

San Benito Countywide Plan for Expelled Students



Plan for Providing Educational Services
to
Expelled Students

July 1, 2024 – June 30, 2027

Adopted by the
San Benito County Board of Education

Approved 6/13/24

Krystal Lomanto

San Benito County Superintendent of Schools

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**Plan for Providing Educational Services to Expelled Pupils
Between the San Benito County Superintendent of Schools and
the
Following San Benito County School Districts:**

Dr. Barbara Dill-Varga	Aromas-San Juan School District
Erika Sanchez	Hollister School District
Jennifer Bernosky	North County Joint Union School District
Dr. Shawn Tennenbaum	San Benito High School District
Dr. John Schilling	South Side School District Rural Schools Representative: (Tres Pinos, Willow Grove, Jefferson, Bitterwater-Tully, Panoche, & Cienega)
Krystal Lomanto	San Benito County Office of Education

Committee Members

Dr. Barbara Dill-Varga-Aromas-San Juan School District
Kip Ward-Hollister School District
Jennifer Bernosky-North County Joint Union School District
Dr. Paulette Cobb-San Benito High School
Emmanuel Nelson-San Benito High School
Kevin Medieros-San Benito High School
Dr. John Schilling-Southside School District
Jennifer Logue-San Benito County Office of Education
Keith Thorbahn-San Benito County Office of Education
Bill Sachau-San Benito County Office of Education
Garret Quindimil-San Benito County Office of Education

Overview

Education Code 48926

As required by AB 922 (Chapter 974, Statutes of 1995; E.C. 48926), the County Superintendent, in conjunction with district superintendents, developed a plan for providing education services to all expelled students in the county. The plan was adopted by the governing board of each school district and the County Board of Education. The plan was subsequently submitted to the Superintendent of Public Instruction by the deadline of June 30, 2024.

In addition, Education Code section 48916.1 requires that “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.” The educational placement will be determined on an individual basis by the school district’s governing board based on:

- Seriousness of offense
- Available educational alternatives
- Other related factors

In accordance with Education code Section 48926, each County Office of Education operating county community schools under Education Code Section 1980, in conjunction with the superintendents of the school districts within the county, shall develop a plan for providing educational services to all expelled students in San Benito County. The plan shall be adopted by the governing board of each school district within San Benito County and by the County Board of Education.

The Countywide Plan shall:

- Review gaps and strategies identified in the 2021-2024 Countywide Plan
- Enumerate educational alternatives provided in San Benito County
- Identify gaps and strategies in educational services to expelled students
- Identify alternative placements for students who fail to meet their rehabilitation plan
- Include a Countywide Plan for regional perspective

AB 922 requires the County Superintendent, in conjunction with district superintendents, to submit a triennial update to the plan to the Superintendent of Public Instruction on June 30th. The first update was due June 30, 2000. This plan reflects the 2024 update.

Review of Gaps and Strategies
Identified in the 2021 Countywide Plan

Gaps in Service:

In the 2021 Countywide Plan, gaps in services were identified. There are relatively few students that are expelled in San Benito County. *The SBCOE provides an exemplary program that uses Restorative Practices to support the individual needs of every student.*

The San Benito County Superintendent of Schools, in conjunction with the superintendents of schools within the county or designee, has developed this plan for providing educational services to all expelled students in San Benito County. This plan was reviewed on January 23, 2019, January 22, 2020, January 27, 2021, May 6, 2021, April 4, 2024, and April 25, 2024.

Educational Alternatives Provided in San Benito County

Educational programs within San Benito County provide numerous alternatives and opportunities for students who are in need of traditional and/or alternative education programs. Individual school districts offer a broad spectrum of services, and the County Office of Education offers additional options. In combination, they provide a continuum of educational alternatives to expelled and high-risk students.

Each school district ensures that educational services are provided for students who have an expulsion hearing. A student whose behavior has resulted in expulsion is given a rehabilitation plan designed by the district of residence. This plan may involve one or more of the options outlined below. The governing board of each school district will determine which educational alternatives are appropriate and available to each student. Educational alternatives include, but are not limited to:

- Suspended expulsion and return to same site.
- Suspended expulsion and assign student to different site.
- Suspended expulsion with placement on a contract for behavior.
- Suspended expulsion with placement on Independent Study program contingent on parent/student consent.
- Suspended expulsion with placement in a SBCOE alternative education program.

The San Benito County Superintendent of Schools provides the following options for expelled youth:

- SBCOE will run one traditional Community School program serving students in grades 7 – 12, Pinnacles Community School. The program provides wraparound services for students with a focus on Restorative Practices. The school provides:
 - Restorative Practices and Strategies,
 - substance abuse counseling
 - academic counseling,
 - mental health services and
 - IEP services as determined by the educational team.

Suspended expulsion with placement in a SBCOE alternative education program.

