

**AN AGREEMENT BETWEEN THE
MENDOCINO COUNTY OFFICE OF
EDUCATION AND LOCAL SCHOOL
DISTRICTS FOR THE
IMPLEMENTATION OF EDUCATION
CODE 48916.1**

*Triennial Plan for Providing Educational
Services to Expelled Students*

**Updated
June 28,
2021**

**1st Adopted by the MCOE Governing
Board on June 30, 1997**

Revised 6/30/2000
Revised 6/30/2003
Revised 6/30/2006
Revised 6/30/2009
Revised 6/30/2012
Revised 6/30/2018
Revised 6/28/2021

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Introduction to Plan

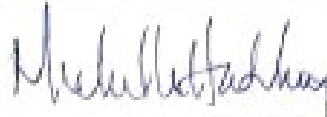
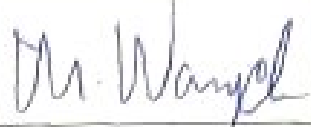




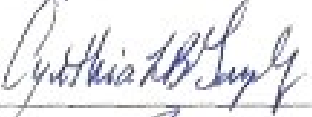






The 2021 Mendocino County Plan for Educating Expelled Pupils was developed and updated by the Mendocino County Office of Education (MCOE) and superintendents of Mendocino County school districts. This plan enumerates educational alternatives for expelled students, identifies gaps in services, and provides strategies to fill these gaps in services. The development and implementation of this plan ensures that educational services are provided to all expelled pupils in the county. The plan also provides a continuum of services to at-risk pupils.

At the April 2021 monthly Superintendents Council Meeting, district superintendents were asked to complete a survey identifying the current status and gaps in educational programs for expelled pupils. The results of the survey are incorporated in this updated 2021 Triennial Countywide Plan. The superintendents' signatures assure collaboration and coordination of educational services to expelled pupils between school districts and the county office of education.

Educational programs within Mendocino County provide numerous opportunities for students who are in need of traditional and/or alternative education programs. While individual school districts offer a broad spectrum of service options, the Mendocino County Office of Education offers alternative programming for students whose needs cannot be met in traditional settings. Together, school districts and the county office of education make an effort to provide students with a full continuum of service and placement options.

Any student whose behavior has resulted in expulsion may be offered a rehabilitation plan that is designed by their district-of-residence. Implementation of these plans may be assisted by the county office of education. A student who is simply in need of an educational alternative may also access MCOE Alternative Education programs through a district and/or county level referral process, a School Attendance Review Board, or a court/probation referral.

Participating Mendocino County School Districts

| District | Superintendent | Signature | Date |
|--------------------------------------|-------------------|--|-----------|
| Mendocino County Office of Education | Michelle Hutchins |  | 6/18/21 |
| Anderson Valley Unified | Michael Warych |  | 6/11/21 |
| Arena Union Elementary | Warren Galletti |  | 6/17/2021 |
| Ft. Bragg Unified | Rebecca Walker |  | 6/17/2021 |
| Laytonville Unified | Joan Potter |  | 6/11/21 |
| Leggett Valley Unified | Anthony Loumena |  | 6/17/2021 |
| Manchester Union Elementary | Cynthia Gonzalez |  | 6/17/21 |
| Mendocino Unified | Jason Morse |  | 6/15/21 |
| Pt. Arena Joint Union High School | Warren Galletti |  | 6/17/2021 |
| Potter Valley Community Unified | Holly McLaughlin |  | |
| Round Valley Unified | Mike Gorman |  | 6/18/21 |
| Ukiah Unified | Debra Kubin |  | 6/10/21 |
| Willits Unified | Mark Westerberg |  | 6/15/21 |

MENDOCINO COUNTY/DISTRICT PLAN FOR EXPELLED YOUTH

Education Code 48926

Each county superintendent of schools that operates community schools pursuant to Section 1980, in conjunction with superintendents of the school districts within the county, shall develop a plan providing education services to all expelled pupils in that county. The plan shall be adopted by the governing board of each school district within the county and by the county board of education.

