



**MERCED COUNTY PLAN**  
for  
**PROVISION of EDUCATIONAL SERVICES**  
to  
**EXPELLED YOUTH**

**TRIENNIAL UPDATE**  
**July 1, 2018 – June 30, 2021**

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

**between the**

**Merced County Office of Education**

**and the following**

**Merced County School Districts:**

Atwater Elementary School District

Ballico-Cressey School District

Delhi Unified School District

Dos Palos-Oro Loma Joint Unified School District

El Nido School District

Gustine Unified School District

Hilmar Unified School District

Le Grand Elementary School District

Le Grand High School District

Livingston Union School District

Los Banos Unified School District

McSwain School District

Merced City School District

Merced River School District

Merced Union High School District

Plainsburg Union Elementary School District

Planada School District

Snelling-Merced Falls School District

Weaver Union School District

Winton School District

## Merced County Plan for Expelled Youth – Triennial Update

### Legal Requirements of a Countywide Expulsion Plan

California Education Code Section 48926 requires that every three years the County Superintendent of Schools in counties that operate community schools, in conjunction with Superintendents of School Districts within the county, develop a county plan for providing educational services to all expelled students. Once developed, the Plan shall be adopted by the governing board of each school district within the county and by the county board of education.

To meet the requirements of Education Code Section 48926, the Plan must:

- Enumerate existing educational alternatives for expelled students;
- Identify gaps in educational services to expelled students, and strategies for filling those service gaps; and
- Identify alternative placements for students 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 students, as determined by the governing board.

In addition, the triennial, county-adopted plan must be filed with the Superintendent of Public Instruction by June 30.

Education Code Section 48916.1 states, “At the time an expulsion of a pupil is ordered, the governing board of the school district shall ensure that an educational program is provided to the pupil who is subject to the expulsion order for the period of the expulsion....” Therefore, every Merced County School District governing board will refer each expelled student to an appropriate educational placement for the period of the expulsion. The educational placement will be determined on an individual basis by the school district’s governing board based on:

1. Educational needs of students;
2. Seriousness of the offense;
3. Available educational alternatives; and
4. Other related factors.

## Factors Impacting District-Level Alternatives

District-level alternatives for expelled students will vary from one district to another depending on such factors as:

1. District size
  - a. Larger districts may have more options than smaller districts
  - b. Smaller districts may need to rely on county-operated programs or partner with other small districts to develop viable in-district options
2. District philosophy and approach to student discipline which may include varying degrees of:
  - a. Restorative practices
  - b. Positive Behavioral Interventions and Support
  - c. Alternative means of correction
  - d. Staffing
3. Individual student academic needs and current skill levels as determined by the student's:
  - a. Grades
  - b. State standardized assessments
  - c. Formative and summative assessments
  - d. Quality of school work
  - e. Other formal and informal assessments, which may contribute to better understanding the individual student's level of academic skills
4. Attendance patterns demonstrated by the student's excused and unexcused absences as well as tardies.
5. Behavior in and out of class
6. Communication: Student's ability to communicate and navigate through the formal and informal curriculum and culture of the school
7. Discipline: Discipline history including patterns of past disciplinary offenses and the severity of those offenses.
8. Health and medical status, which may include:
  - a. Health limitations
  - b. 504 accommodations, if any
  - c. Drug and/or alcohol dependence or abuse
  - d. Physical limitations and/or mobility needs
9. Social and emotional well-being, including:
  - a. Level of student engagement with peers
  - b. Patterns of conflict with other students and staff
10. Response to Instructional approaches – based on existing evidence

## Background and Context

Merced County is located in the heart of the Central California’s San Joaquin Valley and has a population of 268, 672 (comprised of six incorporated cities plus numerous unincorporated, rural communities). Agriculture is the number one industry and the county’s largest employer. Merced County has the 3<sup>rd</sup> highest child poverty rate and the 4<sup>th</sup> highest juvenile felony arrest rate in the state. Merced County is said to have the highest level of “disconnected youth in the state.”

**Table 1. Merced County Student Demographics**

Academic Year	Total	African American	American Indian or Alaska Native	Asian	Filipino	Hispanic or Latino	Pacific Islander	White	Two or More Races	Not Reported
2017-18	58,812	2.7%	0.5%	5.5%	0.5%	73.0%	0.3%	15.6%	1.3%	0.5%
2016-17	58,271	2.8%	0.5%	5.5%	0.5%	72.5%	0.3%	16.0%	1.2%	0.5%
2015-16	57,477	2.8%	0.5%	5.6%	0.5%	71.9%	0.3%	16.5%	1.3%	0.6%
2014-15	57,011	2.9%	0.5%	5.9%	0.6%	71.2%	0.3%	17.0%	1.3%	0.4%

**Table 2. Merced County Suspension Rates**

School Year	Cumulative Enrollment	Total Suspensions	Unduplicated Count of Students Suspended	Suspension Rate	% of Students Suspended with one suspension	% of Students Suspended with multiple suspensions
2016-17	60,890	5,383	3,283	5.4%	69%	31%
2015-16	60,621	6,162	3,455	5.7%	64%	36%
2014-15	60,235	7,231	3,735	6.2%	62%	38%

**Table 3. Merced County Expulsion Rates**

School Year	Cumulative Enrollment	Total Expulsions	Unduplicated Count of Students Expelled	Expulsion Rate
2016-17	60,890	132	131	0.22%
2015-16	60,621	149	149	0.25%
2014-15	60,235	166	164	0.27%

Merced County recognizes the need for educational services for all students, including expelled students. It is important to provide support and service to expelled students while recognizing the rights of others to be safe.

