

# **Kern County**

## **Plan for Providing Educational Services to Expelled Students**

Approved by the  
Kern County Superintendent of Schools  
June 2, 2009

**Office of Larry E. Reider  
Kern County Superintendent of Schools  
Advocates for Children**

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# Overview

California Education Code Section 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 pupils in that county.”

The 35 elementary school districts, 4 high school districts, and 8 unified school districts of Kern County provide services to 171,584 students at 269 school sites spread over an area of 8,170 square miles. Kern County recognized the need for a continuum of educational services for all students, including expelled students, long before the 1995 legislation mandated education placements for expelled students. This Kern County Plan for Educational Services for Expelled Students provides the description of the part of that continuum of services that relates directly to expelled students.

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 educational program is provided to the pupil who is subject to the expulsion order for the period of the expulsion...”

California Education Code Section 56195.7 states;

“... each special education local plan area ... shall develop written agreements to be entered into by entities participating in the plan. ... These agreements shall include ... A description of the process for coordinating and providing services to individuals with exceptional needs placed in juvenile court schools or county community schools ...”

Every Kern 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 1) the seriousness of offense, 2) the available educational alternatives, and 3) other related factors. County-level alternatives for expelled students will remain available to all expelled students, unless such placement is determined not to be the most appropriate placement for a special education student. District-level alternatives for expelled students, if district-level alternatives exist, will vary from one district to the next depending on the characteristics of that district. The list of educational alternatives that exist for students enrolled in each of the 47 Kern County districts is identified in the district’s sub-plan, included as part of the total countywide plan.

California Education Code Section 48926 states;

“The plan shall be adopted by the governing board of each school district within the county and by the county board of education.”

A district sub-plan has been developed and board approved for every district in Kern County. Those district sub-plans are included in this countywide plan to provide the complete “Plan for Providing Educational Services to all Expelled Students in Kern County.” Each district sub-plan includes:

- 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).

California Education Code Section 48926 also states;

“Each county superintendent of schools, in conjunction with the superintendents of the school districts ... shall submit a triennial update to the plan to the Superintendent of Public Instruction ...”

The requirement of a triennial update for the countywide plan for expelled students offers each county an opportunity to review the current status of its educational offerings for this very targeted student population, as well as the at-risk students in the county in general. In Kern County, discussions on this subject between district and county superintendent of schools staff happen on an ongoing basis for the entire three-year period between triennial updates of this plan. The topics of these discussions include district/county offerings, progress in addressing the needs of these students, and ongoing or emerging gaps in services. The topics of these discussions were integrated into the structure of the countywide plan for expelled students in early 2009. In March of 2009, this proposed triennial update language was presented to Kern County district superintendents by county superintendent of schools staff in the Administrative Advisory meeting in the morning and the Small Districts Advisory meeting in the afternoon. Following the presentation and a subsequent discussion, the language contained in this 2009 triennial update represents the coordinated effort of the county superintendent, in conjunction with the superintendents of the school districts in Kern County. Finally, this document was taken to the Kern County Superintendent of Schools on June 2, 2009 for approval.

The approval of the Kern County Board of Education and submission of the plan to the Superintendent of Public Instruction prior to June 30, 2009 shall satisfy requirements associated with the “county plans for provision of educational services to expelled students.” In addition, this plan shall be posted on the Kern County Superintendent of Schools Office website ([www.kern.org](http://www.kern.org)), bound and distributed to every district superintendent in Kern County and updated prior to the 2009-10 school year.

## Plan for Providing Education Services to Expelled Students Board Approval Record

	Board Action	Triennial Update
Arvin Union School District	September 17, 1996	April 20, 2009
Bakersfield City School District	October 22, 1996	April 15, 2009
Beardsley School District	December 10, 1996	April 14, 2009
Belridge Elementary School District	September 17, 1996	April 14, 2009
Blake School District	February 12, 1997	May 11, 2009
Buttonwillow Union School District	December 10, 1996	May 11, 2009
Caliente Union School District	September 5, 1996	April 21, 2009
Delano Joint Union High School District	October 23, 1996	April 20, 2009
Delano Union School District	September 3, 1996	May 12, 2009
DiGiorgio School District	September 5, 1996	April 15, 2009
Edison School District	October 8, 1996	April 16, 2009
El Tejon Unified School District	October 1, 1996	April 15, 2009
Elk Hills School District	October 12, 2006	April 15, 2009
Fairfax School District	October 10, 1996	April 22, 2009
Fruitvale School District	September 10, 1996	April 14, 2009
General Shafter School District	September 19, 1996	April 14, 2009
Greenfield Union School District	October 9, 1996	April 22, 2009
Kern High School District	December 9, 1996	April 21, 2009
Kernville Union School District	October 8, 1996	April 14, 2009
Lakeside Union Elementary School District	December 10, 1996	April 15, 2009
Lamont School District	December 17, 1996	April 21, 2009
Linns Valley/Poso Flat Union School District	September 17, 1996	April 15, 2009
Lost Hills Union School District	October 21, 1996	April 13, 2009
Maple School District	November 14, 1996	April 24, 2009
Maricopa Unified School District	October 10, 1996	April 15, 2009
McFarland Unified School District	September 16, 1996	April 20, 2009
McKittrick School District	December 10, 1996	May 11, 2009
Midway School District	September 10, 1996	April 14, 2009
Mojave Unified School District	January 14, 1997	April 22, 2009
Muroc Joint Unified School District	April 9, 1997	April 13, 2009
Norris School District	October 16, 1996	April 15, 2009
Panama-Buena Vista Union School District	September 10, 1996	April 14, 2009
Pond Union School District	March 14, 2006	April 15, 2009
Richland School District	September 16, 1996	April 13, 2009
Rio Bravo-Greeley Union School District	December 9, 1996	April 20, 2009
Rosedale Union School District	February 11, 1997	April 16, 2009
Semitropic School District	February 12, 1997	May 12, 2009
Sierra Sands Unified School District	January 16, 1997	April 20, 2009
South Fork Union School District	March 5, 2009	April 20, 2009
Southern Kern Unified	February 9, 1997	April 24, 2009
Standard School District	June 18, 1996	April 19, 2009
Taft City School District	September 25, 1996	May 13, 2009
Taft Union High School District	September 16, 1996	April 15, 2009
Tehachapi Unified School District	September 10, 1996	April 15, 2009
Vineland School District	October 21, 1996	April 14, 2009
Wasco Union High School District	March 13, 1997	April 13, 2009
Wasco Union School District	September 10, 1996	May 13, 2009
Kern County Board of Education	May 9, 2006	June 2, 2009