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

Each county superintendent of schools, in conjunction with the superintendents of the school districts, shall submit to the Superintendent of Public Instruction the county plan for providing educational services to all expelled pupils in the county no later than June 30, 1997, and shall submit a triennial update to the plan to the Superintendent of Public Instruction, including the outcome data pursuant to Section 48916.1, on June 30th thereafter.

Education Code Section 48916.1 requires that school districts provide an educational program to expelled students.

Community Day Schools

- A. Education Code section 48660 authorizes the governing board of a school district to establish one or more community day schools for students in kindergarten or any of grades 1-12 inclusive who meet one or more of the conditions specified in Section 48662(b).
- B. Section 48660.1 states that it is the intent of the Legislature that school districts operating community day schools to the extent possible include the following program components:
 - 1. School district cooperation with the county office of education, law enforcement, probation and human service agencies personnel who work with at-risk youth.
 - 2. Low pupil teacher ratio.
 - 3. Individualized instruction and assessment.
 - 4. Maximum collaboration with school district, support service resources,

including but not limited to, school counselors and psychologists, academic counselors and pupil discipline personnel.

- C. Section 48661 states that a community day school shall not be situated on the same site as an elementary, middle, junior high, comprehensive senior high, opportunity, or continuation school unless the governing board approves by a two-thirds vote that satisfactory alternative facilities are not available for a community day school.
- D. Section 48662 states that the governing board of a school district that establishes a community day school shall adopt policies that provide procedures for the involuntary transfer of students to a community day school. A student may be assigned to a community day school only if he or she meets one or more of the following conditions:
 - 1. The student is expelled for any reason.
 - 2. The student is probation-referred pursuant to Sections 300 and 602 of the Welfare and Institutions Code.
 - 3. The student is referred to a community day school by a school attendance review board or other district level referral process (if a district does not operate a school attendance review board).
 - 4. First priority for assignment to community day school shall be given to a student expelled pursuant to Education Code section 48915(d), second priority shall be given to students expelled for any other reasons, and third priority shall be given for placement to all other students pursuant to this section unless there is an agreement that the county superintendent of schools shall serve any of these students.
- E. Section 48663 states that the minimum school day for students enrolled in community day schools is 360 minutes of classroom instruction provided by a certificated employee of the district or a consortium of school districts. A student enrolled in a community day school may not generate more than one day of community day school attendance credit in a school day for any purpose. Independent study may not be utilized as a means of providing any part of the minimum instructional day.
- F. Section 48666 authorizes the governing board of a school district maintaining a community day school to establish attendance policies for the community day school that permit the community day school to require students to attend school for up to seven days each week when this action is taken as part of a directed program designed to provide community day students with the skills and attitudes necessary for success when returned to a regular school environment.

Legal Update

In recent years, including the time since the last plan update (2018) was developed, the State of California has enacted numerous legislative changes that have impacted the way that schools and

districts deal with the issue of student suspensions (which often lead to expulsion) and expulsions. An effective plan aimed at better serving expelled students must take these changes into account in addition to relevant sections of the education code that are worthy of note and may assist schools and districts in their efforts to better serve students subject to expulsion. Therefore, this section highlights some of the most important recent legislative changes as they impact student suspension and expulsion.

SUSPENSION

1. Education Code 48900 (k)(2):

- (1) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
- (2) Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated in paragraph (1), and those acts shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion. This paragraph is inoperative on July 1, 2020.
- (3) Except as provided in Section 48910, commencing July 1, 2020, a pupil enrolled in kindergarten or any of grades 1 to 5, inclusive, shall not be suspended for any of the acts specified in paragraph (1), and those acts shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion.
- (4) Except as provided in Section 48910, commencing July 1, 2020, a pupil enrolled in any of grades 6 to 8, inclusive, shall not be suspended for any of the acts specified in paragraph (1). This paragraph is inoperative on July 1, 2025.

2. Education Code 48900 (v):

For a pupil subject to discipline under this section, a superintendent of the school district or principal is encouraged to provide alternatives to suspension or expulsion, using a research-based framework with strategies that improve behavioral and academic outcomes, that are age appropriate and designed to address and correct the pupil's specific misbehavior as specified in Section 48900.5.