Within Merced County, there are opportunities for students who are in need of alternative educational programs. Merced County Office of Education (MCOE) offers options via court and community school programs. Local school districts also offer educational alternatives for students. MCOE and Local school districts work together to provide a range of services for expelled students based on need.

## Legal Updates

This section highlights some of the most important legislative changes as they impact student suspensions and expulsions.

### Suspension

1. Education Code 48900 (k)(2)

Limits the ability of schools and districts to suspend students for willful defiance in grades K-3. This code also precludes any school district from recommending a student for expulsion under this provision. These two restrictions are operative through July 1, 2018 at which time it becomes inoperative unless replaced or amended.

2. Education Code 48900 (v)

Provides school administrators the discretion to impose age appropriate alternatives to suspension and expulsion on students subject to discipline so long as the alternative is designed to address the specific behavior of the student.

3. Education Code 48900 (w)

Expresses the legislature's intent that alternative means of correction are used in place of suspension and expulsion for students who are tardy, truant, or otherwise absent from school activities.

4. Education Codes 48900.5 and 48900.6

These codes together present strong guidance on alternative means of correction including making numerous suggestions for such alternatives including restorative approaches and community service.

### Expulsion

5. Education Code 48915

- a. Details provisions related to student expulsion including differentiating between “may” and “shall” expel offenses.
- b. Provides the Superintendent to impose alternative means of correction

6. Education Code 48916

(b) The governing board shall recommend a plan of rehabilitation for the pupil at the time of the expulsion order, which may include, but not be limited to, periodic review as well as assessment at the time of review for readmission. The plan may also include recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service, or other rehabilitative programs.

## Enrollment and Transfer

### 7. Education Code 1981

Details the conditions under which a county board of education may enroll students in a county community school program as follows:

- (a) Expelled from a school district for any reason other than those specified in subdivision (a) or (c) of Section 48915.
- (b) Referred to a county community school by a school district as a result of the recommendation by a school attendance review board.
- (c) On probation, with or without the supervision of a probation officer and consistent with an order of a juvenile court, who are considered to be wards of the court under Sections 601 and 602 of the Welfare and Institutions Code and ordered placed pursuant to Sections 725, 729.2, and 791 of, and paragraph (2) of subdivision (a) of Section 727 of, the Welfare and Institutions Code.
- (d) When a school district of attendance, has, at the request of the pupil's parent, guardian, or responsible adult, approved the pupil's enrollment in a county community school.

### 8. Education Code 48201

Details notice provisions related to transfers of expelled students as follows:

- (b) (1) Upon a pupil's transfer from one school district to another, the school district into which the pupil is transferring shall request that the school district in which the pupil was last enrolled provide any records that the district maintains in its ordinary course of business or receives from a law enforcement agency regarding acts committed by the transferring pupil that resulted in the pupil's suspension from school or expulsion from the school district. Upon receipt of this information, the receiving school district shall inform any teacher of the pupil that the pupil was suspended from school or expelled from the school district and shall inform the teacher of the act that resulted in that action.

### 9. Education Code 48915.1

Details the responsibilities and procedures of an LEA that receives a student under an expulsion agreement from another LEA.

- (a) If the governing board of a school district receives a request from an individual who has been expelled from another school district for an act other than those described in subdivision (a) or (c) of Section 48915, for enrollment in a school maintained by the school district, the board shall hold a hearing to determine whether that individual poses a continuing danger either to the pupils or employees of the school district. The hearing and notice shall be conducted in accordance with the rules and regulations governing procedures for the expulsion of pupils as described in Section 48918. A school district may request information from another school district regarding a recommendation for expulsion or the expulsion of an applicant for enrollment. The school district receiving the request shall respond to the request with all

deliberate speed but shall respond no later than five working days from the date of the receipt of the request.

(b) If a pupil has been expelled from his or her previous school for an act other than those listed in subdivision (a) or (c) of Section 48915, the parent, guardian, or pupil, if the pupil is emancipated or otherwise legally of age, shall, upon enrollment, inform the receiving school district of his or her status with the previous school district. If this information is not provided to the school district and the school district later determines the pupil was expelled from the previous school, the lack of compliance shall be recorded and discussed in the hearing required pursuant to subdivision (a).

(c) The governing board of a school district may make a determination to deny enrollment to an individual who has been expelled from another school district for an act other than those described in subdivision (a) or (c) of Section 48915, for the remainder of the expulsion period after a determination has been made, pursuant to a hearing, that the individual poses a potential danger to either the pupils or employees of the school district.

