

# Sutter County Plan for Expelled Youth 2015-2018

## Memorandum of Understanding

By and Between

Sutter County Superintendents of Schools Office

And

Brittan Elementary School District

Browns Elementary School District

East Nicolaus Joint Union High School District

Franklin Elementary School District

Live Oak School District

Marcum-Illinois Union School District

Meridian Elementary School District

Nuestro Elementary School District

Pleasant Grove Joint Union School District

Sutter Union High School District

Twin Rivers Charter

Winship-Robbins Elementary School District

Yuba City Unified School District

Yuba City Charter

## Program Overview

Education Code 48926 requires each County Superintendent, operating County Community Schools (CCS) to develop, in conjunction with school district superintendents, a countywide plan for providing educational services to all expelled students in the county. The plan must be adopted by each school district's governing board and by the County Board Of Education. Educational programs established to serve expelled youth may be provided by the school district, the County Superintendent of Schools, or in joint agreement of the County Superintendent to schools.

Chapter 974, Section 8, was enacted into law in 1995 as a result of passage of Assembly Bill 922, Friedman. Section 48926 requires the development of a plan for providing education services to all expelled students. The text of the section reads:

“Each county superintendent of schools in counties that operate community schools pursuant to Section 1980, in conjunction with superintendents of the school districts with the county, shall develop a plan for providing education services to all expelled pupils in that county. The plan shall be adopted by the government 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 are 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 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 48916.1, on June 30<sup>th</sup> thereafter.

### **COUNTY COMMUNITY SCHOOLS**

County community schools educate students who are expelled from school or who are referred because of attendance or behavior problems. They also serve students who are homeless, on probation, and who are not attending any school. Parents or guardians also may request that their child attend a county community school.

### **EXISTING SCHOOL DISTRICT ALTERNATIVES FOR EXPELLED YOUTH**

Each school district shall take steps to see that services are provided for pupils who have an expulsion hearing. A pupil whose behavior has resulted in an expulsion is entitled to a hearing. A pupil whose behavior 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. The 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 Sutter County for pupils recommended for expulsion include, but are not limited to:

- Expulsion, suspend order, with placement on the same campus.
- Expulsion, suspended order, with placement on a different school campus within the district.
- Expulsion, suspended order, with placement in district independent study, if the parent/guardian consents.
- Expulsion with referral to a district community day school, if available
- Expulsion with subsequent transfer to another district.
- Expulsion with referral to the Sutter County Superintendent of Schools community school program (grades 7-12).

## **EXPULSION**

Education Codes 48900, 48900.2, 48900.3, 48900.4, 48900.7, 48915 describe the offenses that may or shall result in the suspension or expulsion of a student from his/her school of attendance. Education Code 48916.1 requires the governing board of the expelling district to ensure that an educational program is provided for the expelled pupil for the duration of the expulsion. Additionally, the district of residence maintains the responsibility for developing a rehabilitation plan for the expelled student and referring the student to an appropriate educational setting. Part of this plan will include a review of the district rehabilitation directives to be completed prior to readmission to the school district of resident.

When the District determines that an educational option does not exist within the District for grades 7-12 expelled students, the District may refer the student to Feather River Academy. Sutter County Superintendent of Schools will review the rehabilitation plan and develop an Individual Learning and Career Plan. Placement will then be made to Feather River Academy.

Staff from the County Superintendent's Office, in conjunction with the County Probation Department (when appropriate) and the referring school district, will collaboratively develop alternate strategies for those Community School students who have difficulty meeting the terms of their plan or who continue to pose a danger to other students.

## **PROCESS OF REFERRAL:**

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

- FRA Referral Form (see above regarding who may attend FRA)
- CSIS Number
- Expulsion Rehabilitation Plan (If applicable)
- Attendance and Discipline information
- Current transcripts and grades
- Assessment data
- IEP/504 Plan (If applicable)

In addition, families/caregivers 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 FRA from the districts are under the Rehabilitation Plan developed by the district and will be held accountable to both the district and county. For all pupils referred to FRA, if the placement at FRA does not result in meeting the pupil's needs or the pupil commits an offense(s) that preclude their continuing at FRA, the FRA staff will:

- Offer the student the option of enrolling in ISP (Independent Studies Program (If appropriate)
- Refer the pupil to the police department or probation (if appropriate)
- Inform and refer the pupil to their home district to find an alternative placement
- Inform the family/caregiver of the option of attending a charter school in or out of the county, or a private school (at the families expense)

Feather River Academy 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.

### **SPECIAL EDUCATION**

Any pupil referred to Feather River Academy that has an active IEP, must present a copy of his/her most recent IEP upon registration. It is the responsibility of the referring district to complete a change of placement IEP meeting prior to sending the pupil to FRA. The district shall invite a representative of FRA to the IEP meeting. At the meeting, the IEP team will determine how the provisions of the IEP will be implemented at FRA. Every effort must be made to ensure compliance with PL 101476 in the event of a special education student expulsion. It is anticipated that the FRA staff and the special education staff of the referring district will coordinate efforts to determine the most appropriate placement and the continuity of the IEP implementation.

Should it become necessary to reevaluate the appropriateness of services and/or placement as mandated in a pupil's IEP while attending Feather River Academy, a meeting will be held with representatives from the referring district to discuss change of service or placement.