**Board Approval Record – Educational Placement Alternatives**

<b>School District</b>	<b>District Placements</b>	<b>County Placements</b>
Arvin Union School District		X
Bakersfield City School District	X	X
Beardsley School District		X
Belridge Elementary School District		X
Blake School District		X
Buttonwillow Union School District		X
Caliente Union School District		X
Delano Joint Union High School District		X
Delano Union School District		X
DiGiorgio School District		X
Edison School District		X
El Tejon Unified School District		X
Elk Hills School District		X
Fairfax School District		X
Fruitvale School District		X
General Shafter School District		X
Greenfield Union School District		X
Kern High School District		X
Kernville Union School District	X	X
Lakeside Union Elementary School District		X
Lamont School District		X
Linns Valley/Poso Flat Union School District		X
Lost Hills Union School District		X
Maple School District		X
Maricopa Unified School District		X
McFarland Unified School District		X
McKittrick School District		X
Midway School District		X
Mojave Unified School District		X
Muroc Joint Unified School District		X
Norris School District		X
Panama-Buena Vista Union School District		X
Pond Union School District		X
Richland-Lerdo Union School District		X
Rio Bravo-Greeley Union School District		X
Rosedale Union School District		X
Semitropic School District		X
Sierra Sands Unified School District		X
South Fork Union School District	X	X
Southern Kern Unified		X
Standard School District		X
Taft City School District	X	X
Taft Union High School District		X
Tehachapi Unified School District		X
Vineland School District		X
Wasco Union High School District		X
Wasco Union School District		X
Kern County Board of Education		X

## County-level Alternatives

Forty-three of Kern County’s 47 school districts elected to use county-level court and community schools as the educational placement for all students expelled by their district board of education. The school boards for the 43 school districts listed below adopted the “Plan for Providing Educational Services to All Expelled Students in Kern County” that is provided in the following seven pages of this document:

Arvin Union School District  
Beardsley School District  
Belridge Elementary School District  
Blake School District  
Buttonwillow Union School District  
Caliente Union School District  
Delano Joint Union High School District  
Delano Union School District  
DiGiorgio School District  
Edison School District  
El Tejon Unified School District  
Elk Hills School District  
Fairfax School District  
Fruitvale School District  
General Shafter School District  
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Kern High School District  
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Rio Bravo-Greeley Union School District  
Rosedale Union School District  
Semitropic School District  
Sierra Sands Unified School District  
Southern Kern Unified School District  
Standard School District  
Taft Union High School District  
Tehachapi Unified School District  
Vineland School District  
Wasco Union High School District  
Wasco Union School District

# **PLAN FOR PROVIDING EDUCATIONAL SERVICES TO ALL EXPELLED STUDENTS IN KERN COUNTY**

## **Requirements**

California Education Code Section 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 pupils in that county.” This section of California Education Code also states that “The plan shall enumerate existing educational alternatives for expelled pupils, identify gaps in educational services to expelled pupils, and strategies for filling those service gaps.”

## **Kern County Characteristics**

The 35 elementary school districts, 4 high school districts and 8 unified school districts of Kern County provide services to 171,584 students at 269 school sites spread over an area of 8,170 square miles. The educators of Kern County recognized the need for a continuum of educational services for all students, including expelled students, long before the 1995 legislation mandated educational placements for expelled students. This continuum of services begins with the elementary, middle and high schools and continues to school-site level alternatives, district-level alternatives and finally county-level alternatives. This Kern County Plan for Educational Services for Expelled Students provides the description of the part of that continuum of services in Kern County that relates directly to expelled students. A series of legislative bills in 1995, and since 1995, have created new challenges that have resulted in adjustments and refinements to this Kern County continuum of educational services over the past fourteen years. One of the most significant and successful program developments was overcoming a series of state-level obstacles by forming a partnership between the county office of education and the school districts that resulted in the development of a model county community school designed to serve expelled students in grades K-6. This 2009 triennial update of the Kern Countywide Plan for Expelled Students will highlight these changes to the educational landscape for this student population.

## **Placements for Expelled Students**

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 educational program is provided to the pupil who is subject to the expulsion order for the period of the expulsion...”. Every Kern 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 1) seriousness of offense, 2) available educational alternatives and 3) other related factors. County level alternatives for expelled students will remain available to all expelled students. Any expelled student who requires, and is entitled to, transportation to the county-level educational placement shall have that transportation provided by the district of residence. The county-operated Court or Community School may not be the most appropriate placement for some special education students, even if they are expelled from their district. Some students may continue to require intensive services as provided by their district of residence due to the severity of their disability. In such cases, it is the programmatic and fiscal responsibility of the district of residence to continue to provide the intensive services. District-level alternatives for expelled students, if district level alternatives exist, will vary from one district to the next depending on the characteristics of that district.

### **District Sub-Plans**

The list of educational alternatives that exist for each of the 47 Kern County districts is identified in that district’s sub-plan and included as part of the total countywide plan. A district sub-plan has been developed and board approved for every school district in Kern County. Those district sub-plans are included in this countywide plan to provide the complete “Plan for Providing Educational Services to all Expelled Students in Kern County”. Any substantive changes to district sub-plans during the period between triennial updates receive approvals by the school district governing board at the time the change is made. Each district sub-plan includes 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).

## **EXISTING EDUCATIONAL ALTERNATIVES FOR EXPELLED STUDENTS**

### **“District Name” School District**

All educational alternatives provided by California’s school districts are not available to all expelled students and most are not available to any expelled students. The seriousness of offense, location of offense and grade level of the student all have the potential to restrict the district level educational alternatives available to the student during the period of expulsion. Students expelled for any of the offenses listed in subdivisions (a) or (c) of Section 48915 of the California Education Code shall not be permitted to enroll in any district operated program during the period of the expulsion unless it is a community day school (California Education Code Section 48915.2). All expelled students shall be referred to an educational placement that is 1) not provided at a comprehensive middle, junior or senior high school or any elementary school and 2) not housed at the schoolsite attended by the student at the time of the offense (California Education Code Section 48915). If the expelled student is in grades K-6, the educational placement for the student shall not be merged or combined with educational programs offered to students in grades 7-12 (California Education Code Section 48916.1). In addition to the above listed requirements, such factors as district size, district level alternatives, county level alternatives and district philosophy can impact the determination by a school district board of education of what educational alternatives are appropriate for the students who are expelled.

It is the determination of the “District Name” School District Board of Education that county operated court or community schools will be the appropriate placement for all expelled students from “District Name” School District.

### **Kern County Superintendent of Schools Office**

The Kern County Superintendent of Schools Office offers educational alternatives to expelled students through its court and community schools. Court schools require the formal placement of students into the program by the juvenile court or its probation/parole department representatives. These programs can be either residential or non-residential and expulsion status of a student has no negative impact on eligibility or placement. Community schools enrollment may require referral from the school district of residence and these schools provide

services to students in accordance with California Education Code Section 1981. Expulsion status of a student has no negative impact on eligibility or placement of a student in community schools, but may be used for California Education Code Section 1981 classification purposes. These two county level educational alternatives (Court Schools and Community Schools) will be available to Kern County students who have been expelled from district programs when the district board of education determines they are the most appropriate placement. The county-operated Court or Community School may not be the most appropriate placement for some special education students, even if they are expelled from their district. Some students may continue to require intensive services as provided by their district of residence due to the severity of their disability. In such cases, it is the programmatic and fiscal responsibility of the district of residence to continue to provide the intensive services.

