



**SAN LUIS OBISPO COUNTY  
OFFICE OF EDUCATION**

**LEADERSHIP ■ COMMUNITY ■ SERVICE**  
**JAMES J. BRESCIA, ED. D., SUPERINTENDENT**

**COUNTYWIDE PLAN FOR PROVISION OF  
EDUCATIONAL SERVICES TO EXPELLED STUDENTS  
EC 48926**

TRIENNIAL UPDATE 2018-2021

[www.slocoe.org](http://www.slocoe.org)

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## Introduction

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The San Luis Obispo County Office of Education (SLOCOE) and its partner school districts are committed to reducing the number of expulsions and providing expelled students with the best services to help them in their educational journey.

Schools often have to make tough decisions as they weigh their commitment to educating all students with the need to remove students for offenses that create an unsafe environment. For many years, schools have disciplined students with temporary removals, suspensions, and permanent removals, expulsions, for serious offenses. Although exclusionary school discipline policies are intended to ensure a productive and safe learning environment, when students are removed from their schools, learning is severely disrupted. In addition, there is little scientific evidence showing that expulsions are effective in reducing school violence or increasing school safety. There is however, significant evidence of the detrimental effects of expulsions on the students who undergo the process.

This document describes the educational alternatives to expulsion for students in schools within San Luis Obispo County and services available to students who are expelled. The plan describes legal requirements of a Countywide Plan for the Provision of Services to Expelled Students and presents a review of the last five years of expulsion data of San Luis Obispo County school districts. As required by California Education Code (48916 and 48926) gaps in services to students are explained, as well as strategies to address these gaps. Services offered by SLOCOE to these students are described, as well as next steps in our efforts to continue to reduce the number of students expelled.

San Luis Obispo County covers an area of 3,616 square miles. It is bordered on the north by Monterey County, on the east by Kern County and on the south by Santa Barbara County. The Pacific Ocean provides the county's western border.

Students in the county are enrolled in ten local school districts, the County Office of Education (COE), three district-authorized charter schools and other private and online programs. These programs provide services to more than 34,000 pupils. The school districts range in size from the smallest with 121 pupils to the largest with a student enrollment of over 10,000 pupils.

Educational programs within San Luis Obispo County provide numerous opportunities for students in need of traditional and/or alternative education programs. Individual school districts offer a spectrum of educational alternatives, and the San Luis Obispo County Office of Education (SLOCOE) offers additional options via Grizzly ChalleNGe Charter School and the Court and Community School Programs. Together, the districts and SLOCOE provide a wide range of services to expelled youth.

In addition to providing mandated services to expelled students, the educators and agency representatives in the county collaborate on a regular basis to monitor the changing needs of our students and families, increase awareness, and provide research-based programs that best meet the needs of all students.

- There are many interagency committees that meet regularly with this goal in mind. Some of these committees are focused within the local districts and others are county-wide. An example of this is that the Juvenile Judge meets approximately five times a year with administrative-level representatives of the COE, the DA's office, Probation, CASA, Social Services, Behavioral Health, the Public Defender's office, and the

Court Commissioner. This team was formed in 2013 at the “Keeping Kids in School and Out of Court” Summit, held in conjunction with “Beyond the Bench”. This group regularly monitors countywide data and programs offered to youth and families throughout the county and focuses on how the agencies can support these families in a collaborative manner.

- Schools within the districts and the COE have implemented many research-based programs to better meet the needs of the individual students. These include, but are not limited to: Multi-Tiered System of Support, Positive Behavior Intervention Supports, Bully Prevention Programs, AVID, Student Study Teams, Family Support Teams, Get Focused Stay Focused, Restorative Practices, Character Education, Social and Emotional Learning Programs, Youth in Action, Link Crew, Transition Mentor Programs, Violence Prevention Programs and IEPs and 504s for students with disabilities.
- Drug and Alcohol programs are being offered county-wide. This is a collaborative between local districts, the COE, and County Behavioral Health. This program allows for continuity of care throughout the county, offering additional support to a highly mobile population.
- Focused support for homeless and foster youth is in place throughout the county. Local liaisons meet regularly to ensure the needed supports for these students and families are in place and necessary information is communicated in a timely manner. There is a county-wide interagency agreement between SLOCOE, Department of Social Services, Department of Behavioral Health, Department of Probation, all districts and charter schools, Superior Court, Aaron’s Group Home, CASA, Pathways, Youth Treatment Program, ECHO, Aspiranet, Family Care Network, CAPSLO Homeless Services, and the Women’s Shelter.
- All districts have a SARB process in place and the county office operates a County-wide Truancy Board which not only hears cases, but also monitors county-wide attendance data and shares information regarding services that are available to districts, students, and families.
- COE sponsors regular professional development for staff, county-wide, to assist with the increased awareness of new legislation, alternatives to suspension, disproportionality, and other areas that affect our at-risk youth.

