



COUNTYWIDE PLAN FOR PROVISION OF EDUCATIONAL SERVICES TO EXPELLED STUDENTS

2018-2021

This plan was developed in accordance with California Education Code Section 48926, has been approved by all nineteen Marin County school district boards, and was approved by the Marin County Board of Education in June, 2015.

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Plan Requirements

EC 48926

Each County Superintendent of Schools in counties that operate community schools pursuant to Section 1980, in conjunction with Superintendents of the school districts within the county, shall develop a plan for providing education services to all expelled pupils in that county. The plan shall be adopted by the governing board of each school district within the county and by the County Board of Education.

The plan shall enumerate existing educational alternatives for expelled pupils, identify gaps in education services to expelled pupils and strategies for filling those service gaps. The plan shall also identify alternative placements for pupils who are expelled and placed in district community day school programs, but who fail to meet the terms and conditions of their rehabilitation plan or who pose a danger to other district pupils, as determined by the governing board.

Each County Superintendent of Schools, in conjunction with the Superintendents of the school districts, was required to submit to the Superintendent of Public Instruction, the county plan for providing education services to all expelled pupils in the county no later than June 30, 1997, and shall submit a triennial update to the plan to the Superintendent of Public Instruction, including the outcome data pursuant to section 48916.1, on June 30th thereafter.

EC 48916.1

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.

CHARTER SCHOOL REQUIREMENTS REGARDING EXPULSION

Charter schools are exempt from Education Code provisions with respect to student discipline and are required to describe their suspension and expulsion procedures in their charter. The charter's procedures may or may not mirror the policies of the charter-authorizing entity. However, once a pupil is expelled, he or she returns to the jurisdiction of the school district that he or she would be eligible to attend prior to enrolling in the charter school. Once a charter school student is expelled, rules of district residency would apply. The district should treat a charter-expelled student the same as a district-expelled student and comply with

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Education Code Section 48915.1, which provides that the district of residence holds a hearing to determine whether or not the student poses a continuing danger. If the student is found not to pose a continuing danger the district of residence could allow attendance by the expelled student. Charter schools are required to give 30-day notice to the district of residence for an expulsion of a student it enrolls in the charter.

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Current Status

Education programs within Marin County provide numerous opportunities for students who are in need of alternative education programs. Individual school districts offer a broad spectrum of service and the Marin County Office of Education offers additional options, thus providing a continuum of alternatives to suspended/expelled students. A student whose behavior has resulted in expulsion is given a rehabilitation plan that is designed by the district of residence. This plan may involve one or more of the options outlined below. A student who has not been expelled and is in need of an educational alternative may also access these programs through a district and/or county referral process.

The district of residence always maintains responsibility for its expelled youth. Every Marin County school district governing board will refer each expelled student to an appropriate educational placement for the period of expulsion. The educational placement will be determined on an individual basis by the school district's governing board based on seriousness of offense, available educational alternatives, and other related factors. County level alternatives for expelled students will remain available to all expelled students. District level alternatives for expelled students, if district level alternatives exist, will vary from one district to the next depending on the characteristics and resources of that district.

A district sub-plan will be developed and board approved for every district in Marin County that offers an alternative educational program for expelled students. Any such district sub-plan(s) will be included in this countywide plan. Each district sub-plan will include 1) a list of existing educational alternatives for expelled students, 2) gaps in educational services to expelled students, 3) strategies for filling those gaps and 4) alternative placements for students who fail community day school placements (if offered).

Marin County has seen a dramatic decrease in the number of expulsions over the last six years. In 2011-2012 there were 43 expulsions of Marin County students. That number dropped by half to 21 expulsions in 2012-2013. And in 2016-2017, the most recent year for which we have records, we had only four expulsions. This is a 90% decrease in expulsions in our community. This dramatic improvement is attributed to the adoption and implementation of restorative practices at most middle and high schools; and to strategies such as Positive Behavioral Interventions and Supports (PBIS), No Bully Solution Teams, and Social Emotional Learning (SEL) programs. There has also been community-wide efforts to reduce disproportionate minority contact with law enforcement and the juvenile justice system which have been instrumental in the positive changes to school climate and student outcomes.

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Marin County Office of Education Overview

The Marin County Office of Education provides the below permissive educational options for expelled students.

MARIN'S COMMUNITY SCHOOL/PHOENIX ACADEMY

Marin's Community School/Phoenix Academy is an educational program that provides local school districts with an additional educational option for expelled youth. Marin's Community School's new facility is located adjacent to the County Office of Education. The school provides an educational program that meets for 315 minutes four days per week with a minimum day on Wednesdays. Services within the program include individualized standards-based academic instruction; workplace learning opportunities through the School to Career program; Post-secondary counseling; Special Education services on site; visual arts education; mental health education, counseling, and peer education via partnerships with community-based organizations such as Marin County Community Mental Health and the Marin Juvenile Probation Department; and close monitoring through collaboration with the Marin County Juvenile Probation Department and the San Rafael Police Department. Students attending Marin's Community School receive highly individualized attention oriented toward helping them to reach their goals for high school and beyond.