3. Education Code 48900 (w):

- (1) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities.
- (2) It is further the intent of the Legislature that the Multi-Tiered System of Supports, which includes restorative justice practices, trauma-informed practices, social and emotional learning, and schoolwide positive behavior interventions and support, may be used to help pupils gain critical social and emotional skills, receive support to help transform trauma-related responses, understand the impact of their actions, and develop meaningful methods for repairing harm to the school community.

EXPULSION

4. Education Code 48915

- a. Details provisions related to student expulsion including differentiating between “may” and “shall” expel offenses.
- b. Provides the Superintendent to impose alternative means of correction

CREDITS AND GRADUATION REQUIREMENTS

9. Education Code 51225.1

(a) Notwithstanding any other law, a local educational agency, as defined in subdivision (n), shall exempt a pupil in foster care, as defined in Section 51225.2, a pupil who is a homeless child or youth, as defined in Section 11434a(2) of Title 42 of the United States Code, a former juvenile court school pupil, as defined in Section 51225.2, a pupil who is a child of a military family, as defined in Section 49701, or a pupil who is a migratory child, as defined in subdivision (a) of Section 54441, who transfers between schools any time after the completion of the pupil's second year of high school, or a pupil participating in a newcomer program, as defined in Section 51225.2, and who is in his or her third or fourth year of high school, from all coursework and other requirements adopted by the governing body that are in addition to the statewide coursework requirements specified in Section 51225.3, unless the local educational agency makes a finding that the pupil is reasonably able to complete the local educational agency's graduation requirements in time to graduate from high school by the end of the pupil's fourth year of high school.

(b) If the local educational agency determines that the pupil in foster care, the pupil who is a homeless child or youth, the former juvenile court school pupil, the pupil who is a child of a military family, the pupil who is a migratory child, or the pupil participating in a newcomer program is reasonably able to complete the local educational agency's graduation requirements within the pupil's fifth year of high school, the local educational agency shall do all of the following:

(1) Inform the pupil of his or her option to remain in school for a fifth year to complete the local educational agency's graduation requirements.

(2) Inform the pupil, and the person holding the right to make educational decisions for the pupil, about how remaining in school for a fifth year to complete the local educational agency's graduation requirements will affect the pupil's ability to gain admission to a postsecondary educational institution.

(3) Provide information to the pupil about transfer opportunities available through the California Community Colleges.

(4) Permit the pupil to stay in school for a fifth year to complete the local educational agency's graduation requirements upon agreement with the pupil, if the pupil is 18 years of age or older, or, if the pupil is under 18 years of age, upon agreement with the person holding the right to make educational decisions for the pupil.

(c) To determine whether a pupil in foster care, a pupil who is a homeless child or youth, a former juvenile court school pupil, a pupil who is a child of a military family, or a pupil who is a migratory child is in the third or fourth year of high school, either the number of credits the pupil has earned to the date of transfer or the length of the pupil's school enrollment may be used, whichever will qualify the pupil for the exemption. In the case of a pupil participating in a newcomer program, enrollment in grade 11 or 12 may be used to determine whether the pupil is in his or her third or fourth year of high school.

(d)(1)

(A) Within 30 calendar days of the date that a pupil in foster care who may qualify for the exemption from local graduation requirements pursuant to this section transfers into a school, the local educational agency shall notify the pupil, the person holding the right to make educational decisions for the pupil, and the pupil's social worker or probation officer of the availability of the exemption and whether the pupil qualifies for an exemption.

(B) If the local educational agency fails to provide timely notice pursuant to subparagraph (A), the pupil described in subparagraph (A) shall be eligible for the exemption from local graduation requirements pursuant to this section once notified, even if that notification occurs after the termination of the court's jurisdiction over the pupil, if the pupil otherwise qualifies for the exemption pursuant to this section.

(2)

(A) Within 30 calendar days of the date that a pupil who is a homeless child or youth who may qualify for the exemption from local graduation requirements pursuant to this section transfers into a school, the local educational agency shall notify the pupil, the person holding the right to make educational decisions for the pupil, and the local educational agency liaison for homeless children and youth designated pursuant to Section 11432(g)(1)(J)(ii) of Title 42 of the United States Code, of the availability of the exemption and whether the pupil qualifies for an exemption.