(d) The governing board of a school district, when making its determination whether to enroll an individual who has been expelled from another school district for these acts, may consider the following options:

- (1) Deny enrollment
- (2) Permit enrollment
- (3) Permit conditional enrollment in a regular school program or another educational program

## **Credits and Graduation Requirements**

### 10. Education Code 48645.5

- a. Details the requirement that LEA's must accept partial credit as follows:
  - (a) Each public school district and county office of education shall accept for credit full or partial coursework satisfactorily completed by a pupil while attending a public school, juvenile court school, or nonpublic, nonsectarian school or agency. The coursework shall be transferred by means of the standard state transcript. If a pupil completes the graduation requirements of his or her school district of residence while being detained, the school district of residence shall issue to the pupil a diploma from the school the pupil last attended before detention or, in the alternative, the county superintendent of schools may issue the diploma.
- b. Details that a pupil shall not be denied enrollment or readmission to a public school solely on the basis that he or she has had contact with the juvenile justice system, including, but not limited to:
  - (1) Arrest



- (2) Adjudication by a juvenile court
  - (3) Formal or informal supervision by a probation officer
  - (4) Detention for any length of time in a juvenile facility or enrollment in a juvenile court school
  - (5) Pursuant to subparagraph (B) of paragraph (8) of subdivision (f) of Section 48853.5, a pupil who has had contact with the juvenile justice system shall be immediately enrolled in a public school.
- c. Details the requirement that if a pupil completes the statewide coursework requirements for graduation specified in Section 51225.3 while attending a juvenile court school, the county office of education shall issue to the pupil a diploma of graduation and shall not require the pupil to complete coursework or other requirements that are in addition to the statewide coursework requirements.

11. Education Code 51225.1

Outlines graduation requirements for Foster Youth including expelled Foster Youth in custody and students transferring to school districts from juvenile court schools.

**School Accountability System**

12. Education Code 52066

Details the requirements of what must be included in a County Office of Education Local Control Accountability Plan including a provision that requires such plans to detail how the COE will coordinate services for expelled students.

**Joint Transition Policy**

13. Education Code 48647

Details recommendations related to data sharing and requires County Offices of Education and Probation Departments to develop a joint transition policy detailing best practices related student records, communications, timely school placement and other important items ensuring students transitioning out of court schools are able to re-enroll in their schools of residence in an efficient manner. Provisions include:

(a) Local educational agencies are strongly encouraged to enter into memoranda of understanding and create joint policies, systems, including data sharing systems, transition centers, and other joint structures that will allow for the immediate transfer of educational records, create uniform systems for calculating and awarding course credit, and allow for the immediate enrollment of pupils transferring from juvenile court schools.

(b) As part of their existing responsibilities for coordinating education and services for youth in the juvenile justice system, the county office of education and county probation

department shall have a joint transition planning policy that includes collaboration with relevant local educational agencies to improve communication regarding dates of release and the educational needs of pupils who have had contact with the juvenile justice system, to coordinate immediate school placement and enrollment, and to ensure that probation officers in the community have the information they need to support the return of pupils who are being transferred from juvenile court schools to public schools in their communities.

### **Provisions for Foster and Homeless Youth**

#### **14. Education Code 48918.1**

(a) (1) If the decision to recommend expulsion is a discretionary act and the pupil is a foster child, as defined in Section 48853.5, the governing board of the school district shall provide notice of the expulsion hearing to the pupil's attorney and an appropriate representative of the county child welfare agency at least 10 calendar days before the date of the hearing. The notice may be made using the most cost-effective method possible, which may include, but is not limited to, electronic mail or a telephone call.

(2) If a recommendation of expulsion is required and the pupil is a foster child, as defined in Section 48853.5, the governing board of the school district may provide notice of the expulsion hearing to the pupil's attorney and an appropriate representative of the county child welfare agency at least 10 calendar days before the date of the hearing. The notice may be made using the most cost-effective method possible, which may include, but is not limited to, electronic mail or a telephone call.

(b) (1) If the decision to recommend expulsion is a discretionary act and the pupil is a homeless child or youth, as defined in Section 11434a(2) of Title 42 of the United States Code, the governing board of the school district shall provide notice of the expulsion hearing to the local educational agency liaison for homeless children and youth designated pursuant to Section 11432(g)(1)(J)(ii) of Title 42 of the United States Code at least 10 calendar days before the date of the hearing. The notice may be made using the most cost-effective method possible, which may include, but is not limited to, electronic mail or a telephone call.

(2) If a recommendation of expulsion is required and the pupil is a homeless child or youth, as defined in Section 11434a(2) of Title 42 of the United States Code, the governing board of the school district may provide notice of the expulsion hearing to the local educational agency liaison for homeless children and youth designated pursuant to Section 11432(g)(1)(J)(ii) of Title 42 of the United States Code at least 10 calendar days before the date of the hearing. The notice may be made using the most cost-effective method possible, which may include, but is not limited to, electronic mail or a telephone call.

(3) If a recommendation of expulsion is required and the pupil is a foster child or youth as defined in Section 48853.5(a) and a change in schools occurs, the child shall be enrolled immediately. School districts must request records within 2 days of the foster youth's

enrollment. School districts must forward education records to a requesting school within 2 business of receiving a request. EC 48853.5 (e)(8). If a recommendation of expulsion is required and the pupil is a homeless child or youth, as defined in Section 11434a(2) of Title 42 of the United States Code and a change in schools occur, the enrolling school must immediately admit the student and must contact the previous school for records. 42 U.S.C. 11432(g)(3)(D). Although the Act is silent on the definition of “immediate”, the standard dictionary definition is without delay.

