

**Yolo County Office of Education**

**Plan for Providing Educational Services to all Expelled Pupils**

**In**

**Yolo County**

**July 1, 2015 – June 30, 2018**

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With the enactment of AB 922, Statutes of 1995, Chapter 974, Education Code section 48926 requires each county superintendent who operates community schools, in conjunction with the superintendents of the school districts within the county, must develop a plan for providing education services to all expelled students.

1. The plan shall be adopted by the governing board of each school district within the county and by the county board of education.
2. The plan shall:
  - A. Enumerate existing educational alternatives for all expelled pupils;
  - B. Identify gaps in educational services to all expelled pupils;
  - C. Identify strategies for filling those gaps in services; and,
  - D. Identify alternative placements for pupils who are expelled and placed in district community day school programs, but who fail to meet terms and conditions of their rehabilitation plan in district Community Day Schools

Pursuant to Section 48926, a Task Force of representatives from each Yolo County school district has met to develop a comprehensive continuum of services to ensure that the educational needs of expelled students are met and that programs and interventions are in place to move each expelled pupil along the path to high school graduation. The plan for providing educational services to all expelled pupils in the county was first developed in 1997. Districts and County Offices of Education are required to revise and submit an updated plan every three years. This particular plan reflects revisions made to the 2009-2012 AB 922 Expulsion Plan. District representatives will meet quarterly every year to update, revise and enhance communication regarding this plan through the Yolo County Office of Education Alternative Education Consortium.

The following goals serve as guidelines for countywide programs serving expelled students:

- Students will successfully complete an individualized rehabilitation plan that will enable the student to return to their home school.
- Students will exhibit appropriate behavior and have good school attendance.
- Students will be provided a learning environment that is accepting of all students, increases resiliency and enhances self esteem.
- Students will be provided an academic program of instruction that is aligned to State standards and incorporates skills that will help them be socially and emotionally successful.
- Students will be assisted in making a smooth transition back to their home school.

Education Code Section 48916.1 states, *“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 for the period of the expulsion....”*

In compliance with Section 48916.1 every Yolo County school district governing board shall refer each expelled pupil to an appropriate educational placement for the period of expulsion. This plan outlines the educational placements available to students in Yolo County and addresses several issues related to providing expelled students an educational placement.

The educational placement of an expelled pupil shall be determined on an individual basis by the school district’s governing board based on available alternatives, seriousness of the offense, characteristics, needs of the district and other related factors. County level alternatives for expelled pupils in grades 7-12 are available to all expelled pupils. Program placement will depend on the needs of the student and program capacity.

While the countywide plan defines alternatives for expelled pupils available countywide, district alternatives for expelled pupils are contained in each district’s plan. The countywide plan together with each district’s plan identifies all the alternatives available to Yolo County’s expelled pupils. Each district plan includes:

- Existing educational alternatives for expelled pupils.
- Delivery of special education services to expelled students.
- Alternative placements for pupils who fail Community Day School.  
(For districts that operate Community Day Schools)

Educational alternatives provided by Yolo County School districts may not be available to all expelled pupils. Seriousness of offense, location of offense, and grade level of the pupil all has potential to restrict the district level educational alternatives available to the pupil during the period of expulsion. Pupils expelled for any of the offenses listed in subdivision (a) or (c) of Section 48915 of the California Education Code “*shall not be permitted to enroll in any district operated program during the period of expulsion unless it is a Community Day School*” (E.C. 48915.2). “*All expelled pupils shall be referred to an educational placement that is not provided at a comprehensive middle, junior or senior high school, or any elementary school, and not housed at the school site attended by the pupil at the time of the offense. If the expelled pupil is in grades K-6, the educational placement for the pupil shall not be merged or combined with educational programs offered to pupils in grades 7-12*” (E.C. 48916.1).

Most Yolo County school districts are examining the demographics of students who have been suspended and expelled so that they are aware of the proportionate representation of students in these interventions. In addition, staff members from some school districts have participated in the Equity Summit at the University of California at Davis that promotes awareness of this issue.

In addition to the above listed requirements, such factors as district size and location, district level alternatives, district philosophy and county level alternatives can impact the determination by a district board of education of what educational alternatives are appropriate for expelled students.

### **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 placed in our community school programs receive supportive counseling and probation through grants awarded to Yolo County Office of Education or other supportive agencies. Students housed in the juvenile hall (Dan Jacobs School) also receive supportive counseling services through the Department of Alcohol, Drug and Mental Health 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.

### **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.

### **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:

- 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.
- Determination as to whether the pupil had been appropriately placed at the time of the misconduct
- 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.