Educators in San Luis Obispo County recognize the need for a continuum of 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. Local educators also recognize the seriousness of expulsion and pledge to apply careful thought, with an emphasis on fairness and consistency, during the decision-making process.

## **Legal Requirements of a Countywide Expulsion Plan**

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On July 1, 1996, California Education Code section 48926 became effective. California Education Code 48926 states, “Each county superintendent of schools in counties that operate community schools pursuant to Section 1980, in conjunction with superintendents of school districts within the county shall develop a plan for providing education services to all expelled students in the county. The plan shall be adopted by the governing board of each district within the county and by the county board of education.” ED Code 48926 also requires county superintendents to submit a plan to the Superintendent of Public Instruction, every three years, no later than June 30th.

The plan shall enumerate existing educational alternatives for expelled students, identify gaps in educational services to expelled students and strategies for filling those service gaps. The plan shall also 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.

Education Code 48916.1 states:

- a) At the time an expulsion of a pupil is ordered, the governing board of the school district shall ensure that an education program is provided to the pupil who is the subject to the expulsion order for the period of the expulsion. Except for pupils expelled pursuant to subdivision (d) 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) may 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 kindergarten or grades 1-6, 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 7-12, 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 1-8, inclusive, and established in accordance with Section 48660.
- e) (1) Each school district shall maintain the following data:
  - (A) The number of pupils recommended for expulsion.
  - (B) The grounds of each recommended expulsion.
  - (C) Whether the pupil was subsequently expelled.
  - (D) Whether the expulsion order was suspended.
  - (E) The type of referral made after the expulsion.
  - (F) 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 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 the 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 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.

In addition, Education Code section 48926 requires that the following components be

contained in this plan: (a) an enumeration of existing educational alternatives for the expelled pupil; (b) the identification of gaps in educational services to expelled pupils; (c) proposed strategies for fulfilling said gaps; (d) alternative placements for those expelled students who have failed to meet the terms and conditions of their rehabilitation plan.

California 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 education program is provided to the pupil who is subject to the expulsion order for the period of expulsion." Therefore, every school district governing board in San Luis Obispo County will refer each expelled pupil to an appropriate educational placement for the period of expulsion. The educational placement will be determined on an individual basis by the school district's governing board based on 1) seriousness of the offense, 2) available educational alternatives, and 3) other related factors. District-level alternatives for expelled pupils will vary from one district to another depending on such factors as district size, viable alternatives, and district philosophy. SLOCOE educational alternatives are also available for expelled pupils.

Each school district in San Luis Obispo County should take steps to see that services are provided for pupils who have an expulsion hearing. A pupil whose behavior has resulted in expulsion shall be given a rehabilitation plan that is designed by the district of residence. Any recommended placement should be monitored and appropriate documentation maintained.

#### **Requirement for a Rehabilitation Plan for expelled students**

Each school district must take steps to see that services are provided for expelled students. An expelled student is given a rehabilitation plan designed by the district of residence. The district's governing board is responsible for monitoring any recommended placements and maintaining appropriate documentation.

#### **Requirement for a review and readmission of expelled students**

California Education Code 48916.1

(c) The governing board of each school district shall adopt rules and regulations establishing a procedure for the filing and processing of requests for readmission and the process for the required review of all expelled pupils for readmission. Upon completion of the readmission process, the governing board shall readmit the pupil, unless the governing board makes a finding that the pupil has not met the conditions of the rehabilitation plan or continues to pose a danger to campus safety or to other pupils or employees of the school district. A description of the procedure shall be made available to the pupil and the pupil's parent or guardian at the time the expulsion order is entered.

(d) If the governing board denies the readmission of an expelled pupil pursuant to subdivision (c), the governing board shall make a determination either to continue the placement of the pupil in the alternative educational program initially selected for the pupil during the period of the expulsion order or to place the pupil in another program that may include, but need not be limited to, serving expelled pupils, including placement in a county community school.

(e) The governing board shall provide written notice to the expelled pupil and the pupil's parent or guardian describing the reasons for denying the pupil re-admittance into the regular school district program. The written notice shall also include the determination of the educational program for the expelled pupil pursuant to

subdivision (d). The expelled pupil shall enroll in that educational program unless the parent or guardian of the pupil elects to enroll the pupil in another school district.

