

Sutter County
Plan for Providing Educational Services to Expelled Students
2018-2021

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

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I. Legislative Overview

California *Education Code (EC)* Section 48926 requires each county superintendent, operating County Community Schools (CCS) to develop, in conjunction with school district superintendents, a plan for providing educational services to all expelled students in that 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 with the County Superintendent to Schools.

Chapter 974, Section 8, was enacted into law in 1995, as a result of the passage of Assembly Bill 922, Friedman. Section 48926 requires the development of a plan for providing education services to all expelled students and the submission of the plan to the State Superintendent of Public Instruction prior to June 30, 1997, as well as triennial updates since satisfying requirements associated with the 'county plans for provisions of educational services to expelled students.' In addition, this plan shall be distributed to every district superintendent in Sutter County as required by law.

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 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 30th thereafter.

Education Code 48916.1

(a) At the time of 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 during the expulsion period. 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. 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 residence.

When the School 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 Plan (ILP).

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.

III. Countywide Educational Service Plan for Expelled Students

Educational programs within Sutter County provide excellent opportunities for students who are in need of traditional and/or alternative education programs. Local school districts offer a broad spectrum of services augmented by Sutter County Superintendent of Schools programs, providing a continuum of services to expelled students.

- Intervention strategies on comprehensive school sites, alternative programs on and off comprehensive school sites, and/or referral to the Sutter County Superintendent of Schools programs respond to student diversity and community needs by providing opportunity for academic, social and emotional success. Educational leaders meet regularly throughout the year and throughout the county on a number of topics, including reviewing best practices in serving high-risk youth and families. These groups include but are not limited to, Superintendents' Council, Curriculum and Instruction, Educational Services, Tri-County Induction Program, School Attendance and Review Board (SARB), Special Education Local Plan Area (SELPA), Human Resources, Internal and External Business, Professional Development, Adult Education, Tri-County ROP, Sutter One Stop, Shady Creek, Family Assistance Service Team (FAST) and The Family Intervention Team (FIT).

Each school district provides intervention strategies that may include, but are not limited to, providing counseling, student study teams, academic and emotional assessments, parent trainings, in-school suspensions, off campus suspensions, Special Education services, after school activities, School Based Mental Health, and Child Welfare and Attendance.

IV. Sutter County Superintendent of Schools Alternatives

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

V. Existing School District Alternatives

Each school district shall take steps to see that services are provided for pupils who are expelled. 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 (DOR). If an expelled student moves into a new district it becomes the responsibility of that district to outline the conditions for readmission for that student. 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 day school program (grades 7-12).

VI. County Community School (FRA) Referral Process

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

- FRA Referral Form
- CSIS Number
- Expulsion Rehabilitation Plan (If expelled)
- 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 are under a *Rehabilitation Plan* developed by each district and will be held accountable to both the district and county for following the plan. 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 precludes them from 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 DOR with ongoing progress reports and notification of a pupil's change of residence, termination from the program, or completion of requirements for graduation. FRA will provide each district the data necessary to meet all necessary reporting requirements associated with Education Code 48916.

VII. Referral Process for Students Receiving Special Education Services

Any pupil referred to Feather River Academy with an active IEP, must follow the established process to assure due process adherence. The following steps include:

1. The DOR will notify FRA when the placement of a special education student is considered. It is the responsibility of the referring district to complete a change of placement IEP meeting prior to sending the pupil to FRA. At the meeting, the IEP team will determine the provisions of the IEP and their implementation at FRA.
2. Prior to the placement IEP and/or expulsion, the DOR will send FRA and Sutter County Special Education (SPED) administration the most current IEP, all addendums, intervention logs, attendance and discipline, and give SEIS access to the student, followed by email notification for the pending review.
3. After sending the IEP paperwork to the FRA and SPED administration, an IEP meeting can be scheduled by the DOR to consider placement at FRA. The DOR does not need to wait for the FRA review to be complete in order to schedule the IEP meeting. However, the DOR must allow a minimum of one (1) week between sending the IEP to FRA and holding the IEP meeting. This process also applies to students who are being recommended for expulsion. The DOR will need to send a Rehabilitation Plan for any student who is recently expelled or any expelled student who has moved into the district along with a referral.
4. FRA/SPED administration will make a request to the referring DOR should any further documentation be needed.

FRA will ensure compliance with PL 101476 in the event of a special education student expulsion. 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. Feather River Academy, will meet with representatives from the referring district to discuss changes of service or placement.