(B) If the local educational agency fails to provide timely notice pursuant to subparagraph (A), the pupil described in subparagraph (A) shall be eligible for the exemption from local graduation requirements pursuant to this section once notified, even if that notification occurs after the pupil is no longer a homeless child or youth, if the pupil otherwise qualifies for the exemption pursuant to this section.

(3)

(A) Within 30 calendar days of the date that a former juvenile court school pupil who may qualify for the exemption from local graduation requirements pursuant to this section transfers into a school, the local educational agency shall notify the pupil, the person holding the right to make educational decisions for the pupil, and the pupil's social worker or probation officer of the availability of the exemption and whether the pupil qualifies for an exemption.

(B) If the local educational agency fails to provide timely notice pursuant to subparagraph (A), the pupil described in subparagraph (A) shall be eligible for the exemption from local graduation requirements pursuant to this section once notified, even if that notification occurs after termination of the court's jurisdiction over the pupil, if the pupil otherwise qualifies for the exemption pursuant to this section.

(4)

(A) Within 30 calendar days of the date that a pupil who is a child of a military family who may qualify for the exemption from local graduation requirements pursuant to this section transfers into a school, the local educational agency shall notify the pupil and the pupil's parent or guardian of the availability of the exemption and whether the pupil qualifies for an exemption.

(B) If the local educational agency fails to provide timely notice pursuant to subparagraph (A), the pupil described in subparagraph (A) shall be eligible for the exemption from local graduation requirements pursuant to this section once notified, even if that notification occurs after the pupil no longer meets the definition of "children of military families" under Section 49701, if the pupil otherwise qualifies for the exemption pursuant to this section.

(5)

(A) Within 30 calendar days of the date that a pupil who is a migratory child who may qualify for the exemption from local graduation requirements pursuant to this section transfers into a school, the local educational agency shall notify the pupil and the pupil's parent or guardian of the availability of the exemption and whether the pupil qualifies for an exemption.

(B) If the local educational agency fails to provide timely notice pursuant to subparagraph (A), the pupil described in subparagraph (A) shall be eligible for the exemption from local graduation requirements pursuant to this section once notified, even if that notification occurs after the pupil no longer meets the definition of "migratory child" if the pupil otherwise qualifies for the exemption pursuant to this section.

(6)

(A) Within 30 calendar days of the date that a pupil participating in a newcomer program who may qualify for the exemption from local graduation requirements pursuant to this section commences participation in a newcomer program at a school, the local educational agency shall notify the pupil and the pupil's parent or guardian of the availability of the exemption and whether the pupil qualifies for an

exemption.

(B) If the local educational agency fails to provide timely notice pursuant to subparagraph (A), the pupil described in subparagraph (A) shall be eligible for the exemption from local graduation requirements pursuant to this section once notified, even if that notification occurs after the pupil no longer meets the definition of a “pupil participating in a newcomer program” if the pupil otherwise qualifies for the exemption pursuant to this section.

(e) If a pupil in foster care, a pupil who is a homeless child or youth, a former juvenile court school pupil, a pupil who is a child of a military family, a pupil who is a migratory child, or a pupil participating in a newcomer program is exempted from local graduation requirements pursuant to this section and completes the statewide coursework requirements specified in Section 51225.3 before the end of his or her fourth year of high school and that pupil would otherwise be entitled to remain in attendance at the school, a school, including a charter school, or school district shall not require or request that the pupil graduate before the end of his or her fourth year of high school.

(f) If a pupil in foster care, a pupil who is a homeless child or youth, a former juvenile court school pupil, a pupil who is a child of a military family, a pupil who is a migratory child, or a pupil participating in a newcomer program is exempted from local graduation requirements pursuant to this section, the local educational agency shall notify the pupil and the person holding the right to make educational decisions for the pupil how any of the requirements that are waived will affect the pupil's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges.

