

NEVADA COUNTY
PLAN FOR PROVIDING EDUCATIONAL SERVICES
TO EXPELLED STUDENTS

Approved by the
Nevada County Board of Education

June 2021

Nevada County Superintendent of Schools
Scott W. Lay

Participating Districts/Charters

The Plan for Providing Education Services to Expelled Students is between the Nevada County Superintendent of Schools and the following Nevada County LEAs.

- Chicago Park Elementary School District
- Clear Creek Elementary School District
- Grass Valley Elementary School District
- Nevada City Elementary School District
- Nevada Joint Union High School District
- Penn Valley Union Elementary School District
- Pleasant Ridge Union Elementary School District
- Twin Ridges Elementary School District
- Union Hill Elementary School District
- Bitney Prep Charter High School
- Epic de Cesar Chavez Charter School
- Forest Charter School
- John Muir Charter School
- Nevada City School of the Arts Charter School
- Twin Ridges Home Study Charter School
- Yuba River Charter School
- Sierra Academy of Expeditionary Learning

COUNTYWIDE PLANS FOR PROVISION OF EDUCATIONAL SERVICES TO EXPELLED STUDENTS

California Education Code (EC) Section 48926 initially required county superintendents, in conjunction with superintendents of the school LEA's within the county, to develop a plan for providing educational services to all expelled pupils in that county. The plan was to be adopted by the governing board of each LEA within the county and by the county board of education, and submitted to the State Superintendent of Public Instruction (SSPI) in 1997. The EC Section 48926 also requires that each county superintendent of schools, in conjunction with LEA administrators in the county, submit a triennial update to that plan to the SSPI. This plan reflects the 2021 update and shall be adopted by the governing board of each school district within Nevada County and by the County Board of Education.

Education Code 48926 provides specifically that the plan:

- Shall enumerate existing educational alternatives for expelled pupils
- Identify gaps in educational services to expelled pupils
- Identify strategies for filling those gaps
- 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 LEA pupils, as determined by the governing board

In addition, the plan must address behavioral intervention approaches used to minimize the number of suspensions and expulsions.

EXISTING SCHOOL DISTRICT ALTERNATIVES FOR EXPELLED PUPILS

Each LEA shall take steps to see that services are provided for pupils who have been expelled. A pupil whose behavior has resulted in expulsion shall be given a rehabilitation plan that is designed by the district of residence. The rehabilitation plan needs to include specific goals that the student must attain before returning to a comprehensive school setting. Any recommended placement along with progress towards meeting the requirements of the rehabilitation plan should be monitored and appropriate documentation maintained.

The governing board of each LEA will determine which educational alternatives are appropriate and available. Educational alternatives throughout Nevada County for pupils recommended for expulsion include, but are not limited to, the following options:

- Expulsion, suspended order, with placement on the same campus.
- Expulsion, suspended order, with placement on a different school campus within the LEA.

- Expulsion, suspended order, with placement in district independent study, if the parent consents.
- Expulsion with referral to an LEA community day school, if available.
- Expulsion with subsequent transfer to another LEA.
- Expulsion with referral to the Nevada County Superintendent of Schools alternative programs at Earle Jamieson Educational Options (Grades 7-12).

Educational programs within Nevada County provide a variety of opportunities for students who are in need of traditional and/or alternative education programs. Local LEA's offer a continuum of services and broad range of program options within their respective schools. The Nevada County Superintendent of Schools office operates a County Community School for students in grades 7 – 12.

Each LEA provides a comprehensive system of intervention strategies which include, but are not limited to, Positive Behavior Intervention and Supports (PBIS), Restorative Practices, Student Success Teams, behavior panels, on-site intervention classroom, behavior support staff, academic and social-emotional supports, in-school suspensions, progressive discipline system, student/parent/school contracts, referrals to Children's Behavioral Health, SMART referrals, and involvement with community agencies.

There are students whose behavior constitutes grounds for discipline and possible referral for expulsion from school. The LEA may, and in some case is required to, recommend expulsion to their governing board. Each LEA is responsible to provide each student with a rehabilitation plan clearly defining what the student must do before returning to the LEA.

Nevada County Superintendent of Schools

The Nevada County Superintendent of Schools (NCSOS) offers an educational alternative through the County Community School. Earle Jamieson Educational Options requires referrals from the school or probation. NCSOS maintains a standing policy of accepting students in grades 7 - 12 who have been expelled by their LEA, providing there is space available and the needs of the student can be met. While NCSOS attempts to serve as many of the referred students as possible; it is not required to take any students and may not be able to serve all students who are referred.