VIII. Support for Students Returning from Expulsion

Transition support for students include an exit meeting with Feather River Academy staff, review of strategies designed to assist students in avoiding at-risk behaviors at their home school, and a caring adult mentor established as the point of contact at their home school. Check-in services and counselor access are available to students who have transferred back to their comprehensive programs. District and county representatives will meet annually or more often if needed, during each school year to update, revise and enhance communication regarding this plan.

IX. Gaps in Educational Services for Expelled Students

There are several potential gaps in providing a comprehensive service model for expelled youth in Sutter County as identified in the 2015 plan. The districts and Sutter County Superintendent of Schools Office must work to develop solutions that are both educationally sound and financially possible.

1. 2015 Identified Gap and Strategy: 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.
 - a. 2015 Strategy: 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.
 - b. 2018 Update:
 - When all educational options available to Feather River Academy are exhausted, placement in a contiguous county will be explored.
 - Sutter County Superintendent of Schools has established a reciprocal relationship with Yuba and Colusa counties to address the service gap identified in the 2012 Plan.
 - 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.
2. 2015 Identified Gap and Strategy: The geographic spread of schools in Sutter County present a transportation challenge for the pupils and referring school districts to Feather River Academy.

- a. 2015 Strategy: Feather River Academy does not provide door-to-door transportation for any student. However, each student receives a monthly bus pass based on attendance and behavior.
 - b. 2018 Update: 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 receive Independent Study making it easier to access the program because they are required to come to campus only one day per week. This strategy remains in effect.
3. 2015 Identified Gap and Strategy: 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. Also, Elementary schools expel very few students.
- a. 2015 Strategy:
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. The Elementary districts will use their local alternatives in providing educational programs for their expelled students. This strategy remains in effect.
 - b. 2018 Update: 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 Sutter County's expelled elementary pupils. This strategy remains in effect.
4. 2015 Identified Gap and Strategy: Students whose behavior becomes increasingly dangerous or whose truancy does not respond to Probation or judicial consequences may no longer qualify to attend Feather River Academy and may be referred back to their DOR.
- a. 2015 Strategy:
Students with increasing behavior or truancy problems are referred to the School Attendance Review Board (SARB), Family Assistance Service Team (FAST), or The Family Intervention Team (FIT). However, there are high-risk students and families that defy all efforts to assist students to respond in a socially appropriate manner.
 - b. 2018 Update:
In an effort to support students and families FRA developed, an afterschool program designed to provide education for students who have no other options. This program follows an Independent study program style with the exception that an after school student could attend ISP daily if determined appropriate by FRA and parent. In the case where the after school program is not an option FRA will provide the students family a list of alternative schools and assist students in finding a new school and advise the district of residence.

X. School Wide Focus and Foundation

In 2013 Feather River Academy staff received Capturing Kids Hearts training. The philosophy being “**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. These processes transformed the classroom and campus environment, paving the way for high performance.

In 2016 FRA realized that the Capturing Kids Hearts process was less effective with some high-risk students and became aware that *The Nurtured Heart Approach* (NHA) would provide a more comprehensive foundation for students. An increasing number of FRA’s Partnerships, are also implementing NHA as a common intervention platform. In August, 2017, FRA took all staff to a weeklong training in *The Nurtured Heart Approach* resulting in FRA staff receiving “Certified Trainer” status. This approach in conjunction with the implementation of MTSS represents the foundation for aligning services for FRA Students, Families, and Communities with one system for increasing positive pupil outcomes.

The mental health needs of students and their families is rising, and FRA has responded by carefully developing a multi-year plan to drive our school theme and direction in support for increased student outcomes. The following represents our plan to study and implement programs to support all students:

- Capturing Kids Hearts
- The Growth Mindset
- Individual and Group Capacities
- Trauma-Informed Care (ACES)
- The Nurtured Heart Approach
- Positive Behavioral Interventions & Supports (PBIS)
- Restorative Justice

XI. California SUMS (Scale Up MTSS Statewide) Initiative and Systems Alignment

Over the last several years, FRA employed the Response to Intervention (RTI) process helping us learn what works and what does not with at-risk students. Some students need interventions that deal with specific academic skills or deficits. Others need motivation or organizational skills or help with appropriate classroom behavior. Currently the RTI system is expanding into the Multi-Tiered System of Support (MTSS). These systems of interventions remain flexible based on individual needs but are expanding to encompass the concept that we move to **One System**, not many systems for all students.