In addition, SBCOE in conjunction with the local school districts operates two alternative sites, San Andreas Continuation High School and Santa Ana Opportunity School. The alternative education programs, including Pinnacles Community School, will provide Special Education and 504 services for those expelled students identified as students with a disability. Prior to a student with a disability being referred to an alternative education program, a designee of the SBCOE and the school district's Director of Special Education shall meet to determine if the student can be viably served through an alternative education program. The SBCOE designee will meet with the Alternative Education principal to discuss if the student can be appropriately served in the Alternative Education Program. Prior to the SBCOE's designee agreeing to any referral, the SBCOE must have received the complete referral packet from the school district, including all information relevant to the student's placement in an alternative education program.

The SBCOE Community School program will work with district personnel to develop a clear and concise educational plan that will be in place for each expelled student. The SBCOE Pinnacles Community School program provides standards-based curriculum. In accordance with Education Code section 48916.1(f), if the SBCOE is unable for any reason to serve the expelled students of a school district within San Benito County, the governing board of the expelling school district may enter into an agreement with a county superintendent of schools in a different county to provide educational services

for the district's expelled pupils. In accordance with Education Code section 48916.1(a), the responsibility to ensure an educational program is provided to expelled students rests with the governing board who determined the student be expelled. When an Individualized Education Program ("IEP") cannot be implemented within the SBCOE's Pinnacle Community School, the school district of residence is responsible for providing a Free and Appropriate Public Education within the continuum of program options identified in its Special Education Local Area Plan.

District Level Behavioral Intervention Approaches; Options to Minimize Number of Suspensions Leading to Expulsions and Expulsions Ordered and Support Students Returning from Expulsion

The SBCOE and school districts in San Benito County are committed to providing a safe, supportive, and positive school environment that is conducive to student learning. Effective use of school and classroom management strategies and provisions of appropriate interventions and supports can minimize the need for disciplinary measures that exclude students from instruction. Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school shall be imposed only when required by law or when other means of correction have been documented to have failed. The following strategies may be used to reduce the number of students excluded from instruction:

Anger Management: Referral to an anger management or prosocial behavior program.

Behavior Intervention/Support Plans: Behavior Intervention/Support plans are individual plans specialized to support a student's classroom success. A multi-disciplinary team, including the parent, develops the plan collaboratively.

IEP Team Meetings: IEP Team Meetings provide a multi-disciplinary approach to addressing behavioral and educational support for students who are eligible for special education services.

Parent Conference: A discussion or conference between school staff and the student and their parents/guardians.

Positive Behavioral Interventions and Support ("PBIS"): PBIS is a proactive, multi-tiered behavioral framework that can establish positive social learning environments. PBIS emphasizes defining, teaching, and acknowledging student behaviors. Schools and educational organizations establish school-wide systems of support (Tier 1), targeted interventions (Tier II), and individual systems of support (Tier III) that improve the well-being of students by making problematic behaviors less effective.

Restorative Justice Program: Program aims to repair harm to the victim, decrease recidivism, and improve perceptions of fairness and satisfaction with the disciplinary process.

School Counselors: Counselors provide social/emotional support in group and individual settings. Counselors also provide suicide prevention, intervention, and postvention services.

Suicide Prevention Training: Suicide prevention training teaches best and evidence-based suicide prevention practices, warning signs for youth suicide, prevention and postvention practices, how to reintegrate a student after a suicide attempt, dealing with traumatic loss, risk factors for youth suicide, how to assess a youth at risk, how to work with parents of a youth at risk, creating safety contacts for a youth at risk, and contagion.

Other educational programs such as Long-Term Independent Study (LTIS), online learning or enrollment in another school within the district. This enables a student to continue to receive the academic, behavioral and social emotional supports offered by the district.

The 2024 Countywide Plan for Identifying and Outlining Gaps and Strategies in Education Services to Expelled Students

A sub-committee comprised of district, site-level and county personnel from the County met to discuss current issues affecting expelled students. During those meetings, the following gaps and strategies were identified. It is important to note that the responses provided may not pertain to each district and are a compilation of the total responses. *It is also important to identify that during the 2020-2021 school year, most districts provided a distance learning or hybrid learning model for students due to the pandemic. Additionally, due to the pandemic, the enrollment in the program dropped significantly during the 2020-2021 school year.*

Gap:

Districts within San Benito County generally expel very few students during the year. Providing a program for expelled students in each district would not be financially feasible. Until recently, the SBCOE Pinnacles Community School had exceptionally low enrollment due to the pandemic. However, the SBCOE Pinnacles Community School has become close to reaching enrollment capacity based on allocations of funding and the number of students expelled. The SBCOE Pinnacles Community School currently has capacity to serve 40 expelled students based on staffing and class-size limits.

Outside of the money generated through the state, the program is a full bill back to the districts.

Strategy:

SBCOE will continue to operate the San Benito County Pinnacles Community School program and serve as many expelled students as the SBCOE Pinnacles Community School program has capacity for. SBCOE will update Districts on the number of spaces available regularly.

Gap:

The SBCOE's alternative educational placements do not include a Special Day Class (“SDC”) or a classroom specifically designed to serve emotionally disturbed students. Few students requiring such services are expelled, so having a special class for such students would require additional facilities and staffing, which make it fiscally impossible.