Educational alternatives offered by the Kern County Superintendent of Schools Office include the following:

- Court Schools
  - Bridges Academy\*
  - Central School \*
  - Juvenile Hall\*
  - Pathways\*
  - Star Academy (Pupil Retention Day School)\*
  - Furlough Treatment and Recovery Program\*
- Erwin Owen High School \*
- Jamison Children's Center \*
- Redwood High School \*
- Community Schools
  - Auburn Community School
  - Community Learning Center-34<sup>th</sup> Street
  - East Kern Community School
  - Kelly F. Blanton Education Center
    - Bakersfield Elementary Community School
    - Community Learning Center-Tech
    - Blanton Academy (Pupil Retention Day School)\*
  - Lake Isabella Community School
  - North Kern Community School
  - Ridgecrest Learning Center
  - Sillect Community School
  - West Kern Community School

*\*Placement by Non-Education Agency Required*

# **GAPS IN EDUCATIONAL SERVICES TO EXPELLED STUDENTS AND STRATEGIES FOR FILLING THOSE GAPS**

1. District Size and Rural Challenges - The average district enrollment in Kern County is approximately one third the state average. This smaller district size, together with the rural characteristics of the county, makes it difficult to offer the range of alternatives often found in the larger urban districts. The strategy for addressing this problem 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 rural, often isolated, settings.
2. Increased Structure in Educational Placements - An additional gap that has been identified in recent years is the need to try to keep as much structure in educational placements for expelled students as possible. In response to the identification of this gap, the Kern County Superintendent of Schools Office has implemented several layers of strategies. The first is the expansion of classroom options in the Community School program. The number of non-residential Court and Community School classrooms has expanded to 45 in 2004-05, 51 in 2005-06, 60 in 2006-07, 62 in 2007-08, 67 in 2008-09, and an additional 7 classrooms in the North Kern County area planned to be operational prior to the beginning of the 2009-10 school year. In addition to the increase in numbers of classrooms, the Kern County Superintendent of Schools Office has added the very structured (six to eight hours per day) Pupil Retention Academies to its non-residential programs. While this gap has been a focus of a great deal of energy, getting the more structured programming into the less-populated, rural areas of the county continues to be a gap. The 2009 Strategic Plan for the Kern County Superintendent of Schools Office included a goal that dealt with students enrolled in independent study and focused on a commitment to “Increase the number of independent study students participating in structured remediation activities including, but not limited to, math and English tutoring, ELL instruction, CAHSEE preparation, special education support and acquisition of new space to support these activities”.
3. County-Operated Community Day Schools – There continues to be an inability to provide the full range of educational services to students enrolled in county-level alternatives. There is a gap associated with the current statute that establishes a cap on county-operated community day schools and restricts the

ability to provide this more structured program to expelled students who have exhausted district-level alternatives. The strategy to address this gap will be for the county office of education to support any legislative activity associated with eliminating this existing prohibition.

4. Expulsion Offenses During Expulsion Period - Students who commit an expulsion offense during an expulsion period may have limited alternatives that remain available for secondary placement. The strategy for addressing this problem is to maintain a commitment to providing educational services to students, regardless of repeated offenses. One strategy that has been employed at the county-level programs is to provide intense training to educational staff that improves their skills at diffusing potentially volatile situations with students, and subsequently decreasing the likelihood of a problem escalating to an expellable level. Another strategy employed at the county-level programs is the increase in the level of staff providing campus supervision, with one outcome being to decrease the likelihood of a problem being able to escalate to an expellable level. A final strategy is to, when possible, use alternatives to expulsion as the response to unacceptable behavior. While the existing strategies have produced satisfactory results, the gap continues to exist.
5. K-6 Expulsions - Students who are in grades K-6 who are expelled do not have the same educational options available as do their grades 7-12 counterparts. Students in grades K-6 are also expelled at a much lower rate than students in grades 7-12. Students who are expelled in grades K-6 and referred to a county community school are funded by the state at a level that is significantly less than the average funding for the regular K-6 population statewide. These three factors, together with the requirement that educational services for students in grades K-6 cannot be merged or combined with services to students in grades 7-12 make it very difficult to identify an educational placement for the expelled student who is in grades K-6. The strategy for addressing this problem was for the county office of education and school districts to develop a cooperative plan for maintaining a multi-district educational alternative capable of serving this smaller, more isolated student population. A structure was implemented and has successfully operated for the past six years. Unfortunately, the strategy for addressing this problem identifies a gap of under-funding for K-6 services in a county community school. The strategy to address this gap will be for the county office of education and Kern County school districts to actively support any effort to correct the funding shortfall for these K-6 students enrolled in county community schools.
6. Community Day School Support - The changes over the past twelve years relative to the establishment and elimination of community day schools in Kern County represents efforts by all Local Educational Agencies to have a continuum of educational services available to its expelled students that is practical, functional and in the best interest of its students. The history of attempts at operation of community day schools reflects an awareness of this

alternative. Kern County has had eleven districts attempt to operate community day schools since 1995 and has four districts actively operating community day schools at this time. As the above listed gaps are addressed, establishment of community day schools at the district and county levels continues to be a strategy that is supported. An additional strategy is for the county office of education staff to continue to provide active support to any school district that would like to operate, or explore the operation of, a district level community day school.

## **ALTERNATIVE PLACEMENTS FOR STUDENTS WHO FAIL COMMUNITY DAY SCHOOL PLACEMENTS**

The Court School and Community School programs operated by the Kern County Superintendent of Schools Office maintains a standing policy of accepting all students who have been expelled from their district of residence and who have exhausted the alternatives offered by the district, unless such placement is determined not to be the most appropriate placement for a special education student. If an initial placement is made to a district operated community day school and the student commits an expulsion offense or fails the program, the school district board of education shall review the plan of rehabilitation that was established at the time of expulsion and make the adjustments necessary. If there is no educational alternative in the school district, the student may be referred to the county community school program.

# **PLAN FOR PROVIDING EDUCATIONAL SERVICES TO ALL EXPELLED STUDENTS IN KERN COUNTY**

## **Requirements**

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The 35 elementary school districts, 4 high school districts and 8 unified school districts of Kern County provide services to 171,584 students at 269 school sites spread over an area of 8,170 square miles. The educators of Kern County recognized the need for a continuum of educational services for “all” students, including expelled students, long before the 1995 legislation mandated educational placements for expelled students. This continuum of services begins with the elementary, middle and high schools and continues to school site level alternatives, district-level alternatives and county-level alternatives. This Kern County Plan for Educational Services for Expelled Students provides the description of the part of that continuum of services in Kern County that relates directly to the expelled students. A series of legislative bills in 1995, and since 1995, have created new challenges that have resulted in adjustments and refinements to this Kern County continuum of educational services over the past fourteen years. One of the most significant and successful program developments was overcoming a series of state-level obstacles by forming a partnership between the county office of education and school districts that resulted in the development of a model county community school designed to serve students in grades K-6. This 2009 triennial update of the Kern Countywide Plan for Expelled Students will highlight some of these changes to the educational landscape for this student population.