## High Impact Strategies and Best Practices for Minimizing Suspensions and Expulsions

The following support areas and strategies have been implemented over the last few years to minimize the number of suspensions leading to expulsions and positively impacting students in Merced County:

1. **Multi-Tiered System of Support (MTSS) and Response to Intervention (RtI)**  
Development of a system-wide focus on addressing the academic, behavioral, and social emotional learning needs of all students.
2. **Positive Behavioral Intervention and Support (PBIS)**  
Development of a multi-tiered approach to social, emotional, and behavior support. As a part of MTSS, PBIS includes proactive strategies for defining, teaching, and supporting appropriate student behaviors to create positive school environments.
3. **Restorative Practices**  
Restorative Justice is an approach to school discipline that moves away from traditional punishment and provides for families, school and communities a way to ensure accountability and repair the harm caused by someone's behavior. It requires students to think about themselves, how they deal with others in their community, work on developing healthy relationships and learn how to manage conflict in a healthy manner. It allows students to develop self-discipline and self-awareness, thereby promoting positive behavior in a caring and supportive environment. Restorative Justice is increasing used in schools to promote positive school climates and as an alternative to suspension/expulsion.
4. **School-Based Mental Health Services**  
Good mental health is critical to children's success in school and life. Research demonstrates that students who receive social-emotional and mental health support achieve better academically. School climate, classroom behavior, on-task learning, and students' sense of connectedness and well-being all improve as well. School psychologists, school counselors, school social workers, and school nurses know the students, parents, and other staff, which contributes to accessibility of services.
5. **Trauma Informed Care**  
Traumatic stress can arise from a variety of sources: bullying at school, dramatic weather events, school shootings, divorce, and homelessness. Children and adults can be affected by traumatic stress. Having the tools to manage traumatic stress empowers the members of the school community. In a trauma informed school, the adults in the school are prepared to recognize and respond to those who have been impacted by traumatic stress. Those adults include administrators, counselors, teachers, staff, parents, and law enforcement. The goal is to guide students through stressful situations by providing tools to cope and creating an underlying culture of respect and support.

6. Advancement Via Individual Determination (AVID)

The AVID program targets students in the academic middle who have the desire to go to college and willingness to work hard. AVID places academically average students in advanced classes and provides them with an elective class designed to prepare them to succeed in rigorous curricula, enter mainstream activities in school and increase their opportunities to enroll in four-year colleges.

7. Career Technical Education (CTE)

High-quality CTE opportunities ensure students are career and college ready. Student attain entry-level employment skills in business or industry. Students receive rigorous academic curriculum integrating academic and career skills.

8. Inter-Agency Collaboration

Districts work with various community agencies for collaboration with a team approach to reduce drug, alcohol usage and non-productive behaviors. The goals are to improve student attendance, grades, behavior and graduation rates. The following agencies contribute to the services in support of students:

- School Districts
- Merced County Office of Education
- Merced County Probation Department
- Merced County Sheriff's Office
- Merced County District Attorney's Office
- Local Law Enforcement Agencies
- Merced County Human Services Agency
- Juvenile Court Judges

9. Rehabilitation Plans

A critical component to preparing students to return to district following expulsion is the development and implementation of an appropriate and individualized rehabilitation plan that is designed to address the students' strengths and needs and works to provide the student with an attainable set of goals necessary to achieve in order to return to district.

10. Child Welfare and Attendance Personnel (CWA)

CWA supports students with chronic attendance issues and connects them to community and site-based resources to improve attendance and behavior.

11. Merced County Truancy Officer

The Truancy Officer is a contracted employee from the District Attorney's office to support local district Child Welfare and Attendance personnel. The Truancy Officer conducts home visits for chronically absent students, conducts investigations, and connects families to community-based resources as appropriate.

12. El Joven Noble

El Joven Noble is a comprehensive indigenous-based, youth leadership development program that supports and guides youth through their “rites of passage” process while focusing on the prevention of substance abuse, teen pregnancy, relationship violence, gang violence and school failure.

13. Individualized Education Program (IEP) Team Meetings

IEP team meetings provide a multi-disciplinary approach to addressing behavior for students who are eligible for special education.

14. Section 504 Team Meetings

Section 504 team meetings provide a multi-disciplinary approach to addressing behavior for students who are eligible for such a plan.

15. Student Study Teams/Student Success Teams (SST)

The SST process emphasizes early intervention for struggling students as a function of the general education program. The SST is a school-based problem solving team composed primarily of general educators who provide support to teachers to improve the quality of the general education program and reduce the underachievement of students. An SST is a peer support group for structured and routine focus on addressing student needs.

16. Opportunity Programs

The Opportunity Program provides a supportive environment with specialized curriculum for students who are habitually truant, irregular in attendance, insubordinate, disorderly while in attendance, or unsuccessful academically.

17. School Attendance Review Board (SARB)

The SARB is comprised of representatives from various school sites, district personnel, and community agencies. SARB comes together with families to put together a plan to improve attendance and behavior with a goal of reducing the expulsion rate. SARB’s focus is to assist parents/guardians and students to recognize and eliminate the barriers that inhibit regular attendance.

18. School Resource Officers (SRO)

SROs work with guidance counselors in an effort to improve student grades and attendance. Juvenile delinquency, or crime, and truancy are always concerns, and SROs work to help to reduce its occurrence through early intervention activities in the schools. SROs establish contact with students to build positive relationships with them.

19. Suicide Prevention Trainings

Suicide prevention training teaches evidence-based practices around warning signs, prevention

and postvention principles, reintegration of students after a suicide attempt, dealing with traumatic loss, risk factors for youth suicide, assessments of youth at risk, working with parents, and contagion.

20. School Transition Services

Transitional team personnel from school districts support students moving to alternative education schools as well as support their return back to a comprehensive school.

