

San Benito Countywide Plan for Expelled Students



Plan for Providing Educational Services to Expelled Students

July 1, 2021 – June 30, 2024

Approved by the
San Benito County Board of Education

June 10, 2021

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:**

Jennifer Bernosky	North County Joint Union 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
Diego Ochoa	Hollister School District
Dr. Shawn Tennenbaum	San Benito High School District
Dr. Michelle Huntoon	Aromas-San Juan School District

Committee Members

Jennifer Bernosky- North County Joint Union School District
Adrian Ramirez- San Benito High School
Laurie Chavez- San Benito High School
Lisa Jelinek- San Benito County Office of Education
John Schilling- South Side School District
Diego Ochoa- Hollister School District
Kip Ward – Hollister School District
Jennifer Logue- County Office of Education
Krystal Lomanto- County Office of Education
Keith Thorbahn- County Office of Education
Dr. Michele Huntoon- Aromas-San Juan School District

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, 2021.

In addition, E.C. 48916.1 requires that “at the time an expulsion of a pupil is ordered, the 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:

- 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 2018-2021 Countywide Plan
- Educational alternatives provided in San Benito County
- Identifying gaps and strategies in educational services to expelled students
- Students who fail to meet their rehabilitation plan
- 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 thereafter. The first update was due June 30, 2000. This plan reflects the 2021 update.

Review of Gaps and Strategies
Identified in the 2021 Countywide Plan

Gaps in Service:

At this time, no gaps in services have been 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 and May 6, 2021.

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 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 6 – 12, Pinnacles Community School. The program provides wraparound services for students with a focus on Restorative Practices. The school provides Restorative Circles led by the SBCOE Restorative Justice Coordinator, provides substance abuse counseling, academic counseling, and mental health services.

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. 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.

The 2021 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 has 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. Currently, the SBCOE Pinnacle Community School has exceptionally low enrollment due to the pandemic. Fiscally the SBCOE will have to find additional funding to continue to offer the program.

Strategy:

SBCOE will continue to operate the San Benito County Pinnacles Community School program.

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 the San Benito County Pinnacles 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-

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. Independent Study programs may be offered with placement contingent on parent/student consent and in collaboration with the district of residence.

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 following options have been identified for a student who has failed to meet the rehabilitation plan outlined in the individual expulsion packet. Not all of these options and alternative settings will meet the needs of each district.

- Possible referral to SBCOE Independent Study Program, if available.
- Student remains in their current alternative placement or attend San Andreas Continuation High School or Santa Ana Opportunity School.

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 County Office of Education. This committee will explore various ways the County Office of Education and local districts can better serve students. The County Office of Education 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, but 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) If the pupil who is subject to the expulsion order was expelled from any of grades 7 to 12, inclusive, the school district or the County Superintendent of Schools may offer the pupil who is subject to the expulsion order independent study in order to satisfy the requirement of subdivision (a). In order to offer IAE to a pupil who is subject to an expulsion order and in addition to any other requirements set forth in Article 5.5 (commencing with Section 51745) of Chapter 5 of Part 28 for independent study, the parent or guardian of the pupil and the pupil shall provide the written consent for placement in IAE. A school district or the County Superintendent of Schools shall notify the expelled pupil of the option of classroom instruction pursuant to paragraph (7) of subdivision (c) of Section 51747.11
- (f) Each school district shall maintain data for reporting to the State Department of Education pertaining to:
- 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.

Updated: May 6, 2021