(g) A pupil in foster care, a pupil who is a homeless child or youth, a former juvenile court school pupil, a pupil who is a child of a military family, a pupil who is a migratory child, or a pupil participating in a newcomer program who is eligible for the exemption from local graduation requirements pursuant to this section and would otherwise be entitled to remain in attendance at the school shall not be required to accept the exemption or be denied enrollment in, or the ability to complete, courses for which he or she is otherwise eligible, including courses necessary to attend an institution of higher education, regardless of whether those courses are required for statewide graduation requirements.

(h) If a pupil in foster care, a pupil who is a homeless child or youth, a former juvenile court school pupil, a pupil who is a child of a military family, a pupil who is a migratory child, or a pupil participating in a newcomer program is not exempted from local graduation requirements or has previously declined the exemption pursuant to this section, a local educational agency shall exempt the pupil at any time if an exemption is requested by the pupil and the pupil qualifies for the exemption.

(i) If a pupil in foster care, a pupil who is a homeless child or youth, a former juvenile court school pupil, a pupil who is a child of a military family, a pupil who is a migratory child, or a pupil participating in a newcomer program is exempted from local graduation requirements pursuant to this section, a local educational agency shall not revoke the exemption.

(j)

(1) If a pupil in foster care is exempted from local graduation requirements pursuant to this section, the exemption shall continue to apply after the termination of the court's jurisdiction over the pupil while he or she is enrolled in school or if the pupil transfers to another school, including a charter school, or school district.

(2) If a pupil who is a homeless child or youth is exempted from local graduation requirements pursuant to this section, the exemption shall continue to apply after the pupil is no longer a homeless child or

youth while he or she is enrolled in school or if the pupil transfers to another school, including a charter school, or school district.

(3) If a former juvenile court school pupil is exempted from local graduation requirements pursuant to this section, the exemption shall continue to apply after the termination of the court's jurisdiction over the pupil while he or she is enrolled in school or if the pupil transfers to another school, including a charter school, or school district.

(4) If a pupil who is a child of a military family is exempted from local graduation requirements pursuant to this section, the exemption shall continue to apply after the pupil no longer meets the definition of "children of military families" under Section 49701 while he or she is enrolled in school or if the pupil transfers to another school, including a charter school, or school district.

(5) If a pupil who is a migratory child is exempted from local graduation requirements pursuant to this section, the exemption shall continue to apply after the pupil no longer meets the definition of "migratory child" while he or she is enrolled in school or if the pupil transfers to another school, including a charter school, or school district.

(6) If a pupil participating in a newcomer program is exempted from local graduation requirements pursuant to this section, the exemption shall continue to apply after the pupil no longer meets the definition of a "pupil participating in a newcomer program" while he or she is enrolled in school or if the pupil transfers to another school, including a charter school, or school district.

(k) A local educational agency shall not require or request a pupil in foster care, a pupil who is a homeless child or youth, a former juvenile court school pupil, a pupil who is a child of a military family, or a pupil who is a migratory child to transfer schools in order to qualify the pupil for an exemption pursuant to this section.

(l)

(1) A pupil in foster care, the person holding the right to make educational decisions for the pupil, the pupil's social worker, or the pupil's probation officer shall not request a transfer solely to qualify the pupil for an exemption pursuant to this section.

(2) A pupil who is a homeless child or youth, the person holding the right to make educational decisions for the pupil, or the local educational agency liaison for homeless children and youth designated pursuant to Section 11432(g)(1)(J)(ii) of Title 42 of the United States Code, shall not request a transfer solely to qualify the pupil for an exemption pursuant to this section.

(3) A former juvenile court school pupil, the person holding the right to make educational decisions for the pupil, the pupil's social worker, or the pupil's probation officer shall not request a transfer solely to qualify the pupil for an exemption pursuant to this section.

(4) A pupil who is a child of a military family, or the pupil's parent or guardian, shall not request a transfer solely to qualify the pupil for an exemption pursuant to this section.

(5) A pupil who is a migratory child, or the pupil's parent or guardian, shall not request a transfer solely to qualify the pupil for an exemption pursuant to this section.