Earle Jamieson Educational Options works to meet the challenging needs of their students through a variety of specialized programs including:

- Classroom based seat time or independent study programs
- Individualized learning plans
- Counselor on site
- Small class sizes
- High teacher/staff to student ratio
- PBIS (Positive Behavior Interventions and Supports)
- Credit recovery opportunities

- Career Technical Education and guidance
- Trauma based care
- Aggression Replacement Training
- Restorative Justice practices

PREVENTION, BEHAVIORAL INTERVENTIONS AND APPROACHES

Each of the LEAs in Nevada County are committed to providing early intervention services to students in a variety of ways that are intended to ensure the success of all students and reduce the number of suspensions and expulsions. Some of the services and interventions provided by LEAs to address diverse needs and provide opportunities for success include: individualized instruction, counseling, small group instruction, behavior support plans, student success teams, academic and emotional assessments, and special education supports and services.

The Nevada County Superintendent of Schools office offers professional development and resources to each LEA to help increase school safety, increase social skills, improve school climate and address individual student needs. Behavioral health therapists are available on some school sites to provide needed mental health services and parenting classes are provided through 3 school-based Family Resource Centers. At the high school LEA, intervention classes for at-risk students and a crisis counselor are available. School resource officers, probation officers and a truancy officer help to provide needed services to at-risk students.

The Nevada County Superintendent of Schools office convenes a Special Multi-Agency Resource Team (SMART) each week to meet the needs of families in crisis within our community. The identified team focus is: “Keeping our kids safe, healthy, at home, in school, and out of trouble.” SMART consists of representatives from the following agencies: Child Protective Services, Public Health, Juvenile Probation, Behavioral Health, Victor Community Support Services, Sierra Forever Families, appropriate school representatives, and the parent(s) or guardian(s) of such students.

Additionally, the Nevada County Superintendent of Schools offers free training to all county schools in Positive Behavior Interventions and Supports (PBIS) to assist LEAs in improving school climate and developing a multi-tiered system of supports for implementation on their campuses.

Student Support Services

Nevada County Superintendent of Schools partners with several community agencies to provide support and services to the students and families at Earle Jamieson Educational Options Community School. Our partner agencies include Children’s Behavioral Health Services, Nevada County Probation, Victor Community Support Services, Child Protective Services, and Community Recovery Resource (CORR). Services include, but are not limited to:

- Aggression Replacement Training (ART)
- Non-violent Crisis Intervention Training (for staff)
- SMART Team meetings
- Health Education
- Drug/Alcohol Diversion

Coronavirus (COVID-19) Conditions

The impact of COVID-19 last spring saw the closure of our school and a pivot toward a remote delivery of our instruction and services to students and families. Distance learning included teacher to student interactive engagement work online via Google Classroom and for students who could not connect online, material packets were provided for pick-up each week and assignments were dropped off each week. Throughout distance learning, stakeholder meetings were held via Zoom or telephone where we received input as we began to identify areas of shared concerns and priorities as we built our safety and return to in-person plans.

For the 2020-21 school year, we opened and currently operate a five-day, half-day AM schedule for in-person individual and/or small group instruction for all students. Afternoon remote learning continues for students via Zoom on Google Classroom. Until it is safe to do so, our hybrid model is implemented with a focus on our students who have experienced significant loss due to the interruption of in-person instruction as a result of COVID-19 during the 2019-2020 school year. Similar to non-COVID-19 times, all students, when enrolled, receive an individual plan and teachers monitor progress toward academic and socio-emotional goals. All safety and health protocols are followed by staff and students on campus at all times.

- **Change of Placement Intervention Approach to Supporting Students in Nevada County for COVID-19 Response.** For the 2020-21 school year and with the focus to help mitigate learning loss, trauma, behavior, and/or attendance concerns and re-engage students with academic supports during the time of COVID-19, NCSoS and EJ implemented relaxed referral criteria for students who fall into the top-tier of needed intervention. This relaxed referral process will remain in place until the COVID-19 Response to Intervention Plan is no longer needed, as determined by NCSoS.

GAPS IN EDUCATIONAL SERVICES TO EXPELLED STUDENTS

A current needs assessment along with the information provided in the 2015 plan was used to identify three potential gaps in providing a comprehensive service model for expelled students in Nevada County. The LEAs and Nevada County Superintendent of Schools office must work to develop solutions that are both educationally sound and financially possible.

1. Identified Gap: Students enrolled in grades K-6 have very few educational alternatives available and no county alternative education program where LEAs may refer students. In addition, there are currently no district operated community day schools.

a. Strategy:

- LEAs can explore options to work with other districts to serve expelled youth.
- LEAs can utilize their local alternatives to provide educational programs for expelled students, including independent study if the parent consents.
- If the numbers of students in these grades that need services increases, the county office and school districts will work collaboratively to create other options.

