

# Santa Barbara County Plan for Expelled Youth

Education Code 48926

June 2006

## *Collaborative Plan*

*by*

Santa Barbara County Education Office

*and*

Ballard School District

Blochman Union School District

Buellton Union School District

Carpinteria Unified School District

Casmalia School District

Cold Spring School District

College School District

Cuyama Joint Unified School District

Goleta Union School District

Guadalupe Union School District

Hope School District

Lompoc Unified School District

Los Alamos School District

Los Olivos School District

Montecito Union School District

Orcutt Union School District

Santa Barbara School Districts

Santa Maria-Bonita School District

Santa Maria Joint Union High School District

Santa Ynez Valley Union High School District

Solvang School District

Vista del Mar Union School District

# Table of Contents

---

Overview .....	3
School District Plans for Expelled Youth:	
Ballard School District .....	5
Blochman Union School District .....	6
Buellton Union School District .....	7
Carpinteria Unified School District .....	8
Casmalia School District .....	9
Cold Spring School District .....	10
College School District .....	11
Cuyama Joint Unified School District .....	12
Goleta Union School District .....	13
Guadalupe Union School District .....	14
Hope School District .....	15
Lompoc Unified School District .....	16
Los Alamos School District .....	17
Los Olivos School District .....	18
Montecito Union School District .....	19
Orcutt Union School District .....	21
Santa Barbara School Districts .....	22
Santa Maria-Bonita School District .....	23
Santa Maria Joint Union High School District .....	24
Santa Ynez Valley Union High School District .....	25
Solvang School District .....	26
Vista del Mar Union School District .....	27
Santa Barbara County Education Office, Existing Educational Alternatives for Expelled Youth .....	28
County and district gaps and strategies for filling those gaps .....	29
Appendix:	
Education Code 48926 .....	31
Education Code 48916.1 .....	31

# Overview

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California Education Code Section 48926 states “each county superintendent of schools in counties that operate community schools pursuant to Section 1980, in conjunction with superintendents of school districts within the county shall develop a plan for providing education services to all expelled pupils in that county.”

The 17 elementary school districts, 3 high school districts and 3 unified school districts of Santa Barbara County provide services to 65,410 students at 108 school sites spread over an area of approximately 3,000 square miles. Santa Barbara County recognized the need for a continuum of educational services for all students, including expelled students, long before the 1995 legislation mandated educational placements for expelled students. This Santa Barbara County Plan for Educational Services for Expelled Students provides a description of the part of that continuum of services that relates directly to expelled students.

California Education Code Section 48916.1(a) states “At the time an expulsion of a pupil is ordered, the governing board of the school district shall ensure that an education program is provided to the pupil who is subject to the expulsion order for the period of the expulsion . . .” Every Santa Barbara County school district governing board will refer each expelled student to an appropriate educational placement for the period of expulsion. The educational placement will be determined on an individual basis by the school district’s governing board based on 1) seriousness of offense, 2) available educational alternatives and 3) other related factors. County level alternatives for expelled students grades 7-12 will remain available to all expelled students. District level alternatives for expelled students, if district level alternatives exist, will vary from one district to the next depending on the characteristics of that district. The list of educational alternatives that exist for each of the 23 Santa Barbara County districts is identified in that district’s sub-plan, included as part of the total countywide plan.

A district sub-plan has been developed and board approved for every district in Santa Barbara County. Those district sub-plans are included in this countywide plan to provide the complete “Plan for Providing Educational Services to all Expelled Students in Santa Barbara County.” Each district sub-plan includes: 1) a list of existing educational alternatives for expelled students, 2) gaps in educational services to expelled students, 3) strategies for filling those gaps and 4) alternative placements for students who fail community day school placements (if offered).