(m)

(1) A complaint of noncompliance with the requirements of this section may be filed with the local educational agency under the Uniform Complaint Procedures set forth in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations.

(2) A complainant not satisfied with the decision of a local educational agency may appeal the decision to the department pursuant to Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations and shall receive a written decision regarding the appeal within 60 days of the department's receipt of the appeal.

(3) If a local educational agency finds merit in a complaint, or the Superintendent finds merit in an appeal, the local educational agency shall provide a remedy to the affected pupil.

(4) Information regarding the requirements of this section shall be included in the annual notification distributed to, among others, pupils, parents or guardians of pupils, employees, and other interested parties pursuant to Section 4622 of Title 5 of the California Code of Regulations.

(n)

For purposes of this section, the following terms have the following meanings:

(1) "Governing body" means the governing board of a school district or the governing body of a charter school, as applicable.

(2) "Local educational agency" means a school district or charter school.

SCHOOL ACCOUNTABILITY SYSTEM

10. Executive Order N–56–20 (2019 CA EO 56-20), relating to extended deadlines for the submission of Local Control and Accountability Plans and the requirement that local education agencies produce written reports on their COVID-19 response, see Historical and Statutory Notes under Education Code § 47604.33.

(a) On or before July 1, 2014, each county superintendent of schools shall develop, and present to the county board of education for adoption, a local control and accountability plan using a template adopted by the state board.

(b) A local control and accountability plan adopted by a county board of education shall be effective for a period of three years, and shall be updated on or before July 1 of each year.

(c) A local control and accountability plan adopted by a county board of education shall include, for each school or program operated by the county superintendent of schools, all of the information specified in the template adopted by the state board pursuant to Section 52064.

(d) All of the following are state priorities for purposes of a county board of education's local control and accountability plan:

(1) The degree to which the teachers in the schools or programs operated by the county superintendent of schools are appropriately assigned in accordance with Section 44258.9 and fully credentialed in the subject areas, and, for the pupils they are teaching, every pupil in the schools or programs operated by the county superintendent of schools has sufficient access to the standards-aligned instructional materials as determined pursuant to Section 60119, and school facilities are maintained in good repair as specified in subdivision (d) of Section 17002.

(2) Implementation of the academic content and performance standards adopted by the state board, including how the programs and services will enable English learners to access the common core academic content standards adopted pursuant to Section 60605.8 and the English language development standards adopted pursuant to former Section 60811.3, as that section read on June 30, 2013, or former Section 60811.4, as that section read on June 30, 2016, for purposes of gaining academic content knowledge and English language proficiency.

(3)

(A) Parental involvement and family engagement, including efforts the county superintendent of schools makes to seek parent input in making decisions for each individual schoolsite and program operated by a county superintendent of schools, and including how the county superintendent of schools will promote parental participation in programs for unduplicated pupils and individuals with exceptional needs.

(B) Family engagement may include, but need not be limited to, efforts by the school district and each individual schoolsite to apply research-based practices, such as welcoming all families into the school community, engaging in effective two-way communication, supporting pupil success, and empowering families

to advocate for equity and access. Family engagement may include, but need not be limited to, treating families as partners to inform, influence, and create practices and programs that support pupil success and collaboration with families and the broader community, expand pupil learning opportunities and community services, and promote civic participation.

(4) Pupil achievement, as measured by all of the following, as applicable:

(A) Statewide assessments administered pursuant to Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 or any subsequent assessment, as certified by the state board.

(B) The percentage of pupils who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University.

(C) The percentage of pupils who have successfully completed courses that satisfy the requirements for career technical education sequences or programs of study that align with state board-approved career technical education standards and frameworks, including, but not limited to, those described in subdivision (a) of Section 52302, subdivision (a) of Section 52372.5, or paragraph (2) of subdivision (e) of Section 54692.

(D) The percentage of pupils who have successfully completed both types of courses described in subparagraphs (B) and (C).

(E) The percentage of English learner pupils who make progress toward English proficiency as measured by the English Language Proficiency Assessments for California or any subsequent assessment of English proficiency, as certified by the state board.

(F) The English learner reclassification rate.

(G) The percentage of pupils who have passed an advanced placement examination with a score of 3 or higher.

