

## **CONTRACT NAME: YOLO COUNTY OFFICE OF EDUCATION JOINT EDUCATION SERVICES PLAN FOR EXPELLED STUDENTS**

**BRIEF DESCRIPTION OF PLAN:** California Education Code Section 48926 requires county superintendents, in conjunction with superintendents of the school districts within the county, to develop a plan for providing education services to all expelled students in that county. This agreement. This document represents the official 2018-2021 countywide Joint Education Services Plan for Expelled Students within Yolo County.

# YOLO COUNTY OFFICE OF EDUCATION

## JOINT EDUCATION SERVICES PLAN FOR EXPELLED STUDENTS WITHIN YOLO COUNTY

JULY 1, 2018 – JUNE 30, 2021

---

### I. INTRODUCTION

#### A. THE LEGAL REQUIREMENTS PERTAINING TO A COUNTY-WIDE PLAN

California Education Code Section 48926 initially required county superintendents, in conjunction with superintendents of the school districts within the county, to develop a plan for providing education services to all expelled students in that county. The plan was to be adopted by the governing board of each school district within the county and by the county board of education and submitted to the State Superintendent of Public Instruction. The same code section requires the county superintendent of schools, in conjunction with district superintendents in the county to update the plan every three years and submit it to the State Superintendent of Public Instruction. The next triennial update to the Countywide Plan for Provision of Educational Services to Expelled Students is due no later than June 30, 2021.

EC Section 48926 provides specifically that:

“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.”

In 2015, the recommended content of the Countywide Plan was amended to address additional, more detailed questions that were raised and supported by the State School Attendance Review Board and the Student Programs and Services Steering Committee of the California County Superintendents Educational Services Association. These questions concern behavioral intervention approaches used to minimize the number of suspensions and expulsions, including a focus on how such practices may impact any disproportionate number of minority students being suspended or expelled.

This legislation additionally directed the Superintendent of Public Education to convene a statewide group to “develop a model and study existing successful county programs and policies for the immediate transfer of educational records, uniform systems for calculating and awarding credits, transition planning, and the immediate enrollment of pupils who are being transferred from juvenile court schools.” The workgroup is directed to conduct its work and submit recommendations to the Legislature by January 1, 2016. Yolo County school districts are dedicated to reenrolling youth that are temporarily placed in a court school setting.

### THREE SPECIFIC AREAS MUST BE ADDRESSED

The Countywide Plan requirements and recommendations are described below:

1. The Countywide Plan must list and describe the educational alternatives currently available for expelled students. It is recommended that the plan also describe strategies for improvement during the next three years, including:
  - Any behavioral intervention practices, at the site and district levels, and options used to:
    - Minimize the number of suspensions leading to expulsions
    - Minimize the number of expulsions being ordered
    - Support students returning from expulsions
  - Specific explanation of how those practices relate to any disproportionate representation of minority students in such interventions. For assistance in this area, you may review recent guidance issued by the U.S. Department of Education and Justice on the U.S. Department of Education Web Page at <http://www2.ed.gov/policy/gen/guid/school-discipline>.
2. The Countywide Plan must address gaps in educational services and strategies for filling them. If a 2015 Countywide Plan identified gaps in educational services to expelled pupils, it is recommended the 2018 plan include the following information regarding the implementation of strategies outlined for filling those service gaps:
  - Were the strategies successful or not? Please explain why and how they were or were not successful.
  - Were any additional strategies implemented? If so, explain why and how they were or were not successful.
  - For strategies that were not successful, describe any additional measure(s) or approach(es) taken, and the outcome(s).
3. 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 pose a danger to other district pupils, as determined by the governing board.

In addition, under the Local Control Funding Formula (LCFF), county offices of education are required to adopt a Local Control and Accountability Plan (LCAP) for county operated schools and programs which includes goals, actions, and expected measurable outcomes in 10 state priority areas for all pupils and subgroups of pupils identified in *EC* Section 52052. Included among the priorities, a county office LCAP must address how it will coordinate the instruction of expelled students under *EC* Section 48926. Thus, the Countywide Plans will contribute to the information presented in the LCAP and provide a regional perspective on meeting the needs of expelled pupils.