# *Santa Barbara County School Districts Plan for Expelled Youth*

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The following districts have board-approved individual district plans which are on file at each district office:

Ballard School District  
Blochman Union School District  
Buellton Union School District  
Carpinteria Unified School District  
Casmalia School District  
Cold Spring School District  
College School District  
Cuyama Joint Unified School District  
Goleta Union School District  
Guadalupe Union School District  
Hope School District  
Lompoc Unified School District  
Los Alamos School District  
Los Olivos School District  
Montecito Union School District  
Orcutt Union School District  
Santa Barbara School Districts  
Santa Maria-Bonita School District  
Santa Maria Joint Union High School District  
Santa Ynez Valley Union High School District  
Solvang School District  
Vista del Mar Union School District

# Ballard School District

## Plan for Expelled Youth

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### District gaps and strategies for filling those gaps

1. The small district size, together with the rural characteristics of the district, make it difficult to offer the range of alternatives often found in the larger urban districts.
  - *A cooperative plan for maintaining multi-district educational alternatives may be developed to account for geographical location and small size.*
2. Students who commit an expulsion offense during an expulsion period may have limited alternatives that remain available for secondary placement.
  - *The district will maintain a commitment to providing educational services to students, regardless of repeated offenses. These services may be in locations where the distance factor becomes a serious obstacle, but an educational alternative will exist if the necessary commitment exists with student and parent.*
3. Students who are in grades K–6 who are expelled do not have the same educational options available as do their grades 7–12 counterparts. Students in grades K–6 are also expelled at a much lower rate than students in grades 7–12. These two factors, together with the requirement that educational services for students in grades K–6 cannot be merged or combined with services to students in grades 7–12, make it very difficult to identify an educational placement for the expelled student who is in grades K–6.
  - *A cooperative plan for maintaining multi-district educational alternatives capable of serving this smaller, more isolated student population may be developed.*

### Existing educational alternatives for expelled students

All educational alternatives provided by California's school districts are not available to all expelled students and most are not available to any expelled students. Seriousness of offense, location of offense and grade level of the student all have the potential to restrict the district level educational alternatives available to the student during the period of expulsion. Students 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 the expulsion unless it is a community day school (E.C. 48915.2). All expelled students shall be referred to an educational placement that is: 1) not provided at a comprehensive middle, junior or senior high school or any elementary school and 2) not housed at the schoolsite attended by the student at the time of the offense (E.C. 48915). If the expelled student is in grades K–6, the educational placement for the student shall not be merged or combined with educational programs offered to students in grades 7–12 (E.C. 48916.1). In addition to the above listed requirements, such factors as district size, district level alternatives, county level alternatives and district philosophy can impact the determination by a district board of education or what educational alternatives are appropriate for the students who are expelled.

It is the determination of the **Ballard School District Board of Education** that the following district level educational alternatives, if deemed appropriate, be available as placements for students expelled from **Ballard School District**.

1. suspended expulsion with placement on District Independent Studies, if the parent agrees.

### Alternative placements for students who fail community day school placements

The Community Day School program is not available through the county or the district for K–6 students at this time.

# *Blochman Union School District*

## *Plan for Expelled Youth*

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The Blochman Union School District offers the following options for expelled youth, depending on the specific offense and Education Code violation:

1. suspended expulsion with placement on an Independent Study Program;
2. expulsion with referral to the Santa Barbara County Education Office Court and Community School Program (grades 7-8 only);
3. participation in a Saturday Program should one be offered in the local area.

Actual referral to such a placement is made by the District Governing Board, with recommendations from an administrative panel.

# *Buellton Union School District*

## *Plan for Expelled Youth*

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To meet the requirements of AB 922, Buellton Union School District offers the following options for expelled youth, depending upon the grade level and the specific offense and Education Code violation. The following options can be used independently or in concert with another option.

### **Grades K–6**

1. Placement in another K–6 school setting.
2. Suspend the expulsion with the placement on District independent studies program.
3. Suspend the expulsion and place in Saturday School (which meets twice a month, nine months per year). This could be done in connection with the independent study program.
4. Require counseling or rehabilitation program as a prerequisite to returning to the regular school program before the term expulsion was over. This would not be paid for by the district.

### **Grades 7–8**

1. Use of options 1 through 4 above.
2. Placement in a county run community schools program (El Puente, in Lompoc).

# *Carpinteria Unified School District*

## *Plan for Expelled Youth*

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This school district is located within Santa Barbara County and offers the following options for expelled youth, depending on the specific offense and Education Code violation:

1. Suspend the expulsion order with placement on the same campus;
2. Suspend the expulsion order with placement on another appropriate campus within the district;
3. Suspend the expulsion order with placement in the District Instruction Program (Independent Study strategy), if the parent agrees;
4. Suspend the expulsion order with participation in a Saturday program if one is offered in the local area;
5. Full expulsion with referral to the Santa Barbara County Education Office Community School program.
6. All suspended or full expulsions require participation in a Rehabilitation Plan that may include, but is not limited to, satisfactory academic progress, satisfactory attendance, and satisfactory behavior, individual and/or group counseling, drug-testing, community service, Teen Court, and anger management classes. Any fees for these programs are the responsibility of the parent.