Update 2018: One of our elementary LEA sites currently provides an alternative setting for students in grades 5-8 who are unsuccessful in the comprehensive middle school setting. This gap still exists as a need in our county. The strategies listed above will continue.

Update 2021: This gap still exists as a need in our county; however, a few LEAs are implementing Restorative Justice practices at the elementary, middle and high school levels which focuses on mediation and agreement; emphasizing accountability, making amends and restoring relationships. The strategies listed above will continue as well.

2. Identified Gap: Students in grades 7-12 who have been expelled have limited educational alternatives. There are no LEA operated community day school options in Nevada County.

a. Strategy:

- The Nevada County Superintendent of Schools currently operates a county community school to provide an educational alternative for expelled youth in grades 7-12. LEAs can explore options to work with other LEAs to serve expelled students, including Charter Schools.
- LEAs can utilize their own local alternatives to provide an educational placement for expelled students in grades 7-12, including independent study with the parent's consent.

Update 2018: This gap still exists as a need in our county. The strategies listed above will continue.

Update 2021: This gap still exists as a need in our county. The strategies listed above will continue.

3. Identified Gap: Students expelled from their LEA and placed in alternative programs could be unsuccessful in the program or commit further expellable offenses and need to be expelled or removed from that alternative program resulting in a referral back to the LEA.

- a. Strategy:

- Students placed in the alternative education program will receive educational, behavioral, and emotional supports to help them be successful in the program.
- If a student does not successfully complete the rehabilitation/readmit plan within the expulsion period, and/or a new offense has occurred at the alternative setting, then the alternative education program staff will meet with the LEA to discuss options. Options may include returning to the LEA, enrolling in another LEA, considering placement in another county, or enrolling in a different alternative educational program in Nevada County, an appropriate charter school, or independent study with the parent's consent under the LEA's supervision.

Update 2018: The strategies listed above will continue.

Update 2021: The strategies listed above will continue in addition to:

- Rehabilitation plans and strategies implemented at EJ will be regularly reviewed by staff and alternative strategies may be developed and added as needed to EJ's individual student plan for those students who have difficulty meeting the terms and conditions of their LEA-designed rehabilitation plans.

COUNTY EDUCATIONAL ALTERNATIVES FOR EXPELLED STUDENTS

Process of Referral

When an LEA determines that an appropriate educational option does not exist within the LEA for an expelled pupil in grades 7 - 12, the LEA may refer the student to the Nevada County Superintendent of Schools alternative education program, Earle Jamieson Educational Options (EJ). The county will review the LEA Rehabilitation Plan and referral in order to develop an individual learning program for each student based on their individual needs and circumstances. Parents will be included and expected to work cooperatively in addressing the needs of their children. Earle Jamieson (EJ) will provide the student with bus passes to the public transportation system (Gold Country Stage) if necessary.

The referring LEA shall provide the following documentation at the time of referral for enrollment:

- County referral form, signed by superintendent or designee
- Expulsion Rehabilitation Plan to be reviewed by EJ Administrator and/or other county Administrator, as necessary.
- Current transcripts, including student's progress toward meeting the graduation requirements of the district of residence including any relevant information (ie: adjusted graduation requirements or plan to be a fifth year senior).
- Attendance and discipline information
- Immunization records
- Most recent assessment data
- IEP/504 Plan (if applicable)
- Information from any interventions provided for the student
- The date on which the student will be eligible to return to the LEA

Expelled students referred to EJ from the LEA are under the Rehabilitation Plan developed by the LEA and will be held accountable to both the LEA and the county. For all students referred to EJ, if the placement does not result in meeting the needs of the student, or the student commits an offense that precludes their continuing at EJ, the EJ staff will:

- Refer the student to the local law enforcement agency or probation if appropriate.
- Inform and refer the student to their home district to find appropriate placement.
- Inform the family of the option of attending a charter school in or out of the county.
- Offer the student the option of enrolling in independent study (if applicable).

Earle Jamieson Educational Options will provide LEAs with progress reports and notification of a pupil's change of residence, termination from the program, or completion of requirements for graduation. LEA administrators will be provided data necessary to meet requirements associated with Education Code 48916.

A-G requirements are not applicable to our program and student population and we do not offer AP testing to our students. Due to our limited program, a student's maximum enrollment is one (1) year, unless both the LEA and EJ parties agree, an extension is in the best interest of the student.