## **B. THE LAW REGARDING EXPULSION AND THE MAINTENANCE OF AN EDUCATIONAL PROGRAM FOR EXPELLED STUDENTS**

Section 48916.1(a) which is referenced in 48926 reads:

"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."

## **II. EXISTING EDUCATIONAL ALTERNATIVES PROVIDED BY THE COUNTY OFFICE OF EDUCATION**

### **Pupils expelled from grades K-6**

Pupils who are in grades K-6 who are expelled do not have the same educational options as students in grades 7-12. Pupils in grades K-6 are also expelled at a much lower rate than pupils in grades 7-12. These two factors, together with the requirements that educational services for pupils in grades K-6 cannot be merged or combined with services to pupils in grades 7-12 and cannot include an independent study option make it very difficult to identify an educational placement for the expelled pupil in grades K-6.

Existing options for K-6 expelled pupils include:

- Suspended expulsion (at the expelling district's option).
- Application to a private school at no expense to the school district.
- Application to a district from which the pupil has not been expelled. District may accept student on a case by case basis.
- Application to Community Day School operated by the Woodland Joint Unified School District. The district may accept students on a case by case basis.
- Application to Charter Schools in or out of the County. The Charter School may accept students on a case by case basis.

None of these options are obligatory upon schools expelling pupils or receiving expelled pupils

In rare occasions, pupils in grades 4-6 who are expelled and because of the seriousness of the offense, are incarcerated in the Yolo County Juvenile Hall and receive educational services through Dan Jacobs School in the Hall.

### **PUPILS EXPELLED FROM GRADES 7-12**

Pursuant to Education Code Section 1980, the Yolo County Office of Education offers educational alternatives to expelled pupils through its Community Schools serving pupils in grades 7-12. Students who are referred and enrolled in the program will have an Individual Learning Plan (ILP) developed with the expelled student, his/her parents and program staff. Yolo County Office of Education offers an accredited high school graduation community school program. Yolo County Office of Education programs will offer the following educational options/alternatives for expelled students 7-12:

- YCOE Community School Program for grades 7-12 in Woodland and West Sacramento.
- Application to a District from which the pupil has not been expelled. District may accept student on a case by case basis.
- Suspended expulsion (at the expelling District's option) and referring student to another school site within the District.

- Charter schools in or out of the County. The Charter School may accept students on a case by case basis.
- Application to a private school at no expense to the District.
- Dan Jacobs School located in the Yolo County Juvenile Hall serves incarcerated pupils in grades 7-12.

Presently, students placed in Yolo County Office of Education Alternative Education Program receive counseling services and close supervision by the probation department through partnership grants out of the Yolo County Office of Education or Yolo County Probation Department. Students housed in the juvenile hall (Dan Jacobs School) also receive supportive counseling services through CommuniCare and the Probation Department operated by the County of Yolo.

Community schools require the formal placement of pupils into the program through a recommendation by one of Yolo County's school districts and referral by either juvenile court or its probation department representatives' approval in accord with Education Code Section 1981c. These countywide alternatives are available to pupils who have been expelled from district programs when the district board of education determines that these programs are the most appropriate placement. Districts also have the option to suspend a student's expulsion under circumstances determined by the expelling district.

If a student enrolled in a Yolo County Office of Education Community School program and violates any of the following sections of Education code 48915, section (c),

- a) Possessing, selling, or otherwise furnishing a firearm.
- b) Brandishing a knife at another person.
- c) Unlawfully selling a controlled substance.
- d) Committing or attempting to commit a sexual assault.
- e) Possession of an explosive.

Program personnel will:

- Refer the student to the police department or probation for prosecution.
- Inform and work with the home district to find an appropriate placement.
- Inform the family of the option of attending a charter school in or out of the County.
- Offer the student the option of enrolling in the independent study program or other school program operated by the Yolo County Office of Education.

Additionally, if a student enrolled in a Yolo County Office of Education Community School program violates the following sections of Education code 48900,

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Possessed, sold or otherwise furnished any firearm, knife, explosive, or other dangerous object.
- c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance.
- e) Committed or attempted to commit robbery or extortion.