## **Placements for Expelled Students**

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 educational program is provided to the pupil who is subject to the expulsion order for the period of the expulsion...”. Every Kern 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 1) seriousness of offense, 2) available educational alternatives, and 3) other related factors. County level alternatives for expelled students will remain available to expelled students. Any expelled student who requires, and is entitled to, transportation to the county-level educational placement shall have that transportation provided by the district of residence. The county-operated Court or Community School may not be the most appropriate placement for some special education students, even if they are expelled from their district. Some students may continue to require intensive services as provided by their district of residence due to the severity of their disability. In such cases, it is the programmatic and fiscal responsibility of the district of residence to continue to provide the intensive services. District level alternatives for expelled students, if district level alternatives exist, will vary from one district to the next depending on the characteristics of the district.

## **District Sub-Plans**

The list of educational alternatives that exist for each of the 47 Kern County districts is identified in that district’s sub-plan and included as part of the total countywide plan. A district sub-plan has been developed and board approved for every school district in Kern County. Those district sub-plans are included in this countywide plan to provide the complete “Plan for Providing Educational Services to all Expelled Students in Kern County”. Any substantive changes to district sub-plans during the period between triennial updates receive approvals by the school district governing board at the time the change is made. Each district sub-plan includes 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).

## **EXISTING EDUCATIONAL ALTERNATIVES FOR EXPELLED STUDENTS**

### **Bakersfield City School District**

All educational alternatives available to California's school districts are not available to all expelled students and most are not available to any expelled students. The seriousness of offense, location of offense and grade level of the student all have the potential to restrict the district level educational alternatives available to the student during the period of expulsion. Students expelled for any of the offenses listed in Subdivisions (a) or (c) of Section 48915 of the California Education Code shall not be permitted to enroll in any district operated program during the period of the expulsion unless it is a community day school (California Education Code Section 48915.2). All expelled students shall be referred to an educational placement that is 1) not provided at a comprehensive middle, junior or senior high school or any elementary school and 2) not housed at the schoolsite attended by the student at the time of the offense (California Education Code Section 48915). If the expelled student is in grades K-6, the educational placement for the student shall not be merged or combined with educational programs offered to students in grades 7-12 (California Education Code Section 48916.1). In addition to the above listed requirements, such factors as district size, district level alternatives, county level alternatives and district philosophy can impact the determination by a school district board of education of what educational alternatives are appropriate for the students who are expelled.

It is the determination of the Bakersfield City School District Board of Education that the following district level educational alternatives, if deemed appropriate, be available as placements for students expelled from Bakersfield City School District:

Rafer Johnson Community Day School

### **Kern County Superintendent of Schools Office**

The Kern County Superintendent of Schools Office offers educational alternatives to expelled students through its court and community schools. Court schools require the formal placement of students into the program by the juvenile court or its probation/parole department representatives. These programs can be either residential or non-residential and expulsion status of a student has no negative impact on eligibility or placement. Community school enrollment may

require referral from the school district of residence and these schools provide services to students in accordance with California Education Code Section 1981. Expulsion status of a student has no negative impact on eligibility or placement of a student in community schools, but may be used for California Education Code 1981 classification purposes. These two county level educational alternatives (court schools and community schools) will be available to Kern County students who have been expelled from district programs when the district board of education determines they are the most appropriate placement. The county-operated Court or Community School may not be the most appropriate placement for some special education students, even if they are expelled from their district. Some students may continue to require intensive services as provided by their district of residence due to the severity of their disability. In such cases, it is the programmatic and fiscal responsibility of the district of residence to continue to provide the intensive services.

Educational alternatives offered by the Kern County Superintendent of Schools Office include the following:

-Court Schools

-Bridges Academy \*

-Central School \*

-Juvenile Hall\*

-Pathways\*

-Star Academy (Pupil Retention Day School)\*

-Furlough Treatment and Recovery Program \*

-Erwin Owen High School \*

-Jamison Children's Center \*

-Redwood High School \*

-Community Schools

-Auburn Community School

-Community Learning Center-34<sup>th</sup> Street

-East Kern Community School

-Kelly F. Blanton Education Center

-Bakersfield Elementary Community School

-Community Learning Center-Tech

-Blanton Academy (Pupil Retention Day School)\*

-Lake Isabella Community School

-North Kern Community School

-Ridgecrest Learning Center

-Sillect Community School

-West Kern Community School

*\*Placement by Non-Education Agency Required*

# **GAPS IN EDUCATIONAL SERVICES TO EXPELLED STUDENTS AND STRATEGIES FOR FILLING THOSE GAPS**

1. District Size and Rural Challenges - The average district enrollment in Kern County is approximately one third the state average. This smaller district size, together with the rural characteristics of the county, makes it difficult to offer the range of alternatives often found in the larger urban districts. The strategy for addressing this problem 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 rural, often isolated, settings.
2. Increased Structure in Educational Placements - An additional gap that has been identified in recent years is the need to try to keep as much structure in educational placements for expelled students as possible. The response to the identification of this gap, the Kern County Superintendent of Schools Office has implemented several layers of strategies. The first is the expansion of classroom options in the Community School program. The number of non-residential Court and Community School classrooms has expanded to 45 in 2004-05, 51 in 2005-06, 60 in 2006-07, 62 in 2007-08, 67 in 2008-09, and an additional 7 classrooms in the North Kern County area planned to be operational for 2009-10. In addition to the increase in numbers of classrooms, the Kern County Superintendent of Schools Office has added the very structured (six to eight hours per day) Pupil Retention Academies to its non-residential programs. While this gap has been a focus of a great deal of energy, getting the more structured programming into the less-populated, rural areas of the county continues to be a gap. The 2009 Strategic Plan for the Kern County Superintendent of Schools Office included a goal that dealt with students enrolled in independent study and focused on a commitment to “Increase the number of independent study students participating in structured remediation activities, including, but not limited to, math and English tutoring, ELL instruction, CAHSEE preparation, special education support and acquisition of new space to support these activities”.
3. County-Operated Community Day Schools - There continues to be an inability to provide the full range of educational services to students enrolled in county-level alternatives. There is a gap associated with the current statute that establishes a cap on county-operated community day schools and restricts the

ability to provide this more structured program to expelled students who have exhausted district-level alternatives. The strategy to address this gap will be for the county office of education to support any legislative activity associated with eliminating this existing prohibition.