All decisions to expel, referral to educational placement, and acceptance of the Rehabilitation Plan are made by the Governing Board and may be based on a recommendation from the district administration.

# *Casmalia School District*

## *Plan for Expelled Youth*

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Casmalia School District offers the following options for expelled youth, depending on the specific offense and Education Code violation:

1. suspended expulsion with placement on the same campus;
2. suspended expulsion with placement on District Independent Studies;
3. expulsion with referral to the Santa Barbara County Education Office Court and Community School Program (El Puente for 7th and 8th grade students).

Actual referral to such a placement is made by the District Governing Board, with recommendations from the district administrator.

# *Cold Spring School District*

## *Plan for Expelled Youth*

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Pursuant to Education Code Section 48916.1 (a), at the time an expulsion is ordered, the Board shall ensure that an educational program is provided to the pupil who is subject to the expulsion order for the period of the expulsion. The specific program alternative will be determined by the Board on an individual basis.

# *College School District Plan for Expelled Youth*

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College School District, located within Santa Barbara County, offers the following options for expelled youth, depending on the specific offense and Education Code violation:

1. suspended expulsion with placement on the same campus;
2. suspended expulsion with placement on District Independent Studies, if the parent agrees;
3. expulsion with referral to the Santa Barbara County Education Office Court and Community School Program.

Actual referral to such a placement is made by the District Governing Board, with recommendations from a district administrative panel if one exists, or a similar District referral process. Students who participate in items 1 or 2 above are subject to specific performance criteria as outlined by the District. These criteria address both the student's academic programs, as well as their social/emotional needs including referral to district counseling services.

# *Cuyama Joint Unified School District*

## *Plan for Expelled Youth*

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Cuyama Joint Unified School District, located within Santa Barbara County, offers the following options for expelled youth, depending on the specific offense and Education Code violation:

1. suspended expulsion with referral to a District's Independent Studies, if the parent agrees;
2. suspended expulsion with placement on a different school campus within the district.

Actual referral to such a placement is made by the Cuyama Joint Unified School District Governing Board, with recommendations from the district's administrative panel, or district's referral process.

# *Goleta Union School District*

## *Plan for Expelled Youth*

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Goleta Union School District, located within Santa Barbara County, offers the following options for expelled youth, depending on the specific offense and Education Code violation:

1. suspended expulsion with student placement on a different school campus within the district;
2. home instruction;
3. Student and parent rehabilitation plan which may include, but not be limited to the following: student counseling provided by the school district, parent counseling and/or therapy, drug testing, community service.

Actual referral to such a placement is made by the District Governing Board, with recommendations from an administrative panel.

# *Guadalupe Union School District*

## *Plan for Expelled Youth*

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The Guadalupe Union School District offers the following options for expelled youth, depending on the specific offense and Education Code violation:

1. suspended expulsion with placement on the same campus;
2. suspended expulsion with placement on a different school campus within the district;
3. suspended expulsion with referral to the District Independent Studies, if the parent agrees;
4. suspended expulsion with referral to the District Home Teaching Program, if the parent agrees;
5. expulsion with referral to the Santa Barbara County Education Office Court and Community School Program;
6. require counseling or rehabilitation program as prerequisite to returning to the regular school program before the term expulsion was over. This would not be paid for by the district.

Actual referral to such a placement is made by the District Governing Board, with recommendations from a district administrative panel if one exists, or a similar District referral process.

# *Hope School District*

## *Plan for Expelled Youth*

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The Hope School District, located within Santa Barbara County, offers the following options for expelled youth, depending on the specific offense and Education Code violation:

1. suspended expulsion with placement on a different school campus within the district;
2. suspended expulsion with referral to the District Independent Studies, if the parent agrees (home teaching);

Actual referral to such a placement is made by the District Governing Board, with recommendations from a district administrative panel.