FRA is involved in the implementation of the California SUMS (Scale Up MTSS Statewide) Initiative, which means that Academic, Behavioral, Social and Emotional needs of **ALL** students, families and the communities are considered in the work we do. The alignment of the Local Control Accountability Plan (LCAP) and the Multi-Tiered System of Support (MTSS) process considers the following:

	<u>Condition of Learning</u>	<u>Engagement</u>	<u>Pupil Outcome</u>
<p><u>LCAP</u></p> <p>The LCAP is a critical part of the new Local Control Funding Formula (LCFF). Each school district must engage parents, educators, employees and the community to establish these plans.</p>	<p>Students are provided with safe and well-maintained schools. Teachers are fully credentialed to teach their subject area and students are provided with a broad course of study that helps them develop critical thinking skills and prepares them to be civically engaged and college ready.</p>	<p>Students are provided with motivating programs, coursework and opportunities where they feel respected, included socially and emotionally and cared for both in and out of the classroom. Families, schools, and communities work closely together to build a strong framework for student achievement.</p>	<p>Students' achievement means improving outcomes for all students to ensure student success.</p>
<p><u>MTSS</u></p> <p>An integrated, comprehensive framework that focuses on instruction, differentiated learning, student-centered learning, individualized student needs, and the alignment of systems necessary for all students' academic, behavioral, and social success.</p>	<p>All students regardless of age, race, zip code, language, physical challenge, intellectual ability, capacity or competency are provided with the most inclusive learning environment.</p>	<p>Families and community members are partners where they have options for meaningful involvement in student's education and in the life of the school and the school responds to family interests and involvement in a culturally responsive manner.</p>	<p>All students are provided with a continuum of services that address their academic, behavioral, social, emotional, health and well-being needs.</p>

As FRA implements the California SUMS Initiative through the MTSS, the following outcomes become the focus and evaluation base for School Success.

Short Term Outcomes:

- Increase or improve services provided for low income pupils, foster youth, and English learners (ELs)
- Strategies that effectively support student success in the least restrictive environment and foster greater inclusion.
- Leverage and coordinate multiple school and community resources.
- Implement multi-tiered, evidence-based, data driven countywide and school-wide systems of academic and behavioral supports.

Long Term Outcomes - Decreases in:

- Suspension,
- Expulsion, students failing placement in the County Community School.
- Discipline Referrals
- Referrals to Special Education
- Chronic Absenteeism
- Incidents of Bullying or harassment
- Risk Factors

Long Term Outcomes – Increase in:

- Pupil Attendance
- Graduation Rates
- Measure of Student Academic Achievement
- School Climate
- Average instructional time in integrated settings for student with IEP's, and students' social emotional competence.
- Protective Factors

XII. Intervention and Referral Report

As a condition of the re-authorization of the Sutter County's *Plan for Providing Educational Services to Expelled Students*, FRA will implement an annual report sent to each expelled student's DOR keeping them current on their students' progress. This report will also include interventions provided to students, students who have dropped from FRA, students who have transferred to other educational settings or who move from the area as changes take place.

Interventions provided to students, which may be included in the report, are:

- Warnings/resets
- Parent/Teacher contact
- Referral to on-site counseling and/or IPP staff
- Exclusion from school activities
- Behavior contract
- Community referral services
- Parent visitation in class
- Student Success Team (SST)
- Projects on campus
- Community service
- In-school suspension
- Behavior support plan
- Placement in an alternative classroom for a defined time period
- Referral to SARB (School Attendance Review Board)
- Increased Home Visits and Parent participation
- The Nurtured Heart Approach
- Trauma Informed Care Process, i.e. ACES survey
- Partnership with Mental Health and Sutter County Probation
- PBIS Positive Behavior Intervention and Support

- Practices of Restorative Justice
- Access to Career Technical Education (CTE)

FRA will make appropriate referrals for students who meet the criteria for the following services and programs:

- Forward Thinking Journaling
- Functional Family Therapy
- Cognitive Behavioral Therapy for Substance Abusing Adolescents
- The Parent Project
- Sutter-Yuba Behavioral Health (SYBH)
- Children Systems of Care (CSOC) via SYBH
- Seeking Safety
- Grief Counseling
- Aggression Replacement Therapy (ART)
- Moral Reconciliation Therapy (MRT)
- Gang Resistance and Education Training
- Transitional Aged Youth (TAY) via CSOC
- Family Assistance Service Team (FAST)
- The Family Intervention Team (FIT)
- Victor Community Support Services
- Sutter County Welfare Services
- Sutter County One Stop and Adult Education
- Alta California Regional Center
- Sutter County Public Health
- Sutter County Welfare Division

XIII. 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 district enrollment of students on December 1st of each school year. 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 15th, 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 program or not.