE Kermit Koontz Education Complex

Upon the FCOE's receipt of a referral from the expelling district, FCOE Kermit Koontz Education Complex will mail the pupil and his/her parents/guardians notice of the date to report to the school for assessment and orientation. Following completion of the assessment and orientation, the pupil, the parents/guardians, and FCOE staff will develop an Individual Learning Plan ("ILP") for the pupil. In addition to addressing the pupil's academic plan, the ILP will include the goal of the pupil's return to the school district of residence after the expulsion term.

Enrolled pupils will attend FCOE Kermit Koontz Education Complex for the remainder of the expulsion period. At the end of the expulsion term, FCOE shall send the pupil's district of residence a transition form reporting the pupil's attendance, grades, and behavior while at FCOE Kermit Koontz Education Complex, and a recommendation that the pupil return to the district of residence or remain at FCOE Kermit Koontz Education Complex for another semester.

B. Educational Services Provided to Expelled Pupils with Exceptional Needs

1. Consistent with state and federal law, a student with exceptional needs may be expelled and referred by the district's Individualized Education Plan ("IEP") Team for placement in the FCOE Kermit Koontz Education Complex. Enrollment in the FCOE Kermit Koontz

Education Complex will be determined on an individual basis, and is dependent upon the appropriateness of placement in meeting the individual needs of the pupil as stated in the current IEP. Districts may refer pupils with exceptional needs provided that:

- a. all procedural safeguards regarding the discipline of students with special needs have been met; and
 - b. the referring district 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; and
 - c. the requirements as stipulated in Education Code Section 48915.5 have been met; and
 - d. the referring district has completed a Community School Referral Form and has provided the required attachments and documents, e.g., the pupil's current IEP, the manifestation determination, CELDT, etc., and
 - e. a referral for placement at FCOE Kermit Koontz Education Complex meets the pupil's needs as per the current IEP.
2. In accord with the Fresno County SELPA Plan, any excess costs incurred in providing services to the pupil shall be billed back to the referring district.
 3. The referring district and FCOE shall jointly be responsible to ensure that requirements for service, assessment, timelines, and due process are met as established in federal and state law. The process for admitting a student to FCOE Kermit Koontz Education Complex includes a review of the referral informational packet (form and attachments), and contact with the referring district. In addition, an intake meeting shall be convened and held at FCOE Kermit Koontz Education Complex.

If it is determined that FCOE Kermit Koontz Education Complex is an appropriate educational program for the pupil, an enrollment date for the student shall be finalized.

4. FCOE shall follow all rules and regulations regarding Child Find. If FCOE receives an initial evaluation request for special education services for students in FCOE Kermit Koontz Education Complex, FCOE shall follow the FCOE school calendar in order to comply with state and federal law. FCOE shall invite the pupil's home district to participate in the evaluation process.
5. Following enrollment, should FCOE Kermit Koontz Education Complex not be an appropriate placement, FCOE will work with the home district to place the student appropriately.

III. Gaps in Educational Services to Expelled Pupils

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

1. Pupils referred to the county program fail to attend.

County/District Strategy for Addressing this Gap. Upon referral, pupils assigned to FCOE Kermit Koontz Education Complex receive a letter instructing them to report to assessment and orientation. In addition, FCOE Kermit Koontz Education Complex staff will notify the home district that the parent orientation letter has been mailed, and FCOE staff will telephone each family to remind them of the orientation date and time. Pupils who fail to report receive a second letter. Pupils who fail to appear after the second letter receive a letter notifying them they have been referred back to their district, and the district is notified that the pupil failed to enroll in the county program.

If the student fails to attend orientation, the district of residence will be notified and the pupil will be referred back to the district of residence for his/her SARB process.

2. Pupils referred attend FCOE Kermit Koontz Education Complex orientation, but fail to attend class.

County/District Strategy for Addressing this Gap. Pupils will be considered enrolled once they attend the first day of the FCOE orientation with their parents/guardians. Enrolled pupils who subsequently fail to attend will be contacted by FCOE Kermit Koontz Education Complex Attendance Review Board (“SARB”) Coordinator, and districts will be kept informed of the student’s progress or lack thereof. Enrolled pupils who continue to be absent shall be processed through the FCOE SARB.

The districts and FCOE Kermit Koontz Education Complex will collaborate and utilize any systemic leverage available to encourage attendance on behalf of the expelled pupils. Collaborative efforts may include: home visits by district home-school liaisons, Probation Department intervention, Department of Family and Children Services intervention, SARBs, FCOE Kermit Koontz Education Complex SARB, court intervention, and other interventions appropriate to the particular case.

FCOE Kermit Koontz Education Complex administration has developed a SARB process and will actively address school attendance issues. Districts will receive copies of any SARB letters mailed to their respective pupils. These copies will be sent to the attention of the “District Expulsion Administrator.” The SARB process can result in serious sanctions being enforced against the parents/guardians. A district may request to have a pupil return to the district of residence prior to FCOE completing its SARB process, if the district so chooses.