4. Expulsion Offenses During Expulsion Period - Students who commit an expulsion offense during an expulsion period may have limited alternatives that remain available for secondary placement. The strategy for addressing this problem is to maintain a commitment to providing educational services to students, regardless of repeated offenses. One strategy that has been employed at the county-level programs is to provide intense training to educational staff that improves their skills at diffusing potentially volatile situations with students, and subsequently decreasing the likelihood of a problem escalating to an expellable level. Another strategy employed at the county-level programs is the increase in the level of staff providing campus supervision, with one outcome being to decrease the likelihood of a problem being able to escalate to an expellable level. A final strategy is to, when possible, use alternatives to expulsion as the response to unacceptable behavior. While the existing strategies have produced satisfactory results, the gap continues to exist.
5. K-6 Expulsions - Students who are in grades K-6 who are expelled do not have the same educational options available as do their grades 7-12 counterparts. Students in grades K-6 are also expelled at a much lower rate than students in grades 7-12. Students who are expelled in grades K-6 and referred to a county community school are funded by the state at a level that is significantly less than the average funding for the regular K-6 population statewide. These three factors, together with the requirement that educational services for students in grades K-6 cannot be merged or combined with services to students in grades 7-12 make it very difficult to identify an educational placement for the expelled student who is in grades K-6. The strategy for addressing this problem was for the county office of education and school districts to develop a cooperative plan for maintaining a multi-district educational alternative capable of serving this smaller, more isolated student population. A structure was implemented and has successfully operated for the past six years. Unfortunately, the strategy for addressing this problem identifies a gap of under-funding for K-6 services in a county community school. The strategy to address this gap will be for the county office of education and Kern County school districts to actively support any effort to correct the funding shortfall for these K-6 students enrolled in county community schools.
6. Community Day School Support - The changes over the past twelve years relative to the establishment and elimination of community day schools in Kern County represents efforts by all Local Educational Agencies to have a continuum of educational services available to its expelled students that is practical, functional and in the best interest of its students. The history of attempts at operation of community day schools reflects an awareness of this

alternative. Kern County has had eleven districts attempt to operate community day schools since 1995 and has four districts actively operating community day schools at this time. As the above listed gaps are addressed, establishment of community day schools at the district and county levels continues to be a strategy that is supported. An additional strategy is for the county office of education staff to continue to provide active support to any school district that would like to operate, or explore the operation of, a district level community day school.

## **ALTERNATIVE PLACEMENTS FOR STUDENTS WHO FAIL COMMUNITY DAY SCHOOL PLACEMENTS**

The Court and Community School programs operated by the Kern County Superintendent of Schools Office maintains a standing policy of accepting all students who have been expelled from their district of residence and who have exhausted the alternatives offered by the district, unless such placement is determined not to be the most appropriate placement for a special education student. If an initial placement is made to a district operated community day school and the student commits an expulsion offense or fails the program, the Bakersfield City School District Board of Education shall review the plan of rehabilitation that was established at the time of expulsion and make the adjustments necessary. If there is no educational alternative in the Bakersfield City School District, the student may be referred to the county community school program.

# **PLAN FOR PROVIDING EDUCATIONAL SERVICES TO ALL EXPELLED STUDENTS IN KERN COUNTY**

## **Requirements**

California Education Code Section 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 pupils in that county.” This section of California Education Code also states that “The plan shall enumerate existing educational alternatives for expelled pupils, identify gaps in educational services to expelled pupils, and strategies for filling those service gaps.”

## **Kern County Characteristics**

The 35 elementary school districts, 4 high school districts and 8 unified school districts of Kern County provide services to 171,584 students at 269 school sites spread over an area of 8,170 square miles. The educators of Kern County recognized the need for a continuum of educational services for “all” students, including expelled students, long before the 1995 legislation mandated educational placements for expelled students. This continuum of services begins with the elementary, middle and high schools and continues to school site level alternatives, district-level alternatives and county-level alternatives. This Kern County Plan for Educational Services for Expelled Students provides the description of the part of that continuum of services in Kern County that relates directly to the expelled students. A series of legislative bills in 1995, and since 1995, have created new challenges that have resulted in adjustments and refinements to this Kern County continuum of educational services over the past fourteen years. One of the most significant and successful program developments was overcoming a series of state-level obstacles by forming a partnership between the county office of education and school districts that resulted in the development of a model county community school designed to serve students in grades K-6. This 2009 triennial update of the Kern Countywide Plan for Expelled Students will highlight some of these changes to the educational landscape for this student population.

## **Placements for Expelled Students**

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 educational program is provided to the pupil who is subject to the expulsion order for the period of the expulsion...”. Every Kern 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 1) seriousness of offense, 2) available educational alternatives, and 3) other related factors. County level alternatives for expelled students will remain available to expelled students. Any expelled student who requires, and is entitled to, transportation to the county-level educational placement shall have that transportation provided by the district of residence. The county-operated Court or Community School may not be the most appropriate placement for some special education students, even if they are expelled from their district. Some students may continue to require intensive services as provided by their district of residence due to the severity of their disability. In such cases, it is the programmatic and fiscal responsibility of the district of residence to continue to provide the intensive services. District level alternatives for expelled students, if district level alternatives exist, will vary from one district to the next depending on the characteristics of the district.

## **District Sub-Plans**

The list of educational alternatives that exist for each of the 47 Kern County districts is identified in that district’s sub-plan and included as part of the total countywide plan. A district sub-plan has been developed and board approved for every school district in Kern County. Those district sub-plans are included in this countywide plan to provide the complete “Plan for Providing Educational Services to all Expelled Students in Kern County”. Any substantive changes to district sub-plans during the period between triennial updates receive approvals by the school district governing board at the time the change is made. Each district sub-plan includes 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).

## **EXISTING EDUCATIONAL ALTERNATIVES FOR EXPELLED STUDENTS**

### **Kernville Union School District**

All educational alternatives available to California's school districts are not available to all expelled students and most are not available to any expelled students. The seriousness of offense, location of offense and grade level of the student all have the potential to restrict the district level educational alternatives available to the student during the period of expulsion. Students expelled for any of the offenses listed in Subdivisions (a) or (c) of Section 48915 of the California Education Code shall not be permitted to enroll in any district operated program during the period of the expulsion unless it is a community day school (California Education Code Section 48915.2). All expelled students shall be referred to an educational placement that is 1) not provided at a comprehensive middle, junior or senior high school or any elementary school and 2) not housed at the schoolsite attended by the student at the time of the offense (California Education Code Section 48915). If the expelled student is in grades K-6, the educational placement for the student shall not be merged or combined with educational programs offered to students in grades 7-12 (California Education Code Section 48916.1). In addition to the above listed requirements, such factors as district size, district level alternatives, county level alternatives and district philosophy can impact the determination by a school district board of education of what educational alternatives are appropriate for the students who are expelled.

It is the determination of the Kernville Union School District Board of Education that the following district level educational alternatives, if deemed appropriate, be available as placements for students expelled from Kernville Union School District:

Rio Vista Community Day School

### **Kern County Superintendent of Schools Office**

The Kern County Superintendent of Schools Office offers educational alternatives to expelled students through its court and community schools. Court schools require the formal placement of students into the program by the juvenile court or its probation/parole department representatives. These programs can be either residential or non-residential and expulsion status of a student has no negative impact on eligibility or placement. Community school enrollment may

require referral from the school district of residence and these schools provide services to students in accordance with California Education Code Section 1981. Expulsion status of a student has no negative impact on eligibility or placement of a student in community schools, but may be used for California Education Code 1981 classification purposes. These two county level educational alternatives (court schools and community schools) will be available to Kern County students who have been expelled from district programs when the district board of education determines they are the most appropriate placement. The county-operated Court or Community School may not be the most appropriate placement for some special education students, even if they are expelled from their district. Some students may continue to require intensive services as provided by their district of residence due to the severity of their disability. In such cases, it is the programmatic and fiscal responsibility of the district of residence to continue to provide the intensive services.