Special Education

Consistent with state and federal law, a student with exceptional needs (who has a current IEP or 504 plan) may be expelled and referred by an LEA for placement in the NCSOS County Community program. Enrollment will be determined on an individual basis, and is dependent on the appropriateness of placement and services available at Earle Jamieson Educational Options (EJ) to meet the individual needs of the student as stated in the current IEP or Section 504 plan. This could include, holding a preliminary meeting with EJ staff to coordinate efforts to determine the most appropriate placement, promote continuity of the IEP implementation, develop recommendations to the IEP team, determine if EJ is an appropriate placement and how the provision of the IEP will

be implemented at EJ. If enrolled, an IEP meeting with family will be held to update the IEP with placement and how the provisions of the IEP will be implemented at EJ.

Any student referred to EJ that has an active IEP, must present a copy of his/her most recent IEP upon registration.

Provision of related services through the NCSOS Alternative Education Program

- NCSOS provides:
 - Special Education teacher with Mild/Moderate credential (.6 FTE)
 - Paraprofessional support (25 hours/week)
 - School counselor (.8 FTE)
- Each student's LEA of residence must provide any related services and/or materials required by a student's IEP that is not available through NCSOS.

Should it become necessary to reevaluate the appropriateness of services, progress on educational goals and/or placement as mandated in a student's IEP while attending EJ, representatives from the referring LEA shall attend to participate in any meeting where change of services, progress on goals or placement will be discussed.

Return to LEA Process (includes Special Education students)

The referring LEA and EJ will work together to coordinate return to the LEA for expelled students or non-expelled students in the following instances:

Expelled students (Education Code 48916):

- The student has met the terms of the expulsion and rehabilitation plan,
- A student is expelled from the LEA under Education Code 48915 and after being accepted at EJ refuses to attend or refuses services and instruction to such a degree that the student cannot benefit from placement in any way. In such cases, a collaborative effort between the LEA, COE and other county programs, including SARB if necessary, will be made to address the underlying causes in an effort to identify additional services which will serve the student's academic and behavioral needs.

Non-Expelled Students: Involuntary Transfer Students (Education Code 1981(b)(c):

- The student has completed middle school and is transitioning to high school.
- The student has completed a semester following the semester when the act(s) leading to the referral occurred.
- The student has committed an expellable offense while enrolled at EJ.

Non-Expelled Students: Voluntary Referrals (Education Code 1981(d)(2):

- A parent, guardian, or responsible adult of a pupil enrolled in a county community school pursuant to this subdivision may rescind the request for the placement, and the student shall be immediately re-enrolled in the school that the student

attended at the time of the referral, or, with the consent of the parent, guardian, or responsible adult, another appropriate school.

Transition support for students returning to their LEA include an exit meeting with EJ staff and district staff, review of strategies designed to assist the student in avoiding at-risk behaviors upon return to their district and an adult mentor (if practicable) established as a point of contact at their LEA.

When returning a Special Education student to the LEA, EJ and the district of residence will agree on an appropriate date to convene an IEP, as well as meeting any other legal requirements/timelines, including ensuring that students are provided with due process.

When the student has reached the expiration date on their rehabilitation plan, and has not successfully completed all components, a meeting between EJ staff and LEA staff shall occur to review the student's progress and discuss plans for return to the LEA. EJ staff will produce progress documents and if it shows a student has made significant progress towards their rehabilitation goals and determine that continued placement at EJ is not in the best interest of the student, a recommendation will be made to return to the LEA who will then be responsible for the student's educational services.

High School Credits Awarded at Earle Jamieson Educational Options

- The school LEA shall calculate and provide all credits earned by the student, *including partial credits* for the portion of the current semester attended in the school district, to EJ.
- EJ awards credits to high school students in accordance with the rules and regulations governing court and community schools. If the student does not earn full credits, partial credits will be awarded for the time of attendance at EJ.
- The LEA shall accept any and all partial credits awarded to the student by any school district or EJ.
- EJ complies with California Assembly Bills 1806 and 2306 for students who are homeless, foster youth, or have attended a juvenile court school.
- A student who completes the Earle Jamieson Educational Options graduation requirements during the term of their enrollment at EJ shall be awarded a regular high school diploma by EJ and exited from the NCSOS program. This diploma shall be recognized by the student's LEA as a regular high school diploma.
- Nevada County LEAs and Nevada County Superintendent of Schools have agreed to award and accept partial credits for any student entering or exiting Earle Jamieson's program

Coordination with Districts

The Nevada County Superintendent of Schools and the LEAs in Nevada County benefit from an ongoing partnership and collaborative spirit as they work to provide educational options for expelled students. The program options and services available for students will be reviewed on an annual basis and aligned with the county LCAP goals.