

Colusa County Consortium Plan For Serving Expelled Students

Larry Yeghoian, Superintendent
Colusa Unified School District

Ron Turner, Superintendent
Maxwell Unified School District

Patricia Hamilton, Superintendent
Pierce Joint Unified School District

Dr. Judith Rossi, Superintendent
Williams Unified School District

Kay C. Spurgeon, Superintendent
Colusa County Office of Education
146 7th Street
Colusa, CA 95932

Colusa County Consortium Plan for Serving Expelled Students

Introduction

Education Code 48926 requires a countywide plan, which shall include the following provisions:

- a. Enumerate existing educational alternatives for expelled youth
- b. Identify gaps in educational services to expelled pupils
- c. Identify strategies for filling those gaps in services
- d. Identify alternative placement for pupils who are expelled from districts within the county.

Educational programs within the County of Colusa provide a variety of opportunities for students who are in need of traditional and/or alternative education programs. Individual school districts offer a variety of program options within their respective schools. The Colusa County Office of Education-Student Support Services Department operates a Community School and Opportunity Classes.

A student whose behavior has resulted in expulsion is given a rehabilitation plan that is designed by the district of residence. The rehabilitation plan may involve one or more of the options outlined. A student who is simply in need of an educational alternative may also access these programs through a Parent request, District and/or County referral process.

Education Code 48926:

Each County Superintendent of Schools in counties that operate a community school pursuant to Section 1980, in conjunction with superintendents of the school districts within the county, shall develop a plan to provide 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 have been placed in district alternative education 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.

Education Code 48916.1:

- a. At the time an expulsion of a pupil is ordered, the governing board of the school district shall ensure that an education 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 provision 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 subject to the expulsion order was expelled from kindergarten or grades 1 to 6, inclusive, the education program provided pursuant to subdivision (b) may not be combined or merged with educational programs offered to pupils in any of the 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.
- e. Each school district shall maintain data as specified in this subdivision and report the data annually to the State Department of Education, commencing June 1, 1997, on forms provided by the State Department of Education. The 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; and
 - F. The disposition of the pupil after the end of the period of expulsion.

- f. When a school district does not report outcome data as required by this subdivision, the Superintendent of Public Instruction may not apportion any further money to the school district pursuant to Section 48664 until the school district is in compliance with the provisions of this subdivision. Before withholding the apportionment of funds to a school district pursuant to this subdivision, the Superintendent of Public Instructions shall give written notice to the governing board of the school district pursuant to this subdivision, the Superintendent of Public Instruction 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.
- g. 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.

Existing School District Alternatives for Expelled Students

Each school district will take steps to see that services are provided for students who have an expulsion hearing. A student whose behavior has resulted in expulsion shall be given a rehabilitation plan that is designed by the district of residence. Any recommended placement should be monitored and appropriate documentation maintained. This plan may involve one or more of the options outlined below.

The governing board of each school district will determine which educational alternatives are appropriate and available. Educational alternatives throughout Colusa County for students recommended for expulsion include, but are not limited to, the following options:

1. *Expulsion, suspended order, with placement on the same school campus;*
2. *Expulsion, suspended order, with placement on a different campus within the district;*
3. *Expulsion, suspended order, with placement in District Independent Study, if the parent consents;*
4. *Expulsion, suspended order, with subsequent transfer to another district following interdistrict request processes;*
5. *Expulsion, suspended order, with transfer to the Colusa County Community School Program;*
6. *Expulsion with subsequent transfer to Community Day school within another district; or*
7. *Expulsion with referral to the Colusa County Office of Education Community School Program.*

Colusa County Consortium Plan

For Serving Expelled Students

The Colusa County Board of Education and the Governing Boards of each school district within Colusa County believe that all students are entitled to an appropriate public education. Access to educational services will assist students to achieve their educational, career, and life goals; minimize future involvement with the Juvenile Court System for those students at risk; and maximize the opportunity for a higher quality of life.

The Colusa County Board of Education, the Colusa County Superintendent of Schools, and the Governing Boards for the four Colusa County School Districts shall make every effort to keep all students in a school where an appropriate education can be provided, including those students who are expelled.

Educational programs within Colusa County provide numerous opportunities for students who are in need of traditional and/or alternative education programs. School districts in Colusa County offer a broad spectrum of educational alternatives, including, but not limited to:

- Counseling Services
- After School Tutoring
- Alternative Educational Programs, i.e. Continuation/Alternative High Schools, Independent Study, Home Schooling, In-House Suspension and Home Suspension
- Peer Tutoring/Peer Counseling
- District Attendance Review Teams (DART)
- Parent Contacts and Home Visits

The Colusa County Office of Education programs include:

- Special Education
- Opportunity Classrooms
- Colusa County Community School
- Juvenile Court School

Together, the four Colusa County School Districts and the Colusa County Office of Education offer a significant continuum of services providing alternatives to students prior to expulsion and services for expelled students.