3. Lack of confirmation of enrollment at a new school for pupils dis-enrolling from FCOE Kermit Koontz Education Complex with intent to attend a charter school or move to a new district.

County/District Strategy for Addressing this Gap. Upon a pupil leaving the FCOE Kermit Koontz Education Complex for any reason, the program registrar will contact the referring district to advise them of the change. (This process excludes pupils who are dropped due to arrest and subsequent enrollment in a Fresno County Court School.) FCOE Kermit Koontz Education Complex will continue to keep the pupil on the SARB roll book until confirmation has been made that the pupil has enrolled in another program and the district of residence has been notified of the enrollment.

4. Fresno County is a large county with remote districts. Distances between districts and the county program sites are great making it difficult for some pupils to participate in programs for expelled pupils offered by the county and/or other districts.

County/District Strategy for Addressing this Gap. The remote districts may develop a community school program, or work with FCOE to provide a program for their expelled pupils. Districts may choose to form a consortium with the help of FCOE and create a program of shared costs. In addition, FCOE administration and district representatives will meet yearly to discuss a possible sharing of costs for expanded transportation services for pupils living in remote areas of Fresno County who enroll in the FCOE Kermit Koontz Education Complex. Further, the bus route may be revised from time to time to better meet the needs of the enrolled pupils.

5. Due to small number of grade K-6 pupils expelled and the legal requirement that such pupils 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 FCOE Kermit Koontz Education Complex resources. Districts may consider operating their own K-6 community day school programs or form a consortium with the help of FCOE to create a program of shared costs and space.

6. Pupils fail to meet policies/procedures of the FCOE Kermit Koontz Education Complex after several interventions.

County/District Strategy for Addressing this Gap. Pupils who fail the FCOE Kermit Koontz Education Complex prior to being referred back to the district of residence will be, with the written consent of parents/guardians, enrolled in a county-operated independent study program with the goal of returning the student to the classroom. If the pupil is not successful, he/she will be referred back to the district of residence.

IV. 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 share behavioral intervention strategies employed prior to expulsion and referral to the FCOE Kermit Koontz Education Complex. 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 at 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.

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 Support Plan: Behavior Support Plans are individual plans specialized to support a

student's classroom success. A multi-disciplinary team, including the parent, develops the plan collaboratively.

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

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.

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.

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

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 Justice: Restorative justice involves the practice of restoring relationships that were harmed in actions of criminal and social behaviors. Trained mediators facilitate sessions

between students and the victims, so that healthy interactions can be resumed.

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 and students to recognize and eliminate the barriers that inhibit regular attendance.

School-Wide 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.

School-Wide Positive Behavioral Interventions and Support (SWPBIS): 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

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.

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.

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.

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.

V. Alternative Placement for Pupils who Fail District Community Day Schools

Pupils 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 pupils may be referred to another district's community day school program or to FCOE Kermit Koontz Education Complex.

VI. 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 pupils; 2) ensuring that an educational program is provided to expelled pupils; and 3) complying with the state reporting requirements.

VII. FCOE Kermit Koontz Education Complex Referral Contacts

In order to refer an expelled pupil to the FCOE Kermit Koontz Education Complex, it is necessary that an FCOE referral form be completed and, to help with appropriately assessing students and plan for instruction, FCOE requires the following information prior to enrollment in its program:

- a complete set of transcripts (unofficial are acceptable);
- expulsion report from the district explaining the offense(s) that occurred, the expulsion term, the requirements for readmission, and the date the student will be eligible for a readmission hearing;
- CELDT Test Data Results;
- CAHSEE Test Results (if 10th grade or higher); and
- For pupils with exceptional needs, the information included in Section II (B), above.

VIII. Suspension and Expulsion Data

Fresno County	<u>2011-12</u>	<u>2012-13</u>	<u>2013-14</u>
Enrollment	206,349	209,936	207,541
Students suspended	15,925	14,066	12,994
Suspension rate	7.7	6.7	6.3
Students Expelled	810	699	454
Expulsion Rate	0.4	0.3	0.2

*Data collected from the California Department of Education

Due to the interventions listed in section IV, the data above demonstrates suspensions and expulsions are reducing in Fresno County. Expulsions have reduced by 50% and suspensions by 1.4%. The Fresno County Office of Education (FCOE) and county 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 FCOE and county districts continue to pursue opportunities to meet the needs of our diverse learners as we prepare them for the global market place.

Referrals should be sent to:

FCOE Kermit Koontz Education Complex
Attention: Raquel Melendez
1320 N. Mariposa
Fresno, CA 93703
Phone: (559) 443-4872
Facsimile: (559) 443-4849
Email: rmelendez@fcoe.org

For additional information regarding FCOE Kermit Koontz Education Complex, contact:

Tracy Klee, Program Manager
FCOE Kermit Koontz Education Complex
1320 N. Mariposa Avenue
Fresno, CA 93703
Office: (559) 433-4871
Email: tklee@fcoe.org

If information is needed immediately and Ms. Klee is not available, contact:

Bill Johnson, Director of Court & Community Schools
Fresno County Office of Education
Office: (559) 443-4863
Email: bjohnson@fcoe.org

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.