### **Referrals to SLOCOE Community School and reasons for denial of a referral**

Referrals are on the SLOCOE website and must be completed by the referring district. The referral is then scanned/emailed to the main office at the email group listed on the referral. The updated referral form will be included as an appendix to this plan.

Reasons for denial of referral:

- Insufficient space at the Community School
- Insufficient space in or unavailability of the special education placement and/or services contained in a student's IEP or Section 504
- A review of the referral reveals potential issues related to child find under the Section 504 or special education law
- A review of the referral reveals a potential issue related to failure to assess the student for special education in all areas of suspected disability
- A review of the student's file reveals that services per the student's IEP/504 are likely inappropriate and the student's needs cannot be served
- A manifestation determination reveals there may be an error, procedurally or substantively, with the manifestation determination conducted
- A review of the paperwork reveals inadequate general education interventions, especially alternatives to suspension
- A victim of the student is already at the Community School campus or a restraining order is in place involving another student on campus

### **Educational Services Provided to Expelled Students with Exceptional Needs**

Consistent with state law, a student with exceptional needs, who has a current IEP/504 may be expelled and referred by a school district for placement at Community School. Enrollment will be determined on an individual basis and is dependent, in part, upon the appropriateness of the placement and services available at the Community School. As indicated above, a referral is not a guarantee of placement at Community School. Districts may refer students with exceptional needs if:

- all procedural safeguards regarding the discipline of the student with special needs have been met
- the referring district has complied with all legal requirements, no student will be accepted if they have pending and/or overdue IEP/504s
- an IEP or Section 504 team has determined that a referral to Community School meets the student's needs per the IEP/504

### **High school credits awarded at SLOCOE Community School**

The referring school district shall calculate and provide all credits earned by the student, including partial credits for the portion of the current semester attended at the time of the referral.

SLOCOE Community School students earn credits based on a daily or weekly portion of a semester when there is positive attendance and school work is completed at a passing level (D or better.)

The school district of residence will accept all partial credits awarded to the student on his or her return to the district of residence or other district after leaving SLOCOE Community School. These credits will be added to the student transcript by SLOCOE at the time of transfer.

SLOCOE Community School complies with all state laws that allow Foster, Homeless and Former Juvenile Court School students to graduate at the State minimum following a school change after the sophomore year. This exemption will be noted on the student's transcript. The local district should discuss the exemption with the student on return if she or he qualifies and has not accepted the exemption previously.

### **Educational Alternatives Available for Expelled Students in San Luis Obispo County**

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

- Expulsion, suspended order, with placement on the same school campus.
- Expulsion, suspended order, with placement on a different school campus within the District.
- Expulsion, suspended order, with placement in District Independent Study, if available, if the parent requests and if a daily classroom option is available.
- Expulsion, suspended order, with subsequent transfer to another district.
- Expulsion with referral to a District Community Day School program, if available.\*
- Expulsion with subsequent placement in another District's Community Day School, if available.\*
- Expulsion with referral to the San Luis Obispo County Office of Education Community School Program.
- Expulsion, voluntary application and acceptance at the Grizzly ChalleNGe Charter School.
- Expulsion, unilateral parental placement in a charter school, private school or private homeschool alternative.

**\* There are no county wide District Community Day Schools planned for operation during the 2018-2019 school year.**

## Expulsion Data

Our efforts to identify gaps in services began with a review of the number of expulsions reported to CALPADS and then DataQuest by school districts within San Luis Obispo County. Reported below is the **total number of unduplicated students expelled / and the expulsion rate** (determined by the total number of unduplicated students expelled divided by enrollment)

District	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017
<b>Statewide</b>	8265 / .13%	6610 / .10%	5692 / .09%	5634 / .09%	5611 / .09%
<b>San Luis Obispo County</b>	84 / .23%	26 / .07%	51 / .14%	57 / .16%	58 / .16%
Atascadero Unified	0	2 / .04%	3 / .06%	10 / .20%	12 / .25%*
Cayucos Elementary	0	**	0	0	0
Coast Unified	1 / .13%	0	0	0	1 / .15%
Lucia Mar Unified	53 / .48%	22 / .20%	27 / .24%	26 / .23%	20 / .18%
Paso Robles Joint Unified	6 / .09%	0	10 / .14%	9 / .13%	9 / .13%
Pleasant Valley Joint Union	0	0	0	0	0
San Luis Coastal Unified	20 / .25%	1 / .01%	11 / .14%	8 / .10%	10 / .12%
San Miguel Joint Union	0	0	0	2 / .21%	0
Shandon Joint Unified	1 / .31%	**	0	0	0
Templeton Unified	3 / .12%	1 / .04%	0	2 / .08%	6 / .24%