ORACLE INDEPENDENT STUDY

The Marin County Office of Education's voluntary contracted independent study program requires students to complete a minimum of 25 hours of educational product each week. The Oracle Independent Study program offers a wide range of support to its students including individualized instruction, work-experience opportunities through collaborations with local agencies including the Marin County Office of Education's Regional Occupational Program, and access to mental health counseling as needed. Special Education services for Oracle Independent Study students is provided by the district of residence unless otherwise negotiated.

The philosophy of each individual school district affects how the Marin County Office of Education community school program meets district needs. Some school districts use Marin's Community School as an educational option for their expelled students, while others use this program as a student assistance or placement alternative.

Marin County School Districts Overview

Local school districts within Marin County offer the below options for expelled youth, depending on the specific offense and the Education Code violation. Actual referral is varied and placements are made by the district governing board, generally with recommendations from the district Administrative Review Board or the School Attendance Review Board or a similar district referral process.

1. Expulsion, suspended order with placement on the same school campus.
2. Expulsion, suspended order with placement on a different school campus within the district.
3. Expulsion, suspended order with placement in district Independent Study, with parental consent.
4. Expulsion, suspended order with possible transfer to another district.
5. Expulsion with referral to a district community school program, if available.
6. Expulsion with possible transfer to another district.
7. Expulsion with referral to Marin County Office of Education alternative education programs.
8. Expulsion, but not permitted to attend the Marin County Office of Education alternative education programs.

As stated above, there has been a dramatic reduction in expulsions of Marin County students. In the past three years, only three of our 18 school districts have expelled students. Their plans for providing education services to expelled pupils are described below.

NOVATO UNIFIED SCHOOL DISTRICT

Novato Unified School District (NUSD), the largest district in Marin County, has implemented restorative practices throughout the district including Peer Court, No Bully Solution Teams, Drug and alcohol counseling and Cyberbullying education through North Bay Security Group, and school based counseling at all school sites. The alternatives to suspension promote keeping students in school and support their needs K-12. Student suspensions have dramatically decreased over the past several years.

A change in district services is the closing of Nexus Academy, a school serving expelled youth in grades 7 to 10. With the closure of Nexus, the following plan is in place:

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1. Students who have been expelled for non-mandatory offenses may receive an administrative change of placement to another school in the district with behavioral contract.
2. NOVA, the district's Independent Study Program, may be used as an alternative placement.
3. Referral may be made to the Marin County Office of Education Alternative Education Programs through the expulsion process.

Counseling is available at the Hill Education site for students enrolled in any of the alternative programs on the site. This is a great opportunity to better serve the emotional needs of the student body. However, the school does not have a full time counselor to support the individual emotional needs of students on a daily basis.

SAN RAFAEL CITY SCHOOLS

San Rafael City Elementary and High School Districts have instituted Positive Behavior Interventions and Supports (PBIS) to create schoolwide systems for behavioral intervention. PBIS is a comprehensive school climate initiative that sets clear expectations for student behaviors and addresses positive reward/award systems and progressive behavioral interventions. Each school in San Rafael City Schools maintains a PBIS team consisting of administration, teachers, classified staff, school psychologists and counselors.

San Rafael City Schools is committed to addressing the needs of students through a multitude of mental health supports and services. The District has increased in school counselors and psychologists in recent years. Additionally, Marriage and Family Therapists (MFT's) have been assigned to both Terra Linda and San Rafael High Schools, as well as MFT interns who have caseloads at both sites. The high school Counseling Enriched Classroom at Terra Linda High School supports students who require intensive support as identified in Individualized Education Plans.

The District has established a partnership with the Anti-Defamation League (ADL) in support of its anti-bias and bullying work. The ADL has provided training to staff and students, and soon will expand into parent trainings. San Rafael High School, Davidson Middle School, and Venetia Valley K-8 have all been awarded with a "No Place for Hate" designation by the ADL.

Davidson Middle School and Venetia Valley utilize Restorative Practices which include Restorative Circles, Solution Teams, and Peer Court/Suspension Diversion to address behavior and mitigate suspensions and expulsions. Both sites will soon be partnering with local nonprofit agencies to expand upon these existing supports.

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SHORELINE UNION SCHOOL DISTRICT

Shoreline Unified School District's educational community maintains a focus on keeping students in school and finding alternatives to suspension/expulsion that support student learning. The district Local Control Accountability Plan (LCAP) places a priority on ensuring that students are connected to a safe and supportive school culture. This priority is addressed through a variety of strategies including the services of bilingual Student and Family Advocates and school site counselors. These strategies have proved effective in that Shoreline District has had only one expulsion in the last six years.