Program personnel will:

- Refer the student to the police department or probation for prosecution.
- Inform and work with the home district to find an appropriate placement.

- Inform the family of the option of attending a charter school in or out of the County.
- Offer the student the option of enrolling in the independent study program or other school program operated by the Yolo County Office of Education.

A student may choose to enroll in a neighboring district, a charter or a private school at the parent's expense. The charter or private school, however, is under no obligation to accept or serve the expelled student.

### **III. 2018 - IDENTIFIED GAPS IN SERVICES AND PROGRAMS AND STRATEGIES TO ADDRESS THEM**

**A. GAP #1 – Community School Referral Not Appropriate or Approved:** At times, Districts may be forced to expel students with specialized academic needs best served in a Special Day classroom setting. More often than not, Community School can meet the needs of students on Individualized Education Plans. At times, however, a referral to Community School for expelled youth is not accepted for the following reasons:

- 1) The Community School program has no space for the newly referred youth
- 2) The Community school program cannot meet the educational needs of the expelled youth
- 3) The parent of the referred youth has expressly objected to the referral based on one of the following reasons:
  - Reasonable concerns related to the pupils safety
  - Geographic accessibility
  - Inability to transport
  - The school does not meet the pupils educational needs

When a community school referral is not appropriate or not approved of by the Community school screening committee for the reasons listed above, there are limited options for these youth. In these circumstances, the District of Residence is required to provide an alternative setting for these expelled youth.

#### **GAP #1 PROGRESS UPDATE:**

- 1) When all educational options available to the Community School have been exhausted, placement in a contiguous county will be explored.
- 2) Pupils have the option to apply to a private school at no expense to the school district or apply to a Charter School in or out of the County. The private school or charter school is not obligated to accept the pupil.

**B. GAP #2 – Students in Grades TK-6<sup>th</sup> Grade and Grades 7 & 8:** Students expelled in grades below 7<sup>th</sup> grade that are not eligible for a Community school referral have limited options. As a result, these students are not typically expelled and remain enrolled in their District of Residence requiring an extensive amount of intervention and services not standard in the school setting. Referrals can be made to county run services for counseling however, often times the families face extreme barriers to coordinate access and follow through with these recommended services. Students in Grades 7 & 8 are eligible to be referred to the Community School, but depending on enrollment numbers, students may be referred to Independent Studies as the program option.

#### **GAP #2 PROGRESS UPDATE:**

- 1) The Elementary districts will use their local alternatives in providing educational programs for their expelled youth. Yolo County continues to experience small number of pupils at-risk of expulsion from elementary schools. These small numbers continue to pose a cost prohibitive challenge to establishing a classroom for our county's expelled elementary pupils.

**C. GAP #3 – Mental Health Issues:** District input implied that many expulsions in recent time are often connected to behavioral actions that may be related to untreated mental health issues. Yolo County Health and Human Services recently has not had adequate staffing to provide mental health services to all students in need, particularly those who are not Medi-Cal eligible. In addition, typically the youth that requires these extensive mental health services do not have the family support or follow through to access services away from the school campus in a consistent, effective manner. At times, existing school based mental health services are not provided to the students who need it due to the limited number of staff employed to provide these services and often to a lack of Medi-Cal eligibility.

#### **GAP #3 PROGRESS UPDATE:**

Yolo County School Districts implement Schools are participating in MTSS collaborative to provide Tier 1 and 2 supports (no particular order):

The site and district teams learn what works and what does not. Some students need interventions that deal with specific academic skills or deficits. Others need motivation or organizational skills or help with appropriate classroom behavior. Thinking strategies and interventions can aid students who need motivation or organizational skills or help with appropriate classroom behavior. Thinking strategies and interventions can aid students who need help in reading, writing, math, and problem solving. A variety of different interventions may be considered. These interventions remain flexible based on individual needs and the student's response when the intervention is tried.

**GAP #4 – Awarding of Partial Credit Mid Semester:** Many youth in foster care or alternative education programs lose credits due to moving schools at non-traditional breaks in the school calendar. Expelled youth are another population of students who have gaps in their schooling due to the time frame put upon them by expulsion hearings in which they are not able to attend school. Yolo County districts do not have a consistent method for awarding partial credit for youth who leave their school before the end of the semester. The lack of a systematic process for awarding partial credit puts expelled, foster, homeless and delinquent youth even farther behind towards their goal of graduation.