\*suspended expulsions coded under expulsion (7 suspended expulsions and 5 expulsions)

\*\*no data reported on DataQuest

Source: California Department of Education DataQuest <http://dq.cde.ca.gov/dataquest/>

While reviewing these results, school district personnel described some inconsistencies in the data. It is important to note that this data is gathered by the California Department of Education (CDE) through the California Longitudinal Pupil Achievement Data System (CALPADS). Though improvements have been made, the system is susceptible to inaccuracies as a result of human error or inconsistent interpretation and utilization of codes during data entry.

## **Identified Gaps in Service**

### 2015 Plan Identified Gaps in Service

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The Alternative Education Operations Committee (AEOC), which includes representatives from school district alternative education programs, community schools, SELPA, and Probation, meets quarterly to review data and to support and oversee alternative education programs in the county. In the 2015 Countywide Plan for Provision of Educational Services to Expelled Students AEOC identified the following service gaps.

#### **Many students who are referred to SLOCOE Community School fail to attend school regularly or fail to respond to intervention.**

Students will be considered enrolled once the screening/acceptance process has been completed and they attend the first enrollment/orientation meeting with their parents. The current rate of attendance for students enrolled in community school is 78%. Strategies to address this gap include, but are not limited to:

- Continued focus on truancy. SLOCOE has contracted with the Department of Probation for an officer to focus on increasing attendance. Individual students will be monitored and a tiered system of support will be implemented based upon individual need. Staff members will receive continuous training to ensure that attendance and discipline data are reported accurately. Parents will have access to online attendance data. They will be informed of how to access the data and encouraged to use it.
- Students and families will continue to be referred to SSTs, SARBs and Citations of Minors for Truancy. These processes will continue to be closely monitored, and leveraged systematically as supports.
- Professional development will be provided to staff and agency partners to increase their knowledge of and ability to implement positive behavior intervention supports, multi-tiered systems of support, trauma informed care, restorative practices, and other research-based approaches of support.
- SLOCOE will involve students in the creation of their Individual Success Plan (ISP) and will communicate regularly with students and parents/guardians regarding the progress of the plan.
- Parents will be informed of the importance of their involvement as well as exposed to research-based strategies to assist them with parenting at-risk youth.
- Career Technical Education (CTE) courses are now being offered at Community School.

Most large districts have implemented restorative practices and PBIS at varying levels to aid in helping students before expulsion becomes necessary.

#### **Increased student need, the size of the county, and the remote areas in the districts present a challenge when providing services to a decreasing specialized population.**

San Luis Obispo County covers a large geographic area and is divided into four main regions (North County, Coastal, San Luis Obispo, and South County). SLOCOE currently operates one community school site. Due to declining enrollment, the county was not financially capable of keeping the former three sites fully operational while maintaining the high level of services needed to fully serve this population. Strategies to address this gap include, but are not limited to:

- SLOCOE has combined the expertise of the special education and the alternative education departments. This allows for better service to all students, and allows for closer compliance monitoring of Individualized Education Plans.
- All classrooms at the Court School will be fully staffed with teachers who are dually credentialed, in order to serve our students with special education needs.
- Construction was completed to expand the Juvenile Hall. We now have all new educational facilities. This expansion also included a third unit to serve students who may currently be placed out of county. This new unit (Coastal Valley Academy-CVA) will be for students who have been placed long term.
- SLOCOE continues to investigate ways to restructure the program in order to maintain the high level of support.
- SLOCOE is looking at ways to re-route the buses with the goal of discovering the best way to cover the large distance of the county, keep the transportation time to a minimum, and still provide service to students, while keeping transportation costs to a minimum. RTA buses are being used to fill gaps as well as two SLOCOE school buses.
- An independent study option is available to students when appropriate.
- Representatives from SLOCOE and the districts will work collaboratively to best meet the needs of these most at-risk students. Focused teams will meet regularly to monitor the changes and look for opportunities to better support the changing needs of the students in the county.

### **Alternatives for students who fail placement in District Community Day Schools or who pose a danger to other district pupils**

Expelled students who fail to meet the terms and conditions of their rehabilitation plan or pose a danger to other district pupils, as determined by the governing board, can be referred to the SLOCOE Community School. The school district of residence continues to maintain responsibility for developing a rehabilitation plan for the student, referring the student to an appropriate educational setting, and ensuring that an educational program is provided either within or outside the school district.