21. Counseling Services

School counselors help all students in the areas of academic achievement, career and social-emotional development, and behavioral development to ensure students become productive and well-adjusted.

22. Expanded Learning Programs for Academic Intervention and Enrichment

Expanded learning programs engage students in academic intervention and enrichment. Students involved in expanded learning programs are much less likely to participate in risky behaviors, have greater social competency, make new friends and establish connections to the community.

23. Behavior Support Specialists

Behavior Support Specialists observe, assess and provide support to students who have emotional or behavioral issues. Specialists collaborate with teachers, staff and families in the design, development, and implementation of behavior management strategies, systems, and techniques to meet the educational needs of students.

## **Existing School District Alternatives for Expelled Students**

Each school district shall ensure that instructional services are provided for pupils who have been recommended for expulsion hearing and/or awaiting placement. A student whose behavior has resulted in expulsion, including a stipulated expulsion, shall be given a rehabilitation plan that is designed by the district of residence. Student progress towards meeting the requirements of the rehabilitation plan should be monitored by the district of residence and the site of placement. Appropriate documentation should be maintained by the school of placement and presented to the district of residence upon a recommendation to return to district.

The governing board of each school district will determine which educational alternatives are appropriate and available. Educational alternatives throughout Merced County for students recommended for expulsion include, but are not limited to, the following options:

- Expulsion, suspended order, with placement on the same campus. E.C. 48917(a)
- Expulsion, suspended order, with placement on a different school campus within the district. E.C. 48917(a)
- Expulsion, suspended order, with placement in district independent study, if it is determined that independent study is an appropriate alternative for the student and the parent consents.
- Expulsion, suspended order, with subsequent transfer to another district.
- Expulsion with referral to a district community day school, if available.
- Expulsion, suspended order, with subsequent transfer to a charter school
- Expulsion, suspended order, with subsequent transfer to private school
- Expulsion with subsequent transfer to another district
- Expulsion with subsequent transfer to a charter school
- Expulsion with subsequent transfer to a private school
- Expulsion with referral to the Merced County Office of Education Valley Community School Program (grades 6-12)

Note: Parents may elect to enroll in a charter or private school. While charter schools are cost-free public schools, any costs associated with private schools, are the responsibility of the parent. School districts will always offer a public school option for expelled students.

The Merced County Office of Education (MCOE) is committed to providing educational services for students expelled or referred from Merced County school districts. Educational services for expelled Merced County students are provided through Valley Community School. Additionally, expelled students who are in custody while awaiting adjudication, or who are wards of the juvenile court serving a commitment in the Merced County Iris Garrett Juvenile Justice Complex are provided educational services through the Court School.



## Valley Community Schools (VCS)

Valley Community Schools are committed to the success of every student. The vision of VCS is to nurture, inspire and lead through innovative and unique experiences. VCS is located on 3 different campuses around Merced County in the communities of Atwater, Los Banos, and Merced. VCS serves students in grades 6-12.

The primary purpose of VCS is to provide a safe and supportive educational environment for students from throughout Merced County who have been unsuccessful at their comprehensive middle or high school. The circumstances that bring students to VCS vary widely, such as: expelled for discipline reasons, credit deficiencies, habitually truant, pregnant or parenting, involved in the juvenile justice system, or on probation. In general, students enrolled at VCS are in need of more intensive support services behaviorally, academically, and or socially.

The overarching goal is to help all students address their personal, social, and educational obstacles for return to their local comprehensive schools and ultimately obtain their high school diplomas. Students who do well at VCS may choose to stay and graduate with their high school diploma. VCS believes all students can be successful and are proud to help Merced County's most challenged youth fulfill their true potential.

VCS are WASC accredited schools with the following Schoolwide Learner Outcomes:

Students will be Responsible and Socially Productive people who
<ul style="list-style-type: none"><li>• Demonstrate teamwork while practicing effective leadership</li><li>• Accept responsibility for learning and actions</li><li>• Demonstrate citizenship and respect for others</li><li>• Are prepared to learn by arriving on time and staying on task</li></ul>
Students will be Independent Problem Solvers who
<ul style="list-style-type: none"><li>• Think critically</li><li>• Demonstrate effective decision-making skills</li><li>• Manage conflict in positive ways</li><li>• Set realistic goals</li></ul>
Students will be Knowledgeable, Informed People who
<ul style="list-style-type: none"><li>• Apply prior knowledge to recognize and solve challenges</li><li>• Articulate ideas, opinions, and information accurately</li><li>• Use technology responsibly as a tool for academic success</li><li>• Achieve yearly progress toward graduation</li><li>• Are college and career ready</li></ul>

VCS offers rigorous academic courses in all core subject areas as well as unique electives particularly suited to the special needs of at-risk students, including Leadership classes, parenting workshops, and programs that promote self-awareness. VCS operates a restorative justice program called STRIVE, which is designed to foster a culture of communication, respect, and positive relationships among students and staff.

All students begin VCS with an orientation session that introduces them to the unique climate of the VCS campuses. The minimum daily instructional time for a community school is 240 minutes. Every Thursday is an early release day for the purpose of staff professional development, curriculum development, and staff meetings.

Students whose unique educational needs cannot be met in the typical school program are referred to the Independent Study program. Students are assigned to this program if they are employed full-time, are a teen parent with no child-care, have a medical reason that prevents them from attending daily, or have an extenuating circumstance, such as a safety issue or an ailing parent who needs assistance at home.