Educational alternatives offered by the Kern County Superintendent of Schools Office include the following:

- Court Schools
  - Bridges Academy \*
  - Central School \*
  - Juvenile Hall\*
  - Pathways\*
  - Star Academy (Pupil Retention Day School)\*
  - Furlough Treatment and Recovery Program \*
  - Erwin Owen High School \*
  - Jamison Children's Center \*
  - Redwood High School \*
- Community Schools
  - Auburn Community School
  - Community Learning Center-34<sup>th</sup> Street
  - East Kern Community School
  - Kelly F. Blanton Education Center
    - Bakersfield Elementary Community School
    - Community Learning Center-Tech
    - Blanton Academy (Pupil Retention Day School)\*
  - Lake Isabella Community School
  - North Kern Community School
  - Ridgecrest Learning Center
  - Sillect Community School
  - West Kern Community School

*\*Placement by Non-Education Agency Required*

# **GAPS IN EDUCATIONAL SERVICES TO EXPELLED STUDENTS AND STRATEGIES FOR FILLING THOSE GAPS**

1. District Size and Rural Challenges - The average district enrollment in Kern County is approximately one third the state average. This smaller district size, together with the rural characteristics of the county, makes it difficult to offer the range of alternatives often found in the larger urban districts. The strategy for addressing this problem 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 rural, often isolated, settings.
2. Increased Structure in Educational Placements - An additional gap that has been identified in recent years is the need to try to keep as much structure in educational placements for expelled students as possible. The response to the identification of this gap, the Kern County Superintendent of Schools Office has implemented several layers of strategies. The first is the expansion of classroom options in the Community School program. The number of non-residential Court and Community School classrooms has expanded to 45 in 2004-05, 51 in 2005-06, 60 in 2006-07, 62 in 2007-08, 67 in 2008-09, and an additional 7 classrooms in the North Kern County area planned to be operational for 2009-10. In addition to the increase in numbers of classrooms, the Kern County Superintendent of Schools Office has added the very structured (six to eight hours per day) Pupil Retention Academies to its non-residential programs. While this gap has been a focus of a great deal of energy, getting the more structured programming into the less-populated, rural areas of the county continues to be a gap. The 2009 Strategic Plan for the Kern County Superintendent of Schools Office included a goal that dealt with students enrolled in independent study and focused on a commitment to “Increase the number of independent study students participating in structured remediation activities, including, but not limited to, math and English tutoring, ELL instruction, CAHSEE preparation, special education support and acquisition of new space to support these activities”.
3. County-Operated Community Day Schools - There continues to be an inability to provide the full range of educational services to students enrolled in county-level alternatives. There is a gap associated with the current statute that establishes a cap on county-operated community day schools and restricts the

ability to provide this more structured program to expelled students who have exhausted district-level alternatives. The strategy to address this gap will be for the county office of education to support any legislative activity associated with eliminating this existing prohibition.

4. Expulsion Offenses During Expulsion Period - Students who commit an expulsion offense during an expulsion period may have limited alternatives that remain available for secondary placement. The strategy for addressing this problem is to maintain a commitment to providing educational services to students, regardless of repeated offenses. One strategy that has been employed at the county-level programs is to provide intense training to educational staff that improves their skills at diffusing potentially volatile situations with students, and subsequently decreasing the likelihood of a problem escalating to an expellable level. Another strategy employed at the county-level programs is the increase in the level of staff providing campus supervision, with one outcome being to decrease the likelihood of a problem being able to escalate to an expellable level. A final strategy is to, when possible, use alternatives to expulsion as the response to unacceptable behavior. While the existing strategies have produced satisfactory results, the gap continues to exist. Students who are in grades K-6 who are expelled do not have the same educational options available as do their grades 7-12 counterparts. Students in grades K-6 are also expelled at a much lower rate than students in grades 7-12.

5. K-6 Expulsions - Students who are expelled in grades K-6 and referred to a county community school are funded by the state at a level that is significantly less than the average funding for the regular K-6 population statewide. These three factors, together with the requirement that educational services for students in grades K-6 cannot be merged or combined with services to students in grades 7-12 make it very difficult to identify an educational placement for the expelled student who is in grades K-6. The strategy for addressing this problem was for the county office of education and school districts to develop a cooperative plan for maintaining a multi-district educational alternative capable of serving this smaller, more isolated student population. A structure was implemented and has successfully operated for the past six years. Unfortunately, the strategy for addressing this problem identifies a gap of under-funding for K-6 services in a county community school. The strategy to address this gap will be for the county office of education and Kern County school districts to actively support any effort to correct the funding shortfall for these K-6 students enrolled in county community schools.

6. Community Day School Support - The changes over the past twelve years relative to the establishment and elimination of community day schools in Kern County represents efforts by all Local Educational Agencies to have a continuum of educational services available to its expelled students that is practical, functional and in the best interest of its students. The history of attempts at operation of community day schools reflects an awareness of this

alternative. Kern County has had eleven districts attempt to operate community day schools since 1995 and has four districts actively operating community day schools at this time. As the above listed gaps are addressed, establishment of community day schools at the district and county levels continues to be a strategy that is supported. An additional strategy is for the county office of education staff to continue to provide active support to any school district that would like to operate, or explore the operation of, a district level community day school.

## **ALTERNATIVE PLACEMENTS FOR STUDENTS WHO FAIL COMMUNITY DAY SCHOOL PLACEMENTS**

The Court and Community School programs operated by the Kern County Superintendent of Schools Office maintains a standing policy of accepting all students who have been expelled from their district of residence and who have exhausted the alternatives offered by the district, unless such placement is determined not to be the most appropriate placement for a special education student. If an initial placement is made to a district operated community day school and the student commits an expulsion offense or fails the program, the Kernville Union School District Board of Education shall review the plan of rehabilitation that was established at the time of expulsion and make the adjustments necessary. If there is no educational alternative in the Kernville Union School District, the student may be referred to the county community school program.

# **PLAN FOR PROVIDING EDUCATIONAL SERVICES TO ALL EXPELLED STUDENTS IN KERN COUNTY**

## **Requirements**

California Education Code Section 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 pupils in that county.” This section of California Education Code also states that “The plan shall enumerate existing educational alternatives for expelled pupils, identify gaps in educational services to expelled pupils, and strategies for filling those service gaps.”

## **Kern County Characteristics**

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### **Placements for Expelled Students**

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 educational program is provided to the pupil who is subject to the expulsion order for the period of the expulsion...”. Every Kern 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 1) seriousness of offense, 2) available educational alternatives, and 3) other related factors. County level alternatives for expelled students will remain available to expelled students. Any expelled student who requires, and is entitled to, transportation to the county-level educational placement shall have that transportation provided by the district of residence. The county-operated Court or Community School may not be the most appropriate placement for some special education students, even if they are expelled from their district. Some students may continue to require intensive services as provided by their district of residence due to the severity of their disability. In such cases, it is the programmatic and fiscal responsibility of the district of residence to continue to provide the intensive services. District level alternatives for expelled students, if district level alternatives exist, will vary from one district to the next depending on the characteristics of the district.