(H) The percentage of pupils who demonstrate college preparedness pursuant to the Early Assessment Program, as described in Chapter 6 (commencing with Section 99300) of Part 65 of Division 14 of Title 3, or any subsequent assessment of college preparedness.

(5) Pupil engagement, as measured by all of the following, as applicable:

(A) School attendance rates.

(B) Chronic absenteeism rates.

(C) Middle school dropout rates.

(D) High school dropout rates.

(E) High school graduation rates.

(6) School climate, as measured by all of the following, as applicable:

(A) Pupil suspension rates.

(B) Pupil expulsion rates.

(C) Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness.

(7) The extent to which pupils have access to, and are enrolled in, a broad course of study that includes all of the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable, including the programs and services developed and provided to unduplicated pupils and individuals with exceptional needs, and the program and services that are provided to benefit these pupils as a result of the funding received pursuant to Section 42238.02, as implemented by Section 42238.03.

(8) Pupil outcomes, if available, in the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable.

(9) How the county superintendent of schools will coordinate instruction of expelled pupils pursuant to Section 48926.

(10) How the county superintendent of schools will coordinate services for foster children, including, but not limited to, all of the following:

(A) Working with the county child welfare agency to minimize changes in school placement.

(B) Providing education-related information to the county child welfare agency to assist the county child welfare agency in the delivery of services to foster children, including, but not limited to, educational status and

progress information that is required to be included in court reports.

(C) Responding to requests from the juvenile court for information and working with the juvenile court to ensure the delivery and coordination of necessary educational services.

(D) Establishing a mechanism for the efficient expeditious transfer of health and education records and the health and education passport.

(e) For purposes of the descriptions required by subdivision (b) of Section 52064, a county board of education may consider qualitative information, including, but not limited to, findings that result from school quality reviews conducted pursuant to subdivision (b) of Section 52052 or any other reviews.

(f) To the extent practicable, data reported in a local control and accountability plan shall be reported in a manner consistent with how information is reported on the California School Dashboard maintained by the department pursuant to Section 52064.5.

(g) The county superintendent of schools shall consult with teachers, principals, administrators, other school personnel, local bargaining units of the county office of education, parents, and pupils in developing a local control and accountability plan.

(h) A county board of education may identify local priorities, goals in regard to the local priorities, and the method for measuring the county office of education's progress toward achieving those goals.

(i)

(1) Beginning with the 2018–19 fiscal year and in each fiscal year thereafter, a county superintendent of schools shall prepare a summary of how the county superintendent of schools plans to support school districts and schools within the county in implementing this article and present the summary to the county board of education at the same public meeting required under paragraph (2) of subdivision (b) of Section 52068. The summary shall include, but is not necessarily limited to, all of the following:

(A) A description of how the county superintendent of schools will support the continuous improvement of all school districts within the county, including steps that the county superintendent of schools plans to take to collaborate with the California Collaborative for Educational Excellence, the department, the lead agencies specified in Sections 52073 and 52073.1, and other county superintendents of schools to support school districts and schools within the county in implementing this article.

(B) A description of how the county superintendent of schools will assist each school district identified for technical assistance pursuant to subdivision (c) of Section 52071 in improving pupil outcomes, including, at a minimum, clearly identifying the activities being performed by the county office of education and the source of funding for those activities. This description shall include the actions the school district will take independent of the county superintendent of schools to improve pupil outcomes pursuant to paragraph (3) of subdivision (c) of Section 52071.

(C) One or more goals for each of the following:

(i) Completing the review of local control and accountability plans submitted by school districts pursuant to Section 52070.

(ii) Providing technical assistance to school districts pursuant to subdivisions (a) and (b) of Section 52071.

(iii) Providing any other support to school districts and schools within the county in implementing this article.

(D) One or more metrics to assess progress toward each goal identified in subparagraph (C).

(E) Specific actions and related expenditures to achieve each goal identified in subparagraph (C), to the extent this information is not provided pursuant to subparagraph (B). The specific actions shall not supersede the provisions of existing local collective bargaining agreements within the jurisdiction of the county superintendent of schools.