**Table 4 Total Enrollment by VCS Campus**

School	2015 - 2016	2016 - 2017	2017 - 2018
Merced VCS	42	33	42
Atwater VCS	61	70	72
Los Banos VCS	82	75	101
Juvenile Court School	46	48	41
Independent Study	196	202	214
TOTAL	427	428	470

VCS closely collaborates with other government and community agencies such as the Mental Health Department, the Police Departments, and the Probation Department to provide a well-rounded program that truly addresses the specific issues that may act as barriers to success for at-risk students.

VCS serves students with mild/moderate disabilities. VCS continually monitors students with IEPs. When necessary, IEP team meetings are convened to discuss students who are not making significant progress on their educational goals. Specialized Academic Instruction (SAI) is provided based on a student's IEP. Support services are provided from a credentialed Special Education teacher or paraeducator under the supervision and guidance of the Special Education teacher.

## **School District Educational Alternatives**

### **Atwater Elementary School District – Atwater Senior Academy (Grades 6-8)**

Atwater Senior Academy is an alternative educational setting that provides an instructional setting for students who have not been successful in a traditional school setting. Atwater Senior Academy helps students to achieve success in their regular school by teaching them study skills, organizational skills, and interpersonal skills, which ultimately helps them to make better life choices in their daily lives and find success in the regular classroom.

### **Le Grand Union High School Districts – Granada High Continuation**

Granada High School (GHS) is a small continuation high school in the Le Grand Union High School District. Enrollment is between 30 and 55 students, on average, at any one time. Programs at GHS are structured so that each student can work at his or her own pace and academic level. Credit is earned by completion and quality of work. The atmosphere is somewhat informal with an accent on quality of instruction, positive reinforcement and college or career readiness. Students are offered all of the classes required by the school district for graduation, plus a variety of electives. Granada High School is a caring, safe environment for students to develop respect for themselves, others, and their community. It provides a positive, disciplined, individualized education program where students can grow, thrive, and bridge the gap between high school and careers. Students learn to be self-directed, self-motivated, disciplined and mature.

### **Hilmar Unified School District – Irwin High Continuation**

The mission of Irwin High School is to provide a supportive and personalized learning program so students can attain a high school diploma and experience success in college, career, and become contributing members of society. Irwin High School was created to provide an alternative to the traditional high school in order to help students meet their goals of graduating. Courses are offered in response to student's needs, partnering with schools in the district, and by building community partnerships so students benefit from a one-of-a-kind learning experience.

### **Merced City School District – Community Day School (Grades K-8)**

Merced City Community Day School began operation in August of 2008. The School is located on the campus of Cruickshank Middle School serving grades K-8. Community Day School is an alternative school that ensures every student excels academically, builds character and is a productive member of the community.

### **Gustine Unified School District – Pioneer High Continuation**

Pioneer High School is an alternative education program, which provides opportunities and strives to meet the needs and goals of students that have not been met at the comprehensive high school. Individualized instructional programs are provided in a flexible learning environment.

### **Los Banos Unified School District – San Luis High Continuation**

San Luis High School opened in 1971 and serves students in grades 10-12. Students must be 16 years of age or older to attend. San Luis High has received both Model School and Exemplary Program recognition from the California Department of Education. The mission of San Luis High School is to provide quality first curriculum and instruction in the Common Core State Standards (CCSS) in English and Math; enabling each student to meet the requirements necessary to recover academic credits in all core classes, and to obtain a high school diploma and be College and Career Ready. Our desire is to

expand the horizon of our students, not only in the realm of academics, but also to be a productive member of their community as individuals, who can attain success in all aspects of life, who will in turn instill these values in others.

**Merced Union High School District – Sequoia High**

Sequoia High School is a community day high school for at-risk freshmen and sophomores. "Changing Behaviors, Changing Students" is the school's vision. The school focuses on preparing students to make positive choices in all aspects of their lives. There are various programs to connect students to school and support their efforts to improve. The school offers intramural athletics in volleyball, basketball, flag football, soccer, and softball. Sequoia has a block schedule, affording students the opportunity to earn up to 90 credits in a school year and get on track for graduation. The school's mission statement represents their overall purpose: "To instill the will and skill, in at-risk teens, to succeed in school and in life."

**Merced Union High School District – Yosemite High Continuation**

Yosemite High School is a continuation school serving approximately 320 students. The majority of students placed into Yosemite High School are deficient in credits. Some students transfer back to their traditional campus once they are current in credits for their grade level. Students have the opportunity to take classes to accelerate their progress in earning credits. A student at Yosemite may transfer from one class into another when they complete the course. Students may enroll in additional programs to earn credits to reach their goals.

**Dos Palos Oro Loma Joint Unified School District – Westside Community Day (6-8) and Westside High**

Westside Community Day serves students in grades 6-8 and Westside High School serves grades 9-12. Both schools are located on the George Christian Education Center. Westside Community and High Schools are designed to provide students with a small school environment to continue his/her education while working to develop the skills, habits, and attitudes that will allow him/her to be successful in pursuing life goals. Since students learn in different ways and have different learning abilities, students are offered a variety of learning atmospheres and modes of instruction.

## County and District Gaps and Strategies in the Provision of Educational Services to Expelled Students

The following gaps have been identified with respect to providing educational services to expelled students:

### Service Gap 1:

A student is expelled from the district under Education Code 48915 and after being accepted at Valley Community School, refuses to attend or refuses services and instruction to such a degree that the student cannot benefit from placement in any way.