Colusa County Office of Education Overview

The Colusa County Office of Education Student Support Services Department will offer an educational option for expelled students through the Community School, provided ADA is adequate to support the program. The Colusa County Community School program is a permissive educational program that provides the four local school districts with an educational option for expelled youth.

Colusa County Educational Alternatives for Expelled Youths

The Colusa County Office of Education offers the following options for expelled youth:

1. Colusa County Community School
2. Juvenile Court School

Gaps in Educational Services

Six major gaps exist in respect to providing a comprehensive system of educational services to expelled students.

1. The school districts in Colusa County are small and generally expel a small number of students during the course of a school year. Developing programs for such students, located in each district, is not financially possible. The districts and the Colusa County Office of Education must work to develop solutions that are both educationally sound and financially possible.

Colusa County/District Strategy for Addressing This Gap:

- A. Students expelled under mandatory expulsion Education Codes will be referred to the Colusa County Community School.
 - B. Depending on the Education Code violation, students may be placed on a suspended expulsion and allowed to remain on the school site with a mandatory behavior contract, terms and conditions.
 - C. Depending on the Education Code violation, a student may be placed on a suspended expulsion and placed at a District Alternative/Continuation High School with a mandatory behavior contract, terms and conditions.
 - D. An expelled student may possibly attend another district under a mandatory behavior contract, as determined by established interdistrict agreements.
2. The district-operated Community Day School option for expelled students, as described in current California Education Code, is difficult for the local districts to develop due to the following reasons:
 - A. The six (6) hour, or 360 minute day exceeds the required hours for a minimum school day (240 minutes), the required hours for a continuation school day (15 hours per week), and the required hours for students enrolled in the various elementary school

programs, and the current 240 minutes used by the Colusa County Community School program.

- B. Access to the additional funding is restricted by having the student complete six hours of hour-by-hour attendance accounting in order for the district to receive the additional funding, and requiring additional attendance tracking and record keeping.
- C. The District Community Day School program limits the available instructional strategies which can be used, such as contracted study, which limits the program flexibility required for success.
- D. The separation of students in grades K-6 from students in grades 7-8 also creates boundaries that will be financially and/or geographically difficult.
- E. The cap on the number of students able to be served by small districts severely limits the availability for each individual school district to operate their own Community Day School.

Colusa County/District Strategy for Addressing This Gap:

- A. Expelled students will be referred to Colusa County Community School
3. A student could be expelled from the District under Education Code 48915 and referred to either a Community Day School (if available), or the County Community School. This student could then commit another violation of Education Code 48915, or simply not attend, and ultimately be referred back to the original District. If the student fails the program or commits another expulsion type offense, there may not be any viable alternative remaining.

Colusa County/District Strategy for Addressing This Gap:

- A. Colusa County Community School may develop in collaboration with the Colusa County Probation Department alternative strategies for those expelled students who commit another violation of Education Code 48915 while attending Colusa County Community School.
- B. The truancy notification process will begin on students with three (3) unexcused absences or three (3) tardies of thirty minutes or more. Probation will be notified immediately for those students on probation and not attending school.
- C. A County Student Study Team may be established to evaluate the student's needs and suggest alternative placements.
- D. When all educational options available to Colusa County have been exhausted, placement in a contiguous county will be explored. Colusa County Office of Education will establish a reciprocal consideration relationship with Glenn, Yolo and Sutter counties in order to address the service gap.

4. Students who are expelled by the individual small school districts within Colusa County vary as to age, grade level and expulsion offenses. The wide range of age, grade level and seriousness of the offense makes it difficult to provide appropriate programs for these districts.

Colusa County/District Strategy for Addressing This Gap:

- A. Expelled students will be referred to Colusa County Community School. County Community School staff will develop alternative strategies for working with these students. County Community School Staff will offer curriculum for grades 7-12.
 - B. Expelled students in grades six and below may have their expulsion rescinded and an alternate on-site educational alternative will be provided, supervised by the district.
 - C. Expelled students in grades six and below, whose expulsions cannot be rescinded, will be referred to an out-of-county program.
5. There are significant geographical distances between local small districts, thus the county operated Community School for districts would require either extensive busing, which is not financially feasible for the districts, or parent provided transportation, which is often impossible for the parents.

Colusa County/District Strategy for Addressing This Gap:

- A. Colusa County Transit will be available at a minimum cost to transport students and/or parents will be responsible to transport their children to school. Special Education Students may access transportation through the IEP process.
 - B. Other transportation options will continue to be explored.
6. Students in Kindergarten and grades one through six who are expelled do not have the same educational options available as do expelled students who are in grades seven through twelve. The number of expelled students in grades one through six are not significant enough to develop an elementary school classroom or program. The geographic spread of the schools and the scarcity of expulsion cases present a challenge to establishment of a program to serve this group.

Colusa County/District Strategy for Addressing This Gap:

- A. A separate Community School may be established to serve students in grades six and below if the number of mandatory expulsions in the county increase to provide sufficient ADA to fund an additional school. Elementary students may not be housed at the same campus as students in grades 7-12. Current Colusa County Office of Education programs for expelled students are all housed on a single site.
- B. A student may possibly attend another district under a mandatory behavior contract, per existing interdistrict agreements.