### **District Sub-Plans**

The list of educational alternatives that exist for each of the 47 Kern County districts is identified in that district’s sub-plan and included as part of the total countywide plan. A district sub-plan has been developed and board approved for every school district in Kern County. Those district sub-plans are included in this countywide plan to provide the complete “Plan for Providing Educational Services to all Expelled Students in Kern County”. Any substantive changes to district sub-plans during the period between triennial updates receive approvals by the school district governing board at the time the change is made. Each district sub-plan includes 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).

## **EXISTING EDUCATIONAL ALTERNATIVES FOR EXPELLED STUDENTS**

### **South Fork Union School District**

All educational alternatives available to California's school districts are not available to all expelled students and most are not available to any expelled students. The seriousness of offense, location of offense and grade level of the student all have the potential to restrict the district level educational alternatives available to the student during the period of expulsion. Students expelled for any of the offenses listed in Subdivisions (a) or (c) of Section 48915 of the California Education Code shall not be permitted to enroll in any district operated program during the period of the expulsion unless it is a community day school (California Education Code Section 48915.2). All expelled students shall be referred to an educational placement that is 1) not provided at a comprehensive middle, junior or senior high school or any elementary school and 2) not housed at the schoolsite attended by the student at the time of the offense (California Education Code Section 48915). If the expelled student is in grades K-6, the educational placement for the student shall not be merged or combined with educational programs offered to students in grades 7-12 (California Education Code Section 48916.1). In addition to the above listed requirements, such factors as district size, district level alternatives, county level alternatives and district philosophy can impact the determination by a school district board of education of what educational alternatives are appropriate for the students who are expelled.

It is the determination of the South Fork Union School District Board of Education that the following district level educational alternatives, if deemed appropriate, be available as placements for students expelled from South Fork Union School District:

South Fork Community Day School

### **Kern County Superintendent of Schools Office**

The Kern County Superintendent of Schools Office offers educational alternatives to expelled students through its court and community schools. Court schools require the formal placement of students into the program by the juvenile court or its probation/parole department representatives. These programs can be either residential or non-residential and expulsion status of a student has no negative impact on eligibility or placement. Community school enrollment may

require referral from the school district of residence and these schools provide services to students in accordance with California Education Code Section 1981. Expulsion status of a student has no negative impact on eligibility or placement of a student in community schools, but may be used for California Education Code 1981 classification purposes. These two county level educational alternatives (court schools and community schools) will be available to Kern County students who have been expelled from district programs when the district board of education determines they are the most appropriate placement. The county-operated Court or Community School may not be the most appropriate placement for some special education students, even if they are expelled from their district. Some students may continue to require intensive services as provided by their district of residence due to the severity of their disability. In such cases, it is the programmatic and fiscal responsibility of the district of residence to continue to provide the intensive services.

Educational alternatives offered by the Kern County Superintendent of Schools Office include the following:

-Court Schools

-Bridges Academy \*

-Central School \*

-Juvenile Hall\*

-Pathways\*

-Star Academy (Pupil Retention Day School)\*

-Furlough Treatment and Recovery Program \*

-Erwin Owen High School \*

-Jamison Children's Center \*

-Redwood High School \*

-Community Schools

-Auburn Community School

-Community Learning Center-34<sup>th</sup> Street

-East Kern Community School

-Kelly F. Blanton Education Center

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-Blanton Academy (Pupil Retention Day School)\*

-Lake Isabella Community School

-North Kern Community School

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-West Kern Community School

*\*Placement by Non-Education Agency Required*

# **GAPS IN EDUCATIONAL SERVICES TO EXPELLED STUDENTS AND STRATEGIES FOR FILLING THOSE GAPS**

1. District Size and Rural Challenges - The average district enrollment in Kern County is approximately one third the state average. This smaller district size, together with the rural characteristics of the county, makes it difficult to offer the range of alternatives often found in the larger urban districts. The strategy for addressing this problem 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 rural, often isolated, settings.
2. Increased Structure in Educational Placements - An additional gap that has been identified in recent years is the need to try to keep as much structure in educational placements for expelled students as possible. The response to the identification of this gap, the Kern County Superintendent of Schools Office has implemented several layers of strategies. The first is the expansion of classroom options in the Community School program. The number of non-residential Court and Community School classrooms has expanded to 45 in 2004-05, 51 in 2005-06, 60 in 2006-07, 62 in 2007-08, 67 in 2008-09, and an additional 7 classrooms in the North Kern County area planned to be operational for 2009-10. In addition to the increase in numbers of classrooms, the Kern County Superintendent of Schools Office has added the very structured (six to eight hours per day) Pupil Retention Academies to its non-residential programs. While this gap has been a focus of a great deal of energy, getting the more structured programming into the less-populated, rural areas of the county continues to be a gap. The 2009 Strategic Plan for the Kern County Superintendent of Schools Office included a goal that dealt with students enrolled in independent study and focused on a commitment to “Increase the number of independent study students participating in structured remediation activities, including, but not limited to, math and English tutoring, ELL instruction, CAHSEE preparation, special education support and acquisition of new space to support these activities”.
3. County-Operated Community Day Schools - There continues to be an inability to provide the full range of educational services to students

- enrolled in county-level alternatives. There is a gap associated with the current statute that establishes a cap on county-operated community day schools and restricts the ability to provide this more structured program to expelled students who have exhausted district-level alternatives. The strategy to address this gap will be for the county office of education to support any legislative activity associated with eliminating this existing prohibition.
4. Expulsion Offenses During Expulsion Period - Students who commit an expulsion offense during an expulsion period may have limited alternatives that remain available for secondary placement. The strategy for addressing this problem is to maintain a commitment to providing educational services to students, regardless of repeated offenses. One strategy that has been employed at the county-level programs is to provide intense training to educational staff that improves their skills at diffusing potentially volatile situations with students, and subsequently decreasing the likelihood of a problem escalating to an expellable level. Another strategy employed at the county-level programs is the increase in the level of staff providing campus supervision, with one outcome being to decrease the likelihood of a problem being able to escalate to an expellable level. A final strategy is to, when possible, use alternatives to expulsion as the response to unacceptable behavior. While the existing strategies have produced satisfactory results, the gap continues to exist.
  5. K-6 Expulsions - Students who are in grades K-6 who are expelled do not have the same educational options available as do their grades 7-12 counterparts. Students in grades K-6 are also expelled at a much lower rate than students in grades 7-12. Students who are expelled in grades K-6 and referred to a county community school are funded by the state at a level that is significantly less than the average funding for the regular K-6 population statewide. These three factors, together with the requirement that educational services for students in grades K-6 cannot be merged or combined with services to students in grades 7-12 make it very difficult to identify an educational placement for the expelled student who is in grades K-6. The strategy for addressing this problem was for the county office of education and school districts to develop a cooperative plan for maintaining a multi-district educational alternative capable of serving this smaller, more isolated student population. A structure was implemented and has successfully operated for the past six years. Unfortunately, the strategy for addressing this problem identifies a gap of under-funding for K-6 services in a county community school. The strategy to address this gap will be for the county office of education and Kern County school districts to actively support any effort to correct the funding shortfall for these K-6 students enrolled in county community schools.