### Service Gap 1 Strategies:

A collaborative effort will be made to address the underlying causes and in an effort to identify additional services which will serve the student's academic and behavioral needs. The county and district will exhaust their existing options. Services currently offered at VCS will be provided by VCS to the greatest extent possible. Additional services necessary will be the responsibility of the referring district.

- a. VCS may provide a modified schedule for students.
- b. Referral to the VCS Independent Study program.
- c. Collaborate with partner agencies such as Probation, SARB, SELPA, and Behavioral Health to determine an educational program that will provide the student with educational options.
- d. The district may approve additional services such as additional support staff dedicated to the student, or augmented social-emotional or substance interventions beyond what is already provided at VCS.
- e. The district may approve alternative placement such as a non-public school or camp setting with more restrictive settings.
- f. Students can apply to a charter school or a private school where any costs would be borne by the parent. Neither the charter school nor private school is obligated to accept the student.
- g. Referral back to district of residence.

### Service Gap 2:

Expelled students in grades K-5 do not have the same educational options available as do expelled students in grades 6-12.

### Service Gap 2 Strategies:

The elementary districts will use their local alternatives in providing educational programs for expelled students. In the event the numbers countywide would warrant the establishment of a separate program, the Merced County Office of Education could enter into a cooperative agreement with the elementary districts to establish an alternative program. The affected districts could enter into a cooperative agreement to refer students to another school districts community day school program or establish a program to serve the elementary school students in one of their local settings.

### Service Gap 3:

Expelled students in grades 6-8 in the VCS Atwater and VCS Los Banos boundaries do not have a daily alternative education program.

**Service Gap 3 Strategies:**

Students in grades 6-8 who do not have access to a daily alternative education program will be referred to the Independent Study program of the campus closest to their district of residence. If a student requests a daily program, a referral may be made to the VCS Merced campus. Referring district and Merced County Office of Education could enter into a cooperative agreement to provide transportation for these referred students. In the event the numbers countywide would warrant the establishment of a separate program, the Merced County Office of Education could enter into a cooperative agreement with the elementary districts to establish an alternative program.

## **County and District Agreement on Alternative Placements**

An expelled student's district of residence is required to provide educational services to students until a student enrolls at Valley Community Schools or another educational alternative.

### **Valley Community Schools (VCS) Referrals Process**

VCS accepts Merced County students in grades 6-12. Students are accepted from districts on an as needed basis, but if registration peaks, students with expulsions are given preference (See EC 1981(b)(1)(A)). VCS strives to expedite student processing and to ensure good customer service to districts, parents, and students.

VCS requires referrals from school districts or from the courts and probation officers. The referral process includes a screening packet with the following information:

1. Referral form completed by the student's referring school district or agency.
2. Probation status;
3. Dependency status;
4. Reason for the expulsion with relevant paperwork, including any stipulated expulsion or suspended expulsion agreements;
5. Discipline history;
6. Student's progress toward meeting the school district of residence's graduation requirements, including any relevant information related to the student's graduation requirements pursuant to California Assembly Bills 167, 216, 1806 and 2306 for students who are homeless, foster youth or have attended a juvenile court school.
7. Attendance information from the last school year and the current school year, including any information related to student's participation in the SARB process;
8. Immunization records;
9. Assessments results (ELPAC or alternative assessment and CAASPP);
10. Information from any Response to Intervention, multi-tiered system of support, and/or other general education interventions in which the student has participated prior to referral;
11. Rehabilitation plan; and
12. The date on which the student will be eligible to return to the school district of residence.

The referring school district or agency shall communicate with the student's parents, guardians, or responsible adults regarding all aspects of the referral process.

Upon receipt of a screening packet, VCS will determine if it can appropriately serve and has space for the student. While VCS attempts to serve as many of the referred students as possible, it may not be able to serve all students who are referred.

## **Referral Process for Students with Special Needs:**

In addition to steps above, districts shall follow these provisions outlined below when referring a special education student to VCS. These provisions allow for the due process rights of the student and family, as well as ensures that the expelled student is placed in an appropriate environment that can meet the educational needs of the student per his or her IEP.

1. Referral Form: Additional Information Required
  - Information regarding the student's Section 504 Plan or IEP status with relevant paperwork, including, but not limited to, the current Section 504 Plan or IEP, assessment reports, progress reports, and all manifestation determination documentation related to the incident that is resulting in the referral to VCS;
  - If at the most recent triennial review new assessment was not administered, attach copy of Triennial Review Worksheet/Letter and Summary of Review.
  - Other psychological, medical and educational and behavioral records, including all standardized required Statewide assessments (CAASPP, CELDT, ELPAC)
  - A summary of any district interventions that have been tried and why they were not successful.
  - The name, phone and e-mail of the district's designated special education contact person.
2. Transition Section 504 or IEP Meeting
  - Once the student's referral has been reviewed and deemed appropriate by VCS special education team and school administration, VCS staff contacts the student's district to arrange an IEP meeting to discuss school placement and services.
  - VCS staff must be in attendance at the student's Transition IEP.
  - If the student's IEP stipulates services or materials not available at VCS, it shall be the responsibility of the referring district to provide and or fund the identified services and materials (i.e. instructional aide, transportation, etc.).
  - IEP Placement meeting will be held to discuss service and programs. District of Service will be changed in SEIS if VCS is deemed an appropriate placement.
3. Initial/Annual/Triennial Evaluations
  - Any SST recommended or parent requested special education initial assessment should be completed with final determination as to whether the student is eligible for services prior to student being referred to VCS. If a triennial evaluation is due within 60 days of the student enrollment in VCS, the referring district is responsible for completing the assessment.
  - If a triennial evaluation is due beyond 60 days of the student enrollment in VCS,



VCS is responsible for completing the assessment.