Progress toward Addressing Gaps in Educational Services to Expelled Students 2015-2018

The triennial update of the Countywide Plan for Provision of Educational Services to Expelled Students must address the progress made in providing education placement options and services to high-risk youth since the last plans were submitted. Specifically, the updated plan should address whether the strategies were successful and identify the obstacles that resulted in any unsuccessful strategies. The new plan is also to identify any new strategies and their level of success.

1. GAP IN EDUCATIONAL SERVICE: PROXIMITY

Marin County is comprised of 18 school districts, some of which are small and/or rural. This smaller size, together with the rural characteristics of the districts, makes it difficult to offer the range of alternatives often found in the larger districts.

The strategy for addressing this gap is to maintain a county community school program that is committed to providing educational services to all school districts in the county and that employs a variety of instructional strategies including those that are capable of overcoming obstacles associated with providing educational services to diverse student populations.

The strategy has been maintained to provide opportunities to local districts which allow students to have new and unique education opportunities within the county community school programs.

2. GAP IN EDUCATIONAL SERVICE: SECONDARY PLACEMENT

Marin's Community School program students who commit an expellable offense while in the county office program, and those who commit a second expulsion offense during an expulsion period, have limited alternatives available for secondary placement. These students will be referred to a countywide Expulsion Review Panel on a case by case basis for review and determination as to educational placement.

A County Expulsion Review Panel will review these cases and will be responsible for the expulsion appeal process. The County Expulsion Review Panel will include:

- a) A site administrator from the student's grade level;
- b) A site administrator from the next grade level; and
- c) A school board member.

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The members of the County Expulsion Review Panel will be selected from a list of administrators and board members in alphabetical order by district and will not include representatives from the student's district of residence. Staffing assistance to the Panel will be provided by Marin County Office of Education.

As in existing appeal procedures, the grounds for an appeal are limited to one or more of the following:

- a) Did the County Expulsion Review Panel act without or in excess of jurisdiction?
- b) The appellant was denied a fair hearing before the County Expulsion Review Panel.
- c) There was a prejudicial abuse of discretion in the hearing.
- d) There is relevant and material evidence which, in the exercise of reasonable diligence, could not have been produced or which was improperly excluded at the hearing before the County Expulsion Review Panel.

The strategy outlined in the 2015 Plan to employ a County Expulsion Review Panel to address the needs of these students was not needed during the 2015-2018 plan.

3. GAP IN EDUCATIONAL SERVICE: SERVICES FOR K-6 STUDENTS

Expelled students in grades K-6 do not have the same educational options available as do their grades 7-12 counterparts. Educational services for students in grades K-6 cannot be merged or combined with services to students in grades 7-12. Very few youth are placed out of home by the Marin County Juvenile Probation Department, resulting in older students with serious behavior issues on Marin's Community School campus. The presence of older students leads to concern about placement of younger expelled students on the same campus. Independent Study is not seen as an appropriate option for younger students. Thus, if a district moves to expel a younger student, the options are limited.

Students in grades K-6 are rarely expelled in Marin County. District implementation of PBIS and other support strategies has resulted in no expulsions of Kindergarten to 6th graders. Therefore this gap no longer exists.

Strategies for Addressing Gaps in Educational Services to Expelled Students 2018-2021

As above, there are several gaps that exist in respect to providing educational services to expelled pupils in Marin County. These gaps and available strategies for addressing them are listed below:

1. GAP IN EDUCATIONAL SERVICE: PROXIMITY

Marin County is comprised of 18 school districts, some of which are small and/or rural. This smaller size, together with the rural characteristics of the districts, makes it difficult to offer the range of alternatives often found in the larger urban districts.

Marin County school districts continue to work collaboratively to support one another in providing various opportunities to share students which may allow a suspended/expelled youth into a different educational setting.

2. GAP IN EDUCATIONAL SERVICE: SECONDARY PLACEMENT

Marin's Community School program students who commit an expellable offense while in a county office program, and those who commit a second expulsion offense during an expulsion period, have limited alternatives available for secondary placement. These students will be referred to the countywide expulsion panel on a case by case basis for review and determination as to any available placement.

Alternative Placements for Expelled Students Placed in Community School who Fail to Meet the Terms of Rehabilitation Plans or Pose a Danger to Others

The district of residence will always maintain responsibility for their expelled youth. If the district refers to a neighboring district or county office program, they will maintain close communication with the educational entity serving the student. Expelled students who fail to meet the terms and conditions of the district rehabilitation plan may be referred to a different district school, another district program, a district community day school program (if

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available) or a Marin County Office of Education Alternative Education Program. Regardless of student placement, the district of residence maintains responsibility for the student.