- C. The elementary districts will use all their local alternatives in providing educational programs for their expelled students.
- D. Districts will monitor changes under the community day school and community school legislation. Joint planning may result in options that do not currently exist between participating districts.
- E. In the event that a program serving K-6 expelled students is established by the Colusa County Office of Education, an alternative location will be developed in conjunction with the districts.

Process for Referral

Step I

The school district of residence continues to maintain responsibility for developing a rehabilitation plan for the student, referring the student to an appropriate educational setting, and ensuring that an education program is provided to the expelled student within or outside the school district.

Step II

Expelled students who fail to meet the terms and conditions of the district rehabilitation plan may be referred to a different district school, another district program, a district Community Day School (if available), or the Colusa County Office of Education Community School.

Colusa County Office of Education, Student Support Services staff; Colusa County Community School staff and district staff will review the district rehabilitation plan, and develop an individual learning plan for each student, based on their individual needs and circumstances. Parents will be included and expected to work cooperatively in addressing the needs of their children.

Part of this plan may include returning to the school district of residence, once established goals are met. Alternative strategies will be developed by Community School staff for those students who have difficulty meeting the terms and conditions of their District-designed rehabilitation plan. Transportation services are not provided.

Students referred to the Colusa County Community School from the districts are under the plan developed by each district and will be held accountable to both the district and the County. If a placement at Colusa County Community School (CCCS) does not result in meeting the student's needs or the student commits an offense that precludes his/her continued attendance at CCCS, the student will be referred back to the district.

The district will provide documents required for enrollment (i.e. referral form, California Statewide Student Identifier number, cumulative file, expulsion-rehabilitation plan) at the time of referral from the district governing board to the Colusa County Student Support Services Department. Student Support Services Department will provide districts with progress reports and notification of a student's change in residence, termination from the program

or completion of requirements for graduation. District administrators will be provided data necessary to meet all reporting requirements of Ed Code 48916.

Revenue generated by the student ADA while in attendance at CCCS, and any special one-time funds, constitute the source of funding for the Colusa County Community School. In the event the costs of operating programs that have been requested by the districts should exceed revenue generated by ADA and associated funds, excess costs will be billed back to the districts based on their share of program use. A district's share of program use will be calculated by using a formula weighted average and prior year ADA. Districts shall be directly involved in establishing new grade-appropriate programs that address specific district needs and which may generate costs to the districts.

Any student referred to the Colusa County Community School that has an active Individual Education Plan, must include IEP language that identifies how the provisions of the IEP will be implemented at the new placement. Prior to placement at CCCS, the IEP team, with representatives from CCCS and the district, will determine that CCCS is an appropriate placement and the IEP can be implemented at that site. SELPA coordination will be necessary to insure that the student's needs can and will be addressed by appropriately credentialed staff. Every effort must be made to insure compliance with PL 101476 in the event of a special education student expulsion. It is anticipated that Colusa County Office of Education and the Special Education staff at the referring district site will coordinate the efforts to determine the most appropriate placement and continuity of IEP implementation.

Should it become necessary to reevaluate the appropriateness of services and/or placement as mandated in a student's IEP, while the student is in attendance in a Colusa County program, representatives from the referring district will be invited to participate in any meetings where change of services or placement will be discussed.

Districts agree to notify the County by February 1, of the school year prior to implementing alternative programs of any decision that would result in a significant loss of ADA for the Community School. The notification would allow the County to adjust staff size for the following year and present March 15 notification as required by Ed Code. Should a district fail to notify the County in a timely manner, and deficits result, that district will be included in the bill back based on figures generated from the prior attendance period, whether the district remains in the program or not.

The monthly meetings of the Superintendents Council will provide a structure to facilitate dialogue between the Student Support Services Department, CCCS and the districts to address curriculum coordination, graduation requirements, standardized testing, courses of study, and other topics of mutual interest.

EXPULSION
RECOMMENDED PLAN OF REHABILITATION

Student _____ DOB _____ School Site _____ Grade _____

Expulsion Order Effective Dates: ____/____/____ to ____/____/____

Reason for Expulsion (Ed. Code Violation) _____

Elements of the Recommended Rehabilitation Plan

REQUIRED

- Enroll in another school district, community school, or community day school
- Periodic review for readmission and/or assessment
- Restricted from school campus/activities
- Community School
- Turn in books and all property of school district
- Restitution
- Maintain appropriate behavior and not pose a danger to others
- Compliance with conditions of expulsion
- Other Rehabilitative Programs

RECOMMENDATIONS FOR:

- Tutoring
- Special Education Assessment
- Job Training
- Counseling
- Employment
- Other Recommendations

OTHER:

- Additional criteria the district requires or will review prior to readmission:

Student performance in the area checked above will be reviewed as part of the readmission process. Successful completion of the Rehabilitation Plan will assist the Board of Trustees in determining if readmission is warranted.

District Superintendent

Date

Pupil

Date

Chair, Board of Trustees

Date

Parent

Date