- For annual IEPs due within 30 days of entering VCS or returning to district, every effort will be made to hold the annual IEPs within the timeline.

Reasons that a student may not be accepted into VCS may include, but are not limited to, the following:

- a. Insufficient space at VCS or in the student's specific grade level;
- b. Insufficient space or unavailability of the special education placement and services contained in the student's IEP or Section 504 plan;
- c. A review of student's referral reveals potential issues related to child find under Section 504 or special education law;
- d. A review of the student's referral reveals potential issues related to failure to assess the student for special education (either initial or re-evaluation) in all areas of suspected disability;
- e. A review of the student's file reveals that the student's special education placement and/or services per the student's IEP or Section 504 plan is likely inappropriate and the student likely cannot be appropriately served at VCS;
- f. A review of the manifestation determination paperwork related to the incident resulting in referral to VCS reveals that there may be an error, either procedurally or substantively, with the manifestation determination conducted;
- g. A review of the screening packet reveals inadequate general education interventions were provided prior to referral;
- h. The student was previously unsuccessful in VCS;
- i. The student has been enrolled at VCS or Juvenile Court School over the past six months and should be allowed the opportunity for success on a school district campus prior to additional enrollment in VCS;
- j. The student's behavior prior to referral is too severe and/or dangerous and will pose a danger to staff and/or other students on VCS campuses;
- k. A victim of the student is already or will be on the VCS campus;
- l. There is a restraining order involving another student or staff on the VCS campus.

If a student cannot be appropriately served and/or there is not space available for the student in VCS, the school district or agency will be notified of the general reason for denying admission. The school district of residence or agency shall be responsible for notifying the student's parents, guardians, or responsible adults that the referral to VCS was denied.

If the student is able to be served and there is space available in the VCS, the student and his/her parent/guardian/responsible adult will be contacted by VCS to report to the school for enrollment. As part of the enrollment process, the student and parent/guardian/responsible adult will attend an orientation session that introduces them to the unique climate of VCS. An Individualized Learning Plan (ILP) will be developed for the student. The ILP will include academic goals, behavioral goals, and the goals for the student to return to the school district of residence after the expulsion term. The ILP will be in addition to and will not replace or override any of the components of the student's Section 504 plan

or IEP.

If a student is unsuccessful at VCS, they may be screened back to their school of residence, voluntarily enrolled in the Independent Study program if appropriate, or provided with extra support and resources in order to remain in the VCS environment or transferred to another VCS campus.

### **For Incarcerated Students Enrolled at Court School**

- Students who are still expelled and pending release from the Juvenile Hall will immediately re-enroll at VCS, if that was the student's previous school. Students who are expelled but have not attended VCS will be directed to the student's respective district office to learn about educational options.
- Per [Education Code 48645.5](#), A pupil shall not be denied enrollment or readmission to a public school solely on the basis that he or she has had contact with the juvenile justice system, including, but not limited to: (1) Arrest. (2) Adjudication by a juvenile court. (3) Formal or informal supervision by a probation officer. (4) Detention for any length of time in a juvenile facility or enrollment in a juvenile court school.
- When a student with special needs has been enrolled at the Court School an IEP must be held prior to referring to any other placement beyond the district of residence. If the student has been sentenced and committed inside the juvenile facility, the Court School will be responsible for the IEP.

### **Return to District Process**

District will be provided with a 30-day notice (unless it is an emergency situation) by VCS staff if student is being considered for return to district for expelled students or non-expelled students.

#### *Expelled Students* [Education Code 48916](#)

1. The student has met the terms of the expulsion and rehabilitation plan.
2. A student is expelled from the district under Education Code 48915 and after being accepted at VCS refuses to attend or refuses services and instruction to such a degree that the student cannot benefit from placement in any way. In such cases, a collaborative effort will be made to address the underlying causes and in an effort to identify additional services which will serve the student's academic and behavioral needs.

#### *Non-Expelled Students: Involuntary Transfer Students* [Education Code 1981\(b\)\(c\)](#)

1. The student has completed middle school and is transitioning to high school.
2. The student has completed a semester following the semester when the acts leading to the referral occurred.
3. A student is expelled from the district under Education Code 48915 and after being accepted at VCS refuses to attend or refuses services and instruction to

such a degree that the student cannot benefit from placement in any way. In such cases, a collaborative effort will be made to address the underlying causes and in an effort to identify additional services which will serve the student's academic and behavioral needs.

4. The student has committed an expellable offense while enrolled at VCS.

*Non-Expelled Students: Voluntary Referrals [Education Code 1981\(d\)\(2\)](#)*

1. A parent, guardian, or responsible adult of a pupil enrolled in a county community school pursuant to this subdivision may rescind the request for the placement, and the pupil shall be immediately re-enrolled in the school that the pupil attended at the time of the referral, or, with the consent of the parent, guardian, or responsible adult, another appropriate school.