# *Lompoc Unified School District*

## *Plan for Expelled Youth*

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The Board of Education of Lompoc Unified School District, in Lompoc, California, in Santa Barbara County, may include one or more of the following options in its expulsion orders for Education Code violations:

1. home/hospital instruction for students in grades K – 6;
2. referral to the Santa Barbara County Education Office Court and Community Schools Program for students in grades 7 – 12;
3. suspended expulsion with placement on the same campus on behavior probation K – 12.

# *Los Alamos School District*

## *Plan for Expelled Youth*

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In the event that the Governing Board of the Los Alamos School District should vote to expel a student from the district, the following educational options will be made available to the student:

1. The expulsion will be suspended and the student will be placed in the district's Independent Study Program for a period of time to be determined by the Governing Board, but not to exceed one year.
2. The expelled student will be referred to the Santa Barbara County Education Office Court and Community School Program for placement.

# *Los Olivos School District*

## *Plan for Expelled Youth*

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Los Olivos School District offers the following options for expelled youth, depending on the specific offense and Education Code violation:

1. suspended expulsion with placement on the same campus;
2. suspended expulsion with placement on the District Independent Studies, if the parents agree;
3. Santa Barbara County Education Office Court and Community School Program (for 7th and 8th grade only).

Actual referral to such placement is made by the District Governing Board.

Students under suspended expulsion must agree to district criteria for both academic and guidance rehabilitation. A school counselor is on site to meet guidance needs, or parents may choose to use private services.

# *Montecito Union School District*

## *Plan for Expelled Youth*

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The Montecito Union Board of Trustees recognizes that, at times, the expulsion of pupils from school is necessary. Expulsion is to be considered as a dismissal from school for a period of time greater than that ascribed to suspension.

Only the Board of Trustees may expel a student.

1. The Board shall expel, as required by law, upon the recommendation of the principal, superintendent, or designee, any student found to have committed any offense listed in AR 5144.1 under "Mandatory Recommendation and Mandatory Expulsion."
2. The Board may also order a student expelled for any of the acts listed under "Grounds for Suspension and Expulsion" upon the recommendation by the principal, superintendent, hearing officer or administrative panel.

The student is entitled to a hearing to determine whether the student should be expelled. Written notice of the expulsion hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing.

1. The date and place of the hearing.
2. A statement of the specific facts, charges and offense upon which the proposed expulsion is based.
3. A copy of district disciplinary rules, which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915 (a) or (c).
5. The opportunity for the student or the student's parent/guardian to appear in person or be represented by legal counsel or by a nonattorney advisor.
6. The right to inspect and obtain copies of all documents to be used at the hearing.
7. The opportunity to confront and question all witnesses who testify at the hearing.
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses.

# *Montecito Union School District*

## *Plan for Expelled Youth \_\_\_\_\_ (continued)*

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel shall be taken by the Board at a public meeting.

The superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. The notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion.
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian.
3. Notice of the right to appeal the expulsion to the County Board of Education.
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion.
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district.

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district.

At the time of the expulsion order, the Board shall recommend a plan for the student's rehabilitation, which may include:

1. Periodic review as well as assessment of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.
3. Pursuant to Education Code Section 48916.1 (a), at the time an expulsion is ordered, the Board shall ensure that an educational program is provided to the pupil who is subject to the expulsion order for the period of the expulsion. The specific program alternative will be determined by the Board on an individual basis and may include, but not be limited to the following:
  - a. Independent Study
  - b. Home Schooling
  - c. Placement with the County Court Schools Program

# *Orcutt Union School District*

## *Plan for Expelled Youth*

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The Orcutt Union School District offers the following options for expelled youth, depending on the specific offense and Education Code violation:

1. suspended expulsion with placement on the same campus;
2. suspended expulsion with placement on a different school campus within the district;
3. suspended expulsion with referral to the District Independent Studies or Home Study Program, if the parent agrees;
4. suspended expulsion with referral to a District Home Teaching Program, if the parent agrees; or
5. expulsion with referral to the Santa Barbara County Education Office Court and Community School Program.

Actual referral to such a placement is made by the District Governing Board.