#### **GAP #4 PROGRESS UPDATE:**

California's Partial Credit Model Policy Improving the Educational Outcomes of Foster Youth is provided in the Appendix for reference

#### **IV. ALTERNATIVE PLACEMENTS FOR PUPILS WHO FAIL COMMUNITY DAY SCHOOL**

Under Education Code Section 48660, school districts have the option to operate Community Day Schools to serve their expelled pupils. These schools must operate in accord with all regulations included in Section 48660. In the event that school districts in Yolo County elect to operate Community Day Schools, an alternative must be in place for pupils who fail their placement in district Community Day Schools.

The Community School program operated by the Yolo County Office of Education is available to pupils in grades 7-12 who have been expelled from their district of residence and have failed their placement in district operated Community Day Schools.

#### **V. SPECIAL EDUCATION**

An individual with exceptional needs, as defined in Section 56026, may be suspended or expelled from school in accordance with subsection (k) of Section 1415 of Title 20 of the United States Code, the discipline provisions contained in Sections 300.519 through 300.529 of Title 34 of the Code of Federal Regulations, and other provisions of this part that do not conflict with federal law and regulations.

A free appropriate public education for individuals with exceptional needs suspended or expelled from school shall be in accordance with paragraph (1) of subsection (a) of Section 1412 of Title 20 of the United States Code and subsection (d) of Section 300.121 of Title 34 of the Code of Federal Regulations.

The district acknowledges its responsibilities for matters involving pupils currently enrolled in any Special Education program who are being recommended for expulsion. These include:

- 1) Holding an IEP meeting during which the team addresses whether or not the misconduct was caused by, or a direct manifestation of, the pupils identified disability.
- 2) Determination as to whether the pupil had been appropriately placed at the time of the misconduct
- 3) The IEP team will also determine the appropriate Special Education services to be provided by the district during the period of expulsion. If special education services are warranted, SELPA will provide personnel to deliver Special Education services to students in alternative education settings due to expulsion.

#### **VI. PROCESS OF REFERRAL:**

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

- YCOE Community School Referral Form (Appendix)
- CSIS Number
- Expulsion Rehabilitation Plan (If applicable)
- Attendance and Discipline information
- Current transcripts and grades
- Assessment data
- IEP/504 Plan (If applicable) An IEP Meeting must be held prior to recommending a transfer to the Community School to ensure appropriate placement.

In addition, families must provide FRA a completed enrollment packet.

Once all required information is received, a new student orientation is scheduled prior to enrollment.

Expelled pupils referred to the community school from the districts are under the Rehabilitation Plan developed by the district and will be held accountable to both the district and county.

Cesar Chavez Community School will provide districts with ongoing progress reports and notification of a pupil's change of residence, termination from the program, or completion of requirements of graduation. District administrators will be provided data necessary to meet all necessary reporting requirements associated with Education Code 48916.

**VI. BEST PRACTICES, AT THE SITE AND DISTRICT LEVELS, OF BEHAVIORAL INTERVENTION APPROACHES AND OPTIONS USED TO MINIMIZE THE NUMBER OF SUSPENSIONS LEADING TO EXPULSIONS, OR EXPULSIONS BEING ORDERED, AND TO SUPPORT STUDENTS RETURNING FROM EXPULSIONS.**

Common throughout the best practices is that **clear expectations** for students and support from parents regarding acceptable and non-acceptable school behavior are a key component of an effective plan. Other common practices include:

1. Ongoing communication with, and involvement of, parents
2. In-house "reflection" rather than off campus suspension
3. Character education
4. Response to Intervention (RtI)
5. Student and parent signed behavior agreements at the beginning of the school year which clearly spell out consequences for specific behaviors
6. Positive administrator relationships developed with each student before discipline is needed
7. Employ a PPS-certified, LCSE school social worker
8. Weekly conflict meetings including AVID, GRIP and law enforcement
9. Positive Behavioral Interventions and Supports
10. Utilizing School Resource Officer in collaboration with Woodland Police Department
11. Professional Development for all staff in bullying prevention, cultural awareness and inclusion
12. Weekly communications class focusing on topics such as conflict resolution skills which teach students to manage their own behavior
13. Second step conflict management
14. Crisis Prevention Intervention for staff
15. Student study team meetings
16. Implementation of Second Step for grades K-2