6. Community Day School Support - The changes over the past twelve years relative to the establishment and elimination of community day schools in Kern County represents efforts by all Local Educational Agencies to have a continuum of educational services available to its expelled students that is practical, functional and in the best interest of its students. The history of attempts at operation of community day schools reflects an awareness of this alternative. Kern County has had eleven districts attempt to operate community day schools since 1995 and has four districts actively operating community day schools at this time. As the above listed gaps are addressed, establishment of community day schools at the district and county levels continues to be a strategy that is supported. An additional strategy is for the county office of education staff to continue to provide active support to any school district that would like to operate, or explore the operation of, a district level community day school.

## **ALTERNATIVE PLACEMENTS FOR STUDENTS WHO FAIL COMMUNITY DAY SCHOOL PLACEMENTS**

The Court and Community School programs operated by the Kern County Superintendent of Schools Office maintains a standing policy of accepting all students who have been expelled from their district of residence and who have exhausted the alternatives offered by the district, unless such placement is determined not to be the most appropriate placement for a special education student. If an initial placement is made to a district operated community day school and the student commits an expulsion offense or fails the program, the South Fork Union School District Board of Education shall review the plan of rehabilitation that was established at the time of expulsion and make the adjustments necessary. If there is no educational alternative in the South Fork Union School District, the student may be referred to the county community school program.

# **PLAN FOR PROVIDING EDUCATIONAL SERVICES TO ALL EXPELLED STUDENTS IN KERN COUNTY**

## **Requirements**

California Education Code Section 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 pupils in that county.” This section of California Education Code also states that “The plan shall enumerate existing educational alternatives for expelled pupils, identify gaps in educational services to expelled pupils, and strategies for filling those service gaps.”

## **Kern County Characteristics**

The 35 elementary school districts, 4 high school districts and 8 unified school districts of Kern County provide services to 171,584 students at 269 school sites spread over an area of 8,170 square miles. The educators of Kern County recognized the need for a continuum of educational services for “all” students, including expelled students, long before the 1995 legislation mandated educational placements for expelled students. This continuum of services begins with the elementary, middle and high schools and continues to school site level alternatives, district-level alternatives and county-level alternatives. This Kern County Plan for Educational Services for Expelled Students provides the description of the part of that continuum of services in Kern County that relates directly to the expelled students. A series of legislative bills in 1995, and since 1995, have created new challenges that have resulted in adjustments and refinements to this Kern County continuum of educational services over the past fourteen years. One of the most significant and successful program developments was overcoming a series of state-level obstacles by forming a partnership between the county office of education and school districts that resulted in the development of a model county community school designed to serve students in grades K-6. This 2009 triennial update of the Kern Countywide Plan for Expelled Students will highlight some of these changes to the educational landscape for this student population.

## **Placements for Expelled Students**

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 educational program is provided to the pupil who is subject to the expulsion order for the period of the expulsion...”. Every Kern 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 1) seriousness of offense, 2) available educational alternatives, and 3) other related factors. County level alternatives for expelled students will remain available to expelled students. Any expelled student who requires, and is entitled to, transportation to the county-level educational placement shall have that transportation provided by the district of residence. The county-operated Court or Community School may not be the most appropriate placement for some special education students, even if they are expelled from their district. Some students may continue to require intensive services as provided by their district of residence due to the severity of their disability. In such cases, it is the programmatic and fiscal responsibility of the district of residence to continue to provide the intensive services. District level alternatives for expelled students, if district level alternatives exist, will vary from one district to the next depending on the characteristics of the district.

## **District Sub-Plans**

The list of educational alternatives that exist for each of the 47 Kern County districts is identified in that district’s sub-plan and included as part of the total countywide plan. A district sub-plan has been developed and board approved for every school district in Kern County. Those district sub-plans are included in this countywide plan to provide the complete “Plan for Providing Educational Services to all Expelled Students in Kern County”. Any substantive changes to district sub-plans during the period between triennial updates receive approvals by the school district governing board at the time the change is made. Each district sub-plan includes 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).

## **EXISTING EDUCATIONAL ALTERNATIVES FOR EXPELLED STUDENTS**

### **Taft City School District**

All educational alternatives available to California's school districts are not available to all expelled students and most are not available to any expelled students. The seriousness of offense, location of offense and grade level of the student all have the potential to restrict the district level educational alternatives available to the student during the period of expulsion. Students expelled for any of the offenses listed in Subdivisions (a) or (c) of Section 48915 of the California Education Code shall not be permitted to enroll in any district operated program during the period of the expulsion unless it is a community day school (California Education Code Section 48915.2). All expelled students shall be referred to an educational placement that is 1) not provided at a comprehensive middle, junior or senior high school or any elementary school and 2) not housed at the schoolsite attended by the student at the time of the offense (California Education Code Section 48915). If the expelled student is in grades K-6, the educational placement for the student shall not be merged or combined with educational programs offered to students in grades 7-12 (California Education Code Section 48916.1). In addition to the above listed requirements, such factors as district size, district level alternatives, county level alternatives and district philosophy can impact the determination by a school district board of education of what educational alternatives are appropriate for the students who are expelled.

It is the determination of the Taft City School District Board of Education that the following district level educational alternatives, if deemed appropriate, be available as placements for students expelled from Taft City School District:

Taft Community Day School

### **Kern County Superintendent of Schools Office**

The Kern County Superintendent of Schools Office offers educational alternatives to expelled students through its court and community schools. Court schools require the formal placement of students into the program by the juvenile court or its probation/parole department representatives. These programs can be either residential or non-residential and expulsion status of a student has no negative impact on eligibility or placement. Community school enrollment may

require referral from the school district of residence and these schools provide services to students in accordance with California Education Code Section 1981. Expulsion status of a student has no negative impact on eligibility or placement of a student in community schools, but may be used for California Education Code 1981 classification purposes. These two county level educational alternatives (court schools and community schools) will be available to Kern County students who have been expelled from district programs when the district board of education determines they are the most appropriate placement. The county-operated Court or Community School may not be the most appropriate placement for some special education students, even if they are expelled from their district. Some students may continue to require intensive services as provided by their district of residence due to the severity of their disability. In such cases, it is the programmatic and fiscal responsibility of the district of residence to continue to provide the intensive services.

Educational alternatives offered by the Kern County Superintendent of Schools Office include the following:

-Court Schools

-Bridges Academy \*

-Central School \*

-Juvenile Hall\*

-Pathways\*

-Star Academy (Pupil Retention Day School)\*

-Furlough Treatment and Recovery Program \*

-Erwin Owen High School \*

-Jamison Children's Center \*

-Redwood High School \*

-Community Schools

-Auburn Community School

-Community Learning Center-34<sup>th</sup> Street

-East Kern Community School

-Kelly F. Blanton Education Center

-Bakersfield Elementary Community School

-Community Learning Center-Tech

-Blanton Academy (Pupil Retention Day School)\*

-Lake Isabella Community School

-North Kern Community School

-Ridgecrest Learning Center

-Sillect Community School

-West Kern Community School

*\*Placement by Non-Education Agency Required*

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