

# **THE SIERRA COUNTY PLAN FOR EXPELLED YOUTH 2009**

## Education Code-48926

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 30<sup>th</sup> 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 educational program is provided to the pupil who is subject to the expulsion order for the period of the expulsion, but only to the extent funds are appropriated for this purpose in the annual Budget Act or other legislation, or both.

## Overview

Sierra County is a single district county with four distinctly different communities, which serves a large geographic area. The Sierra County Office of Education and the Sierra-Plumas Joint Unified School District are limited in the respect to which they are able to provide educational alternatives to expelled youth where the development of either county or district specific classes or programs for such students is difficult financially and/or geographically.

Sierra-Plumas Joint Unified School District will provide educational and managerial oversight of the educational programs to ensure students meet or exceed the local and

state standards. These standard will be maintained in any intervention program or alternate placement.

Early intervention strategies are the major focus of the small county and district programs. Sierra County and the Sierra-Plumas Joint Unified School District provide early intervention strategies which include, but are not limited to, high risk counseling, Response to Intervention teams, academic and emotional assessments, special needs preschool, special education services, and after school activities. Sierra County will focus its efforts on early identification of high-risk students through the Response to Intervention process employed at each school site. The School Attendance Review Board will serve as an ancillary referral process. Intervention strategies will be employed through a contract agreement for services and behavioral expectations. Special programs and community agencies will be considered for intervention with a prescriptive plan written for each referral.

#### Existing Educational Alternatives for Expelled Youth

The Sierra-Plumas Joint Unified School District located within Sierra and Plumas Counties offers the following options for expelled youth:

1. expulsion with placement in the Sierra-Plumas Joint Unified School District Opportunity Program:
2. expulsion with referral to the Sierra-Plumas Joint Unified School District continuation school;
3. suspended/expulsion with placement on district independent study program, if the parent agrees; or
4. suspended/expulsion with placement on the same school campus with a independent study contract.

#### Expulsion of Special Education Students

A pupil with a disability cannot be expelled unless certain procedural safeguards are followed. A manifestation determination IEP meeting is held to review the pupil's behavior and develop conduct/behavior intervention plans, as needed. Other items of discussion will include: evaluation and diagnostic results; observation of the pupil; IEP and placement; special education services; supplementary aids/services; behavior intervention strategies; ability of the pupil to understand the impact and consequences of the behavior; and, the pupil's ability to control the behavior.

1. The IEP team will determine if the misconduct was a manifestation of the pupil's disability.

2. The IEP team will determine if the pupil was appropriately placed at the time of the incident.
3. The IEP team may consider an interim alternative setting.

If the misconduct was not a manifestation of the pupil's disability and if the pupil was appropriately placed at the time of the incident, then the pupil is subject to the same disciplinary procedures as general education pupils.

If the parents disagree with the IEP findings, they may file for due process. The expulsion process stops until the outcome of the due process proceedings are concluded. If a pupil is expelled, the district has an obligation to provide FAPE in an alternative setting.

### Gaps in Educational Service

There are several major gaps, which exist in schools in Sierra County with respect to providing educational services to expelled pupils:

1. The Sierra-Plumas Joint Unified School District generally expels very few or no students during the course of a school year; so few students are expelled that having a special class or program for such students, within each of the four distinct communities, is not financially possible.
2. Students who are expelled by the district vary as to age, grade level, and expulsion offenses. The age and grade-span alone, under current California Education Code, would require separate Community Day School sites for the limited number of expelled students grades K-6 and 7-8.
3. There are significant geographical distances between each community, thus County or district operated school or classroom sites/programs require either extensive bussing, which is not financially feasible for the district, or parent provided transportation, which is often impossible for the parents.
4. The Community Day School option for expelled students, as described in current California Education Code, is difficult for the following reasons:
  - a. The Education Code that outlines the creation of Community Day School programs does not provide adequate funding to allow small school districts to develop such programs
  - b. Access to 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 bookkeeping and record keeping

- c. 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

#### Strategies for Addressing Identified Gaps in Service

The strategies for addressing the identified gaps in educational services for expelled youth are:

1. To continue to use existing district educational strategies for early identification and to employ a master agreement to ensure that expelled students have a course of study commensurate with state standards.
2. To refer expelled students to the Sierra-Plumas Joint Unified School District Continuation School, Opportunity program, and the Independent Study program. These programs will be options for those students who will need to be separated from the home school for a period specified on the SARB contract or as directed by the board of education.

We hereby agree to this plan and certify that the agreements made here will be honored.

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Stan Hardeman  
Superintendent  
Sierra County Office of Education  
Sierra Plumas Joint Unified School District

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Date