# COMMUNITY SCHOOL EDUCATION CODE

## COMMUNITY SCHOOL EDUCATION CODE

### **EDUCATION CODE - EDC**

#### **TITLE 1 GENERAL EDUCATION CODE PROVISIONS [1. - 32500]**

*( Title 1 enacted by Stats. 1976, Ch. 1010. )*

#### **DIVISION 1 GENERAL EDUCATION CODE PROVISIONS [1. - 32500]**

*( Division 1 enacted by Stats. 1976, Ch. 1010. )*

#### **PART 2. COUNTY EDUCATIONAL AGENCIES [1000 - 2603]**

*( Part 2 enacted by Stats. 1976, Ch. 1010. )*

### **CHAPTER 6.5. County Community Schools [1980 - 1986]**

*( Chapter 6.5 added by Stats. 1977, Ch. 992. )*

#### **1980.**

A county board of education may establish and maintain one or more community schools.

*(Added by Stats. 1977, Ch. 992.)*

#### **1981.**

The county board of education may enroll pupils in a county community school who are any of the following:

(a) Expelled from a school district for any reason other than those specified in subdivision (a) or (c) of Section 48915.

(b) (1) Referred to a county community school by a school district as a result of the recommendation by a school attendance review board. A pupil shall not be referred to a county community school by a school district pursuant to this subdivision unless the school district and the county office of education determine all of the following:

(A) The county community school has space available to enroll the pupil.

(B) The county community school meets the educational needs of the pupil.

(C) (i) The parent, guardian, or responsible adult of the pupil has not expressly objected to the referral based on one or more of the following reasons:

(I) Reasonable concerns related to the pupil's safety.

(II) Geographic accessibility.

(III) Inability to transport.

(IV) The school does not meet the pupil's educational needs.

(ii) The school district may require the objection to be in writing if it has advised the parent, guardian, or responsible adult that they may object, in writing, for one of these reasons.

(2) If the county community school recommended pursuant to paragraph (1) is not geographically accessible to the pupil, the school attendance review board shall also include in its recommendation a school option for the pupil that is geographically accessible to the pupil and meets the criteria specified in paragraph (1).

(3) If the parent, guardian, or responsible adult of the pupil objects for any of the reasons described in subclauses (1) to (IV), inclusive, of clause (i) of subparagraph (C) of paragraph (1), the school district may either address the express objection or find an alternative placement in another comprehensive or continuation school within the school district. If the school district has offered the pupil all other options, the school district may refer the pupil to the county community school.

(4) The pupil has the right to return to his or her prior school or another appropriate school within his or her school district at the end of the semester following the semester when the acts leading to referral occurred. The right to return shall continue until the end of the pupil's 18th year of age, except that a pupil with exceptional needs, consistent with Section 56041 of this code and Section 1412(a)(1)(A) of Title 20 of the United States Code, shall have the right to return until he or she turns 22 years of age.

(c) (1) (A) On probation, with or without the supervision of a probation officer and consistent with an order of a juvenile court, who are considered to be wards of the court under Sections 601 and 602 of the Welfare and Institutions Code and ordered placed pursuant to Sections 725, 729.2, and 791 of, and paragraph (2) of subdivision (a) of Section 727 of, the Welfare and Institutions Code.

(B) Under the supervision of a probation officer, with the consent of the minor and the minor's parent or guardian, pursuant to Section 654 of the Welfare and Institutions Code.

(C) Under the supervision of a probation officer pursuant to Section 726 and paragraph (3) of subdivision (a) of Section 727 of the Welfare and Institutions Code with the consent of the pupil's parent, guardian, or responsible adult appointed by the juvenile court to make educational decisions for the pupil. The enrollment of a minor covered by this paragraph in a county community school shall be consistent with paragraph (2) of subdivision (c) of Section 726 of the Welfare and Institutions Code, which provides that all educational and school placement decisions shall seek to ensure that the youth is in the least restrictive educational program, has access to the academic resources, services, and extracurricular and enrichment activities that are available to all pupils, and are based on the best interests of the child.