**SUPPORT FOR STUDENTS RETURNING FROM EXPULSIONS**

Transition support for students include an exit meeting with school-based staff and Feather River Academy staff; review of strategies designed to assist students in avoiding at-risk behaviors at their home school; a caring adult mentor established as the point of contact at their home school; check-in services and counselor access are all available to students who have transferred back to their comprehensive programs.

**COMMUNICATION**

District and county representative will meet at a minimum annually, more often if needed, during each school year to update, revise and enhance communication regarding this plan.

**ANALYSIS OF PLACEMENT OPTIONS**

<b>GAP</b>	<b>RECOMMENDATION/ STRATEGY</b>	<b>PROGRESS/UPDATE</b>
<p>A pupil expelled under Education Code 48915 by a district could potentially reoffend under Education Code 48915, during placement in a district community day school or a county community school, resulting in a referral back to the district of residence.</p>	<p>The county and district will exhaust their existing programs, in conjunction with the Probation Department (when appropriate); to determine an educational program that provides the pupil with educational options.</p>	<p>1) When all educational options available to Feather River Academy have been exhausted, placement in a contiguous county will be explored. 2) Sutter County Superintendent of Schools has established a reciprocal consideration relationship with Yuba and Colusa counties in order to address the service</p>

		<p>gap identified in the 2012 Plan.</p> <p>3) 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.</p>
<p>Elementary schools expel very few students.</p>	<p>The Elementary districts will use their local alternatives in providing educational programs for their expelled youth.</p>	<p>Sutter County continues to experience a small number of pupils expelled from elementary schools. These small numbers continue to pose a cost prohibitive challenge to establishing a classroom for our county's expelled elementary pupils.</p> <p>This strategy remains in effect.</p>
<p>The geographic spread of the schools and Feather River Academy presents a transportation challenge for the pupils and referring school district.</p>	<p>Feather River Academy does not provide transportation for any students. Monthly bus passes are provided to each student.</p>	<p>The county receives a limited number of referrals from schools not within the city limits of Yuba City. One staff member is available each morning to pick up students. In addition, students are offered Independent Study making it easier to access the program because they are required to come to campus one day per week. This strategy remains in effect.</p>
<p>Elementary students may not be housed on the same campus as students in grades 7-12. Currently, Feather River Academy's programs are housed on a single site.</p>	<p>In the event that a program is established by the County Superintendent of Schools to serve elementary pupils, an alternative location will be developed in conjunction with the districts.</p>	<p>This strategy remains in effect.</p>

A student who no longer is able to attend Feather River Academy will be referred back to their district of residence.	There is a lack of alternatives in the area that are willing or able to serve expelled students.	Students and families receive a list of schools to assist students in finding a new school.
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**BEHAVIORAL INTERVENTION APPROACHES AT FEATHER RIVER ACADEMY (AS A MEANS TO MINIMIZE THE NUMBER OF SUSPENSIONS):**

Alternative means of corrections may include, but are not limited to (in no particular order):

The Response to Intervention (RTI) process helps us 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.

Tier I

- Warning
- Parent/Teacher contact
- Referral to on-site counseling and/or IPP staff

Tier II

- Exclusion from school activities
- Behavior contract
- Community referral services
- Parent visitation in class
- Student Success Team (SST)
- Projects on campus
- Community service

### Tier III

In-school suspension

Behavior support plan

Placement in an alternative classroom for a defined time period

Referral to SARB (School Attendance Review Board)

Students attending Feather River Academy participate in counseling programs and are closely supervised by the Sutter County Probation Department (as appropriate).

Programs include, but are not limited to:

- Cognitive Behavioral Therapy (CBT)
- Functional Family Therapy (FFT)
- Seeking Safety Program
- Moral Recognition Therapy (MRT)
- Aggression Replacement Therapy (ART)
- Pro-social small-group counseling

In addition, students receive support from the Sutter County Superintendent of Schools IPP (Intervention, Prevention and Program) staff, and counseling from the school psychologist and on-site school counselor. Lastly, the Yuba Sutter Mental Health Department provides programs and support to FRA staff, students and families.

Feather River Academy staff was trained in Capturing Kids Hearts in 2013.

**“If you have a child’s heart, you have his head.”™ - Flip Flippen**

Truly remarkable outcomes are possible in a classroom where trust, respect, and caring relationships flourish. But creating such an environment is a tremendous challenge.

Capturing Kids' Hearts is a 3-day off-site learning experience that provides tools for administrators, faculty and staff to build positive, productive, trusting relationships — among themselves and with their students. These processes can transform the classroom and campus environment, paving the way for high performance.

## REVENUE

The districts will pass all ADA revenue generated by pupils while in attendance at FRA, including but not limited to Supplemental and Concentration funds, Lottery and special one-time funds to the Sutter County Superintendent of Schools Office. 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 the program's use. A district's share of program use will be calculated based on the number of student attendance days generated by students referred from the district to the county program. Districts shall be directly involved in creating new programs that address specific district needs and which may generate costs to the districts.

Districts agree to notify the Sutter County Superintendent of Schools by January 15<sup>th</sup>, of the school year prior to implementing alternative programs that would result in significant loss of ADA for the community school. The notification would allow the Sutter County Superintendent of Schools to make appropriate adjustments in staffing for the following year and present March 15 lay-off notifications as required by Education Code if necessary. Should a district fail to notify the County Superintendent in a timely manner, and deficits result, the district will be included in the bill back based on figures generated from the prior attendance period, whether the district remains in the in the program or not.