Parents, at their own expense, may choose placement in a private school or private homeschool alternatives.

The San Luis Obispo County Office of Education's Student Programs and Services Division offers the following options for expelled youth:

#### **Community School:**

- Loma Vista Community School - San Luis Obispo

This community school is located in San Luis Obispo on Pennington Creek Road, behind the County Office of Education. It is the only operating community school after closure of Chalk Mountain and Mesa View Community Schools for lack of students. Students at Loma Vista have access to Probation, Mental Health and Drug and Alcohol Counseling supports every day. PBIS has been implemented and the school is WASC accredited. Students have access to Learning Labs for individual attention and support. **Districts are charged a probation fee per referred student and can have special education charges if specialized services are necessary, and may be charged transportation fees.**

### **Court School:**

- Juvenile Court School

This school is located within the Juvenile Services Center on Kansas Avenue. It is for students who are currently in custody at the facility. PBIS has been implemented facility-wide and the school is WASC accredited.

### **Alternative Education Charter School:**

- Grizzly ChalleNGe Charter School at Camp San Luis Obispo

Grizzly Youth Academy (GYA) is a partnership between the California National Guard and the Grizzly Challenge Charter School. For youth between the ages of 16 and 18 who have dropped out of high school, or are at-risk of dropping out, it offers a highly-structured environment that promotes leadership, cooperation, and academic skills, while building self-esteem, pride, and confidence. Once accepted into the program, cadets are introduced to military structure, participate in team building activities, practice making healthy choices, attend school daily, gain organizational and study skills, participate in a wide range of extracurricular activities, and receive the support they need to turn their lives around. The National Guard Youth ChalleNGe program is voluntary. Young men and women who apply must be committed to completing the 22-week residential phase and the 12-month post-residential phase. Tuition, room and board, and books are provided at no cost to the family.

## 2018 Plan Identified Gaps in Service

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SLOCOE and its partners (AEOC) identified the following gaps in serving the needs of expelled students for the 2018-2021 triennial update:

### **1. Continue to examine/increase educational options for special education students.**

There is a need to examine options for students with IEPs that may be expelled but cannot be served by the community school program. Continued collaboration between Districts, SELPA, AEOC and SEOC will allow future discussions about the possibility of a TLC classroom at Community School.

### **2. Continue to further reduce the number of expulsions for non-mandatory offenses**

The number of expulsions has been reduced significantly since the 2012-2013 school year, however, our county has been above the statewide expulsion rate for the past 4 years. SLOCOE and county districts are committed to continuing this trend and further reducing expulsions in the county. This will include using alternative means and restorative practices to change thoughts regarding zero tolerance and non-mandatory expulsion offenses.

### **3. Need to increase services/transitions for incarcerated youth**

School district personnel felt that transition information about incarcerated youth, who may also be expelled, is sometimes difficult to obtain. In many cases, information about placement of and release dates for students who are placed in juvenile hall is not available in a timely manner. The collaboration between Districts, Probation and SLOCOE will continue to address these problems.

**San Luis Obispo County Plan for  
Provision of Educational Services to Expelled Students**

**Approved by the San Luis Obispo County Superintendents' Council  
May/June 2018**

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Tom Butler, Superintendent  
Atascadero Unified School District

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Wendy Nielsen, Superintendent  
Pleasant Valley Joint Union Elementary  
District

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Scott Smith, Superintendent  
Cayucos Elementary School District

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Eric Prater, Superintendent  
San Luis Coastal Unified School District

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Victoria Schumacher, Superintendent  
Coast Unified School District

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Curt Dubost, Superintendent  
San Miguel Joint Union School District

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Raynee Daley, Superintendent  
Lucia Mar Unified School District

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Teresa Taylor, Superintendent  
Shandon Joint Unified School District

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Chris Williams, Superintendent  
Paso Robles Joint Unified School District

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Joe Koski, Superintendent  
Templeton Unified School District

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San Luis Obispo County Plan for  
Provision of Educational Services to Expelled Students  
Board Approval Record

Atascadero Unified School District	_____, 2018
Cayucos Elementary School District	_____, 2018
Coast Unified School District	_____, 2018
Lucia Mar Unified School District	_____, 2018
Paso Robles Joint Unified School District	_____, 2018
Pleasant Valley Joint Union Elementary District	_____, 2018
San Luis Coastal Unified School District	_____, 2018
San Miguel Joint Union School District	_____, 2018
Templeton Unified School District	_____, 2018