(D) Unless specifically ordered by a juvenile court, nothing in this subdivision shall be construed to conflict with the existing rights of a parent, guardian, or responsible adult appointed by the juvenile court pursuant to Section 726 of the Welfare and Institutions Code to make educational placement decisions for the minor.

(E) With respect to a pupil's enrollment in a county community school pursuant to subparagraph (B) or (C), and consistent with paragraph (2) of subdivision (c) of Section 726 of the Welfare and Institutions Code and California Rule of Court 5.651, all of the following shall apply:

(i) The attorney for, or the person holding the educational rights of, a pupil who is under the jurisdiction of the delinquency court may use the procedures set forth in California Rule of Court 5.651 to address any change of placement that results in the enrollment of the pupil in a county community school that is not his or her school of origin.

(ii) The attorney or the person holding the educational rights appointed by the court for a pupil who is under the jurisdiction of the delinquency court may, during a regularly scheduled hearing, raise any concerns with respect to whether the enrollment of the pupil in a county community school is meeting the educational needs of the pupil.

(iii) Nothing in this subparagraph is intended to limit in any way the rights or responsibilities of any person as set forth in paragraph (2) of subdivision (c) of Section 726 of the Welfare and Institutions Code and California Rule of Court 5.651.

(2) On probation or parole and not in attendance at any school, where enrollment is with the consent of the parent, guardian, or responsible adult, or the pupil, if he or she is 18 years of age or older. Nothing in this subdivision shall impact the provision of services or funding for youth up to 25 years of age pursuant to subdivision (b) of Section 1982, as that section read on September 25, 2013.

(3) Expelled for any of the reasons specified in subdivision (a) or (c) of Section 48915.

(4) Enrollment in a county community school pursuant to this subdivision shall be consistent with subdivision (b) of Section 48645.5.

(d) Pupils whose school districts of attendance, or, for pupils who do not have school districts of attendance, school districts of residence, have, at the request of the pupil's parent, guardian, or responsible adult, approved the pupil's enrollment in a county community school, subject to the following:

(1) A pupil shall not be enrolled in a county community school pursuant to this subdivision unless the school district determines that the placement will promote the educational interests of the pupil and the county community school has space available to enroll the pupil.

(2) A parent, guardian, or responsible adult of a pupil enrolled in a county community school pursuant to this subdivision may rescind the request for the placement, and the pupil shall be immediately reenrolled in the school that the pupil attended at the time of the referral, or, with the consent of the parent, guardian, or responsible adult, another appropriate school.

(e) The procedures outlined in subdivisions (b) to (e), inclusive, of Section 51225.2 govern the transfer of credits, records, including special education records, and grades required pursuant to subdivision (a) of Section 48645.5 and Section 49068 when the pupil transfers to and from the county community school.

(f) For purposes of this section, "geographically accessible" means that the pupil can reasonably travel to and from the school and is able to pay for any transportation costs that are above and beyond the costs to attend his or her school of residence or prior school, whichever is farther away.

*(Amended by Stats. 2014, Ch. 837, Sec. 1. Effective January 1, 2015.)*

### **1981.5.**

(a) A pupil who is involuntarily enrolled in a county community school pursuant to subdivision (a) of, or subparagraph (A) of paragraph (1) or paragraph (3) of subdivision (c) of, Section 1981 shall have the right to reenroll in his or her former school or another comprehensive school immediately after being readmitted from the expulsion order pursuant to Section 48916 or court-ordered placement. Nothing in this section is intended to limit the school placement options that a school district may recommend for a pupil being readmitted.

(b) Consistent with the process and procedures set forth in Section 48916, only the governing board of the school district that issued the initial order or subsequent order to expel may extend the duration of an expelled pupil's placement in a county community school.

*(Added by Stats. 2014, Ch. 837, Sec. 3. Effective January 1, 2015.)*

### **1983.**

(a) Pupils enrolled in county community schools shall be assigned to classes or programs deemed most appropriate for reinforcing or reestablishing educational development.