(2) Commencing with the 2019–20 fiscal year and in each fiscal year thereafter, the county superintendent of schools shall submit the summary described in this subdivision with its local control and accountability plan pursuant to subdivision (a) of Section 52070.5.

(3) This subdivision shall not apply to a county superintendent of schools with jurisdiction over a single school district.

(4) On or before November 1 of each year, the department shall compile the information provided by county superintendents of schools pursuant to subparagraphs (A) and (B) of paragraph (1) into a single document and shall make this report available to the public on the department's internet website.

JOINT TRANSITION POLICY

11. Education Code 48647

(a) Local educational agencies are strongly encouraged to enter into memoranda of understanding and create joint policies, systems, including data sharing systems, transition centers, and other joint structures that will allow for the immediate transfer of educational records, create uniform systems for calculating and awarding course credit, and allow for the immediate enrollment of pupils transferring from juvenile court schools.

(b) As part of their existing responsibilities for coordinating education and services for youth in the juvenile justice system, the county office of education and county probation department shall have a joint transition planning policy that includes collaboration with relevant local educational agencies to improve communication regarding dates of release and the educational needs of pupils who have had contact with the juvenile justice system, to coordinate immediate school placement and enrollment, and to ensure that probation officers in the community have the information they need to support the return of pupils who are being transferred from juvenile court schools to public schools in their communities.

(c) As part of the joint transition planning policy required under subdivision (b), the county office of education shall assign transition oversight responsibilities to existing county office of education personnel who will work in collaboration with the county probation department, as needed, and relevant local educational agencies to ensure all of the following:

(1) The transfer of complete and accurate education records, including the pupil's individualized education program adopted pursuant to the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) and the pupil's plan adopted pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794(a)), if applicable, within 72 hours of the pupil's release from the juvenile detention facility.

(2) Access to information about postsecondary academic and vocational opportunities, including college financial aid programs.

(3) The implementation of the pupil's transition plan, if one exists.

(d) As part of the joint transition planning policy required under subdivision (b), the county office of education personnel assigned transition oversight responsibilities shall work in collaboration with the county probation department, as needed, and relevant local educational agencies to facilitate all of the following:

(1) The immediate enrollment in an appropriate public school in their community when a pupil is transferred from the juvenile court school.

(2) The acceptance, upon enrollment by the pupil in a public school, of course credits, including partial credits, for coursework completed in the juvenile court school, pursuant to subdivision (b) of Section 51225.2.

(3) The immediate placement in appropriate courses, based on coursework completed by the pupil, pursuant to subdivision (d) of Section 51225.2.

(4) The transfer of complete and accurate education records, including the pupil's individualized education program adopted pursuant to the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) and the pupil's plan adopted pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794(a)), if applicable, when a pupil enters the juvenile court school.

(e) Each pupil detained for more than 20 consecutive schooldays shall have an individualized transition plan developed by the county office of education in collaboration with the county probation department, as needed. The individualized transition plan shall be developed before the pupil's release and reviewed and revised as

needed, and shall address, but not be limited to, both of the following:

(1) The academic, behavioral, social-emotional, and career needs of the pupil.

(2) The identification and engagement of programs, including higher education programs, services, and individuals to support a pupil's successful transition into and out of the juvenile detention facility.

(f) Each pupil detained for more than 20 consecutive schooldays shall have all of the following accessible to the holder of the educational rights for that pupil upon the pupil's release from the juvenile detention facility:

(1) School transcripts.

(2) The pupil's individualized learning plan, if applicable. For purposes of this section, an individualized learning plan is a plan developed collaboratively by a pupil and school personnel that identifies academic and career goals and how the pupil will progress toward meeting those goals.

(3) The pupil's individualized education program adopted pursuant to the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), if applicable.

(4) The pupil's plan adopted pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794(a)), if applicable.

(5) Any academic and vocational assessments.

(6) An analysis of credits completed and needed.

(7) Any certificates or diplomas earned by the pupil.

(g) For each pupil detained for 20 consecutive schooldays or fewer, a copy of the pupil's individualized learning plan, if one exists, shall be made