Strategy:

While the SBCOE's alternative educational placements do not include a Special Day Class (“SDC”) or a classroom specifically designed to serve emotionally disturbed students, decisions about placement for these students will be made on a case-by-case basis by the educational team. Students whose needs cannot be met by the SBCOE's alternative educational program will be referred to a participating school district's community school or will be placed in another county office of education's community school pursuant to a memorandum of understanding with such county office of education. SBCOE and District representative will collaborate with other counties to investigate possible agreements for alternative education placements outside of San Benito County. Independent study may be an option for students who cannot arrange transportation to such a placement.

Students also have the option to apply to a private school at **no** expense to the expelling school district or apply to a charter school in or out of San Benito County. The private or charter school is not obligated to accept the student.

Gap:

Transportation to school may not be available to expelled students due to San Benito County's large

geographic area. Expelled students may not be eligible to receive transportation services.

Strategy:

Information can be shared with parents and students about access to public transportation. Tokens for public transportation are provided to students if transportation is not available.

Gap:

A student who has been expelled from a district under E.C. 48915 and referred to the SBCOE Community School program could commit another violation of E.C. 48915.

Strategy:

If the expelled student commits another violation of E.C. 48915 while enrolled in the SBCOE Community School Program, the student will remain at the SBCOE Pinnacles Community School Program, at the expense of the district.

Gap:

Students in elementary grades who are expelled may not have the same educational options available as do expelled youth in secondary grades.

Strategy:

If districts within San Benito County have sufficient numbers of elementary students expelled, the San Benito County Superintendent of Schools may establish an elementary community school program, if staffing and appropriate facility is available. Independent Study programs may be offered with placement contingent on parent/student consent and in collaboration with the district of residence. SBCOE and District representatives will collaborate with other counties to investigate possible agreements for alternative education placements outside of San Benito County.

Gap:

Students who are expelled and attend the SBCOE Pinnacles Community School Program may be credit deficient upon arrival (9-12) and have difficulty staying on track with credits when returning to district of residence.

Strategy:

SBCOE Community Program may offer morning and afternoon classes in order for an expelled student to take the appropriate course work to attain proficient credits. SBCOE Community Program may also offer additional credit recovery programs to all the students to meet their credit needs.

Students Who Fail to Meet Their Rehabilitation Plan

The suspension of an expulsion order may be revoked by the governing board of the issuing school district if the student commits any of the acts enumerated in Education Code section 48900 or violates any of that school district's rules and regulations governing student conduct. The following options have been identified for a student who has failed to meet the rehabilitation plan outlined in the individual expulsion packet or who poses a danger to the school district's students, as determined by the governing board. Not all of these options and alternative settings will meet the needs of each district.

- Possible referral to SBCOE Independent Study Program, if available. A student with an IEP may only participate in an Independent Study Program if the student's IEP specifically provides for such participation and if there is space for the student. Alternative Education programs can only enroll 10% of their student population in a Long-Term Independent Studies program.
- Student remains in their current alternative placement or attend San Andreas Continuation High School or Santa Ana Opportunity School, if appropriate.
- Possible referral to a county superintendent of schools in a different county to provide educational services.

Countywide Plan for Regional Perspective

An alternative education planning committee has been established and will meet annually to ensure the proper coordination between districts and the SBCOE. This committee will explore various ways the SBCOE and local districts can better serve students in Pinnacles Community School. The SBCOE will continue to be supportive if assistance is needed by an individual district.

Each semester, district personnel are invited to visit the community school programs to meet with their students and monitor students' progress towards meeting the terms of their rehabilitation plans. These meetings are arranged and facilitated by SBCOE staff.

Appendix

Education Code 48916.1

- (a) At the time an expulsion of a pupil is ordered, the governing board of the school district shall ensure that an educational program is provided to the pupil who is subject to the expulsion order for the period of the expulsion. Except for pupils expelled pursuant to subdivision (d) of Section 48915, the governing board of a school district is required to implement the provisions of this section only to the extent funds are appropriated for this purpose in the annual Budget Act or other legislation, or both.
- (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) may 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. This subdivision, as it relates to the separation of pupils by grade levels, does not apply to community day schools offering instruction in any kindergarten and grades 1 to 8, inclusive, and established in accordance with Section 48660.
- (e)(1) Each school district shall maintain the following data:
- The number of pupils recommended for expulsion.
 - The grounds for each recommended expulsion.
 - Whether the pupil was subsequently expelled.
 - Whether the expulsion order was suspended.
 - The type of referral made after the expulsion.
 - The disposition of the pupil after the end of the period of expulsion.
- (2) The Superintendent may require a school district to report this data as part of the coordinated compliance review. If a school district does not report outcome data as required by this subdivision, the Superintendent may not apportion any further money to the school district pursuant to Section 48664 until the school district is in compliance with this subdivision. Before withholding the apportionment of funds to a school district pursuant to this subdivision, the Superintendent shall give written notice to the governing board of the school district that the school district has failed to report the data as 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 school 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 educational services for the district's expelled pupils.