(b) These classes or programs may include, but need not be limited to, basic educational skill development, on-the-job training, school credit recovery assistance, tutorial assistance, and individual guidance activities.

(c) To the extent that independent study is determined to satisfy the individually planned educational program described in subdivision (d) for a pupil attending a county community school, it shall meet all the requirements of Article 5.5 (commencing with Section 51745) of Chapter 5 of Part 28 of Division 4 of Title 2, including the requirement that entry into that program is voluntary.

(d) An individually planned educational program based upon an educational assessment shall be prescribed for each pupil.

(e) The course of study of a county community school shall be adopted by the county board of education and shall enable each pupil to continue academic work leading to the completion of a regular high school program.

(f) Pursuant to Part 30 (commencing with Section 56000) of Division 4 of Title 2 of this code, Chapter 33 (commencing with Section 1400) of Title 20 of the United States Code, and accompanying state and federal regulatory provisions, county boards of education operating county community schools shall ensure that assessments are administered in all areas of suspected disability and appropriate services and programs, as specified in a pupil's individualized education program, are provided.

(g) County boards of education operating county community schools shall ensure that appropriate services and programs designed to address the language needs of pupils identified as English learners are provided in compliance with all applicable state and federal laws and regulatory provisions.

*(Amended by Stats. 2014, Ch. 837, Sec. 4. Effective January 1, 2015.)*

### **1984.**

For the purposes of establishing and maintaining a county community school, a county board of education shall be deemed to be a school district.

*(Added by Stats. 1977, Ch. 992.)*

### **1986.**

(a) The Legislature hereby recognizes that community schools are a permissive educational program.

(b) If a county superintendent of schools elects to operate a community school pursuant to this chapter, he or she shall do one or more of the following:

(1) Utilize available school facilities that conform to the requirements of Part 2 (commencing with Section 2-101), Part 3 (commencing with Section 3-089-1), Part 4 (commencing with Section 4-403), and Part 5 (commencing with Section 5-102), of Title 24 of the California Code of Regulations.

(2) Apply for emergency portable classrooms pursuant to Section 17717.2 or Chapter 25 (commencing with Section 17785) of Part 10.

(3) Enter into lease agreements provided that the facilities are limited to one of the following:

(A) Single story, wood-framed structure.

(B) Single story, light steel frame structure.

(C) A structure where a structural engineer has submitted a report that determines substantial structural hazards do not exist. The county board of education shall review the report prior to approval of the lease and may reject the report if there is any evidence of fraud regarding the facts in the report.

(c) Before entering into any lease pursuant to paragraph (3) of subdivision (b), the county superintendent of schools shall certify that all reasonable efforts have been made to locate community schools in facilities that conform to the structural safety standards listed in paragraph (1) of subdivision (b).

(d) This section shall become operative on July 1, 1990.

*(Amended by Stats. 2012, Ch. 728, Sec. 21. Effective January 1, 2015)*

# SAMPLE DISTRICT REHABILITATION PLAN

## REHABILITATION PLAN

Student: \_\_\_\_\_

The above-named student is provided this Rehabilitation Plan pursuant to Education Code section 48916. Section 48916 provides, in pertinent part, "the governing board shall recommend a plan of rehabilitation for the pupil at the time of the expulsion order, which may include, but not be limited to, periodic review as well as assessment at the time of review for readmission. The plan may also include recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service, or other rehabilitative programs."

## REHABILITATION PLAN:

### **Improved Academic Performance**

\_\_\_\_\_ Students shall be enrolled in an accredited/approved alternative education placement offering at least a core curriculum of Language Arts, Math, Social Studies, and Science for grade \_\_\_\_\_.

\_\_\_\_\_ Student must complete \_\_\_\_\_ credits toward high school graduation during the semester/year enrolled in an accredited alternative education placement.

\_\_\_\_\_ Student must maintain a minimum 2.0 GPA in all courses taken toward high school graduation.

### **Tutoring**

\_\_\_\_\_ In order to meet grade level performance standards, it is *recommended* that student participate in a reading/math/study skills improvement program if offered through the accredited/approved alternative education placement or, if not available at school site, through other sources at student's own expense.