# *Santa Barbara School Districts*

## *Plan for Expelled Youth*

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### **Educational Alternatives for Expelled Students**

#### **Elementary District: K–5/6**

1. Suspended expulsion with placement on a different school campus within district;
2. Home teaching;
3. Rehabilitation plan including counseling, drug/alcohol testing, and community service.

#### **Secondary District: 6, 7–12**

1. Suspended expulsion with placement on a different school campus within district including La Cuesta (Continuation or Independent Studies) and Jr. High Community Day School;
2. Grades 6–8 expulsion with referral to Jr. High District Community Day School or El Puente;
3. Grades 9–12 expulsion with referral to El Puente;
4. Rehabilitation plan including counseling, drug/alcohol testing, community service, and Teen Court.

### **Gaps and Strategies Inservices**

No identified gaps at this time.

# *Santa Maria-Bonita School Districts*

## *Plan for Expelled Youth*

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### **List of education alternatives for expelled students:**

1. Referral to El Puente Community School for 7th and 8th graders.
2. Referral to El Puente Community School or District Home/Hospital Teaching for students with IEP's.
3. Suspended Expulsion Order and referral to District Independent Study Program with parental consent for K-6 elementary regular education students.

### **Identification of gaps in service:**

1. Students who have failed their placement in district alternative programs may be referred to El Puente Community School.
2. For K-6 students who are expelled for mandatory expulsion offenses (firearms, selling controlled substances, or brandishing a knife), there may not be any District-sponsored or other viable alternatives at this time.

### **Identification of strategies for filling gaps:**

1. To continue working with the County on developing a regional program;
2. Recommend that El Puente create a Saturday School for K-6 expelled students;
3. Recommend that the County, with the involvement and cooperation of local districts develop a Home Schooling Program;
4. Work with the County to contract out for services with other agencies: probation, youth and family, churches, etc.

# *Santa Maria Joint Union High School District Plan for Expelled Youth*

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Schools belonging to the Santa Maria Joint Union High School District offer the following options for expelled youth, depending on the specific offense and Education Code violation:

1. suspended expulsion with conditional placement on the same campus;
2. suspended expulsion with conditional placement on a different school campus within the District;
3. suspended expulsion with referral to the Independent Studies Program, if the parent agrees;
4. suspended expulsion for Special Education students to a Special Education Independent Studies program, if the parent agrees;
5. suspended expulsion with referral to the AEWCC (Alternative Education Work Center), if the parent agrees;
6. expulsion with referral to the Santa Barbara County Education Office Court and Community School Program.

# *Santa Ynez Valley Union High School District Plan for Expelled Youth*

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Santa Ynez Valley Union High School District offers the following options for expelled youth, depending on the specific offense and Education Code violation:

1. suspended expulsion with conditional placement on the same campus;
2. suspended expulsion with placement on the Refugio High School Campus;
3. expulsion with placement on the Refugio High School Campus;
4. suspended expulsion with placement on the District Independent Studies Program, if parent agrees;
5. expulsion with placement on the District Independent Studies Program, if parent agrees;
6. expulsion with referral to the Santa Barbara County Education Office Court and Community School Program.

# *Solvang School District*

## *Plan for Expelled Youth*

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Solvang School District will be able to offer the following alternatives for expelled students:

1. suspended expulsion with placement on District Independent Studies, if parent agrees;
2. expulsion with referral to the Santa Barbara County Education Office Court and Community School Program.

Actual referral to such a placement is made by the District Governing Board, with recommendations from District administrative panel, if one exists, or a similar District referral process.

# *Vista del Mar Union School District*

## *Plan for Expelled Youth*

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Vista del Mar Union School District, located within Santa Barbara County, offers the following options for expelled youth, depending on the specific offense and Education Code violation:

1. suspended expulsion with placement on the same campus;
2. suspended expulsion with placement on District Independent Studies, if the parent agrees;
3. expulsion with referral to the Santa Barbara County Education Office Court and Community School Program.

Actual referral to such a placement is made by the District Governing Board.

# *Santa Barbara County Education Office*

## *Existing Educational Alternatives*

### *for Expelled Youth*

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The Santa Barbara County Education Office offers educational alternatives to expelled students through its court and community schools. Court schools require the formal placement of students into the program by the juvenile court or its probation department representatives. These programs can be either residential or non-residential. The expulsion status of a student has no negative impact on eligibility or placement of a student in community schools, but may be used for Ed.C. 1981 classification purposes. These two county level educational alternatives will be available to Santa Barbara County students who have been expelled from district programs. District boards can refer expelled students to County Community Schools. The juvenile court may adjudicate expelled students to Court schools.

Educational alternatives offered by the Santa Barbara County Education Office include the following:

- Court Schools

- Counseling and Education Centers\* (non-residential)

- Villa Esperanza, Santa Barbara

- Casa Floral, Lompoc

- Camino Segundo, Santa Maria

- Juvenile Halls\* (residential)

- Santa Barbara

- Santa Maria

- Los Prietos Boys Camp\* (residential)

- Los Robles High School

- Community Schools

- El Puente, Santa Barbara

- El Puente, Lompoc

- Peter B. FitzGerald Community School

- The County School Attendance Review Boards are available to county community schools as well as local districts to monitor programs for expelled students.

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\*Juvenile Court adjudication required for the above schools

# County and district gaps and strategies for filling those gaps

The districts within Santa Barbara County vary greatly in size and are geographically dispersed. This variation makes it difficult to offer the range of alternatives often found in the larger urban districts. The strategy for addressing this problem is to maintain a county community school program that is committed to providing educational services to all school districts in the county and that employs a variety of instructional strategies, including those that are capable of overcoming obstacles associated with providing educational services to rural, often isolated, settings.

There are six major gaps that exist in respect to providing educational services to expelled pupils. What follows is an overview of the identified gaps and the corresponding County/District strategies for addressing these gaps in educational services.

SERVICE GAPS	COUNTY/DISTRICT STRATEGY TO ADDRESS
<p><b>GAPS</b></p> <p><b><i>Service Gap 1</i>      Referral back to original school district due to second</b></p> <ol style="list-style-type: none"> <li>1. A student could be expelled from the District under Education Code 48915 and referred to either a district-operated Community Day School, or county-operated Court and Community School Program. This student could then commit another violation of Education Code 48915, or simply not attend, and ultimately be referred back to the original District.</li> </ol>	<p>The school district of residence will continue to maintain responsibility for developing a rehabilitation plan for the student, referring the student to an appropriate educational setting, and ensuring that an educational program is provided to the expelled student.</p> <p>A rehabilitation plan for that student may involve both District(s) and County staff members, as well as the student and his/her parent/guardian.</p>
<p><b><i>Service Gaps 2, 3, and 4</i>      Small school districts</b></p> <ol style="list-style-type: none"> <li>2. Small school districts within Santa Barbara County generally expel very few students during the course of a school year. It is, therefore, very difficult to have special classes available for these students.</li> <li>3. Students, who are expelled by individual small school districts vary as to age, grade level, and expulsion offenses. The wide range of age, grade level, and seriousness of offense make it difficult to provide appropriate programs for these students.</li> <li>4. There are significant geographical distances between local small districts, thus district or county-operated classroom sites/programs for small school districts would require either extensive busing, which is not financially feasible for the county, or parent provided transportation, which is often impossible for the parents.</li> </ol>	<p>A regional program has been developed to address geographical or limited numbers.</p> <p>The school district of residence will continue to maintain responsibility for developing a rehabilitation plan for the student, referring the student to an appropriate educational setting, and ensuring that an educational program is provided to the expelled student.</p> <p>A rehabilitation plan for that student may involve both District(s) and County staff members, as well as the student and his/her parent/guardian.</p>

## <sup>GAPS</sup> *Service Gap 5* Students in grades one through six

5. Students in grades one through six who are expelled do not have the same educational options available as do expelled youth who are in grades seven through twelve, due to the limited numbers of students who are expelled in these lower grades. These younger students cannot attend the programs designed for middle and high school students. The numbers are growing, but generally are not enough to develop an elementary school classroom or program.

A regional program has been developed to meet this need.

The school district of residence will continue to maintain responsibility for developing a rehabilitation plan for the student, referring the student to an appropriate educational setting, and ensuring that an educational program is provided to the expelled student.

A rehabilitation plan for that student may involve both District(s) and County staff members, as well as the student and his/her parent/guardian.

## *Service Gap 6* District-operated community day school

6. The district-operated Community Day School option for expelled students, as described in current California Education Code, is difficult for the local districts to develop due to the following reasons:
- a) the six (6) hour, or 360-minute, day exceeds the required hours for the following educational settings: a minimum school day (240 minutes), the required hours for a continuation school day (15 hours per week), the required hours for students enrolled in the various elementary school programs, and the current 240 or more minutes used by the county-operated Community School Program;
  - b) access to the additional funding is contingent upon the student completing six hours of attendance. The required clock hour, or hour-by-hour, attendance accounting required for community day school incentive funding is labor intensive and time consuming;
  - c) the Community Day School guidelines limit the instructional strategies which can be used, such as contracted study, lessening the program flexibility;
  - d) the separation of students in grades K-6 from students in grades 7-8 also creates boundaries that are financially and/or geographically difficult.
  - e) existing law generally prohibits the governing board of a school district from referring an expelled pupil to a program of study that is situated on specified comprehensive school sites.

The school district of residence will continue to maintain responsibility for developing a rehabilitation plan for the student, referring the student to an appropriate educational setting, and ensuring that an educational program is provided to the expelled student.

A rehabilitation plan for that student may involve both District(s) and County staff members, as well as the student and his/her parent/guardian.

Santa Barbara County Education Office may assist individual district(s) in developing alternatives to address this gap.

Santa Barbara County Education Office may continue to provide educational services to those eligible students placed or referred to the Court and Community School Program.

# Appendix

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## **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 30th 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 education 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 provision of this section only to the extent funds are appropriated for this purpose in the annual Budget Act or other legislation, or both.
- (b) Notwithstanding any other provision of law, any educational program provided pursuant to subdivision (a) may be operated by the school district, the county superintendent of schools, or a consortium of districts or in joint agreement with the county superintendent of schools.
- (c) Any educational program provided pursuant to subdivision (b) shall not be situated within or on the grounds of the school from which the pupil was expelled.
- (d) If the pupil who is subject to the expulsion order was expelled from any of kindergarten or grades 1 to 6, inclusive, the educational program provided pursuant to subdivision (b) shall not be combined or merged with educational programs offered to pupils in

any of grades 7 to 12, inclusive. The district or county program is the only program required to be provided to expelled pupils as determined by the governing board of the school district.

(e) (1) Each school district shall maintain data as specified in this subdivision and report the data annually to the State Department of Education, commencing June 1, 1997, on forms provided by the State Department of Education. The school district shall maintain the following data:

(A) The number of pupils recommended for expulsion.

(B) The grounds for each recommended expulsion.

(C) Whether the pupil was subsequently expelled.

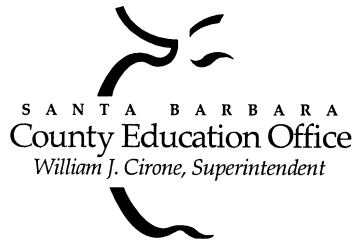
(D) Whether the expulsion order was suspended.

(E) The type of referral made after the expulsion.

(F) (1) The disposition of the pupil after the end of the period of expulsion.

(2) When a new school district does not report outcome data as required by this subdivision, the Superintendent of Public Instruction *may* not apportion any further money to the school district pursuant to Section 48664 until the school district is in compliance with the provisions of this subdivision. Before withholding the apportionment of funds to a school district pursuant to this subdivision, the Superintendent of Public Instruction shall give written notice to the governing board of the school district that the school district has failed to report the data required by paragraph (1) and that the school district has 30 calendar days from the date of the written notice of noncompliance to report the requested data and thereby avoid the withholding of the apportionment of funds.

(f) If the county superintendent of schools is unable for any reason to serve the expelled pupils of a school district within the county, the governing board of that school district may enter into an agreement with a county superintendent of schools in another county to provide education services for the district's expelled pupils. (Amended by Stats. 1999, Ch. 646, Sec. 26.)



## Santa Barbara County Education Office

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Service and Leadership • [www.sbceo.org](http://www.sbceo.org)

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### Santa Barbara County Education Office

## *Countywide Plan for Provision of Services to Expelled Students*

### Triennial Update

A signature from each district superintendent indicating the current status in that district's plan is on file at the Santa Barbara County Education Office.

This report is current for all district and county programs for expelled students.

William J. Cirone

Santa Barbara County Superintendent of Schools

Date