### **Attendance**

\_\_\_\_\_ Student shall maintain a 95% actual attendance rate for the semester/year enrolled in an accredited alternative education placement.

\_\_\_\_\_ More than ten (10) days absence for any reason, excused or unexcused, shall be regarded as a violation of the rehabilitation plan.

\_\_\_\_\_ Any tardiness or period cut shall be regarded as a violation of the rehabilitation plan.

## KEY TERMS

**COUNTY COMMUNITY SCHOOL:** Refers to an educational program offered by the county office of education under authority of Education Code Section 1980 (c). County community schools are optional programs.

**DISTRICT COMMUNITY DAY SCHOOL:** Refers to an educational program offered by a local school district in accordance with Education Code Section 48660 et seq. District community day schools are optional programs.

**EXPULSION:** Expulsion means removal of a pupil from the immediate supervision and control, or the general supervision, of school personnel, as those terms are used in Education Code Section 48900. In accordance with law, certain infractions require a board to expel a student while other infractions are optional in this regard. Please see the appendix for a more thorough discussion of the criteria for suspension/expulsion from school.

**EXPULSION ORDER:** Refers to the specific action of the governing board of a local school district to remove a pupil from attendance. Only a governing board can expel a student under authority described in Education Code Section 48918 (j).

**INDEPENDENT STUDY:** Describes an instructional approach wherein an individualized program (plan) of study is created for a student with most of the instruction occurring at home, or in the community, and not under the direct supervision of a credentialed teacher. Many independent study programs require as little as one hour of direct instruction per week with the remaining time in student self-directed study. Independent study programs are optional and, if authorized under local board policy, require parent and student approval before being utilized.

**REHABILITATION PLAN:** Refers to the required component within any order of expulsion that requires the board to describe a plan for rehabilitation for the expelled pupil. That plan may include, but is not limited to: a) periodic review and assessment at the time of review for readmission; b) recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and/or other rehabilitation programs; and c) with parent/guardian consent, enrollment in a county-supported drug rehabilitation program if the offense was related to controlled substances as defined in Sections 11054 to 11058, inclusive, of the Health and Safety Code, or alcohol. (Reference Education Code Section 48916.5).

**SUSPENDED EXPULSION:** Refers to an action by the governing board to suspend their order of expulsion under certain conditions mutually agreed to by the student, the parent/guardian, and the board. A suspended expulsion plan typically requires the student to maintain appropriate behavior and positive attendance/academic progress during what would have been the term of expulsion. The penalty for failing to adhere to such terms and conditions automatically voids the suspension and results in the original expulsion order being implemented without further review by the board. Only those expulsions for behaviors considered "less serious" may be considered for possible suspension.

**JOINT EDUCATION SERVICES PLAN FOR EXPELLED YOUTH WITHIN YOLO COUNTY**

This document represents the official 2018-2021 countywide Joint Education Services Plan for Expelled Students within Yolo County.

  
Jesse Ortiz, Ed.D., Superintendent  
Yolo County Office of Education

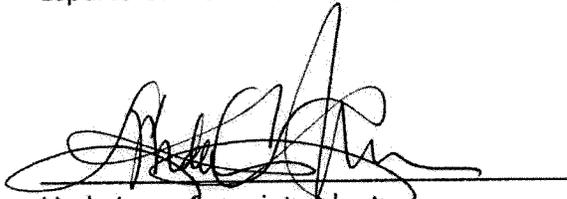
5/14/18  
Date

  
John A. Bowes, Ed.D., Superintendent  
Davis Joint Unified School District

5/14/18  
Date

  
Diego Ochoa, Superintendent  
Esparto Unified School District

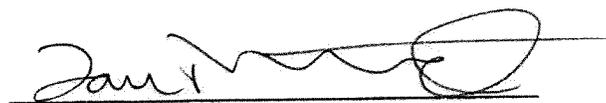
5/14/2018  
Date

  
Linda Luna, Superintendent  
Washington Unified School District

4 May 2018  
Date

  
Todd Cutler, Ed.D., Superintendent  
Winters Joint Unified School District

5/14/18  
Date

  
Tom Pritchard, Superintendent  
Woodland Joint Unified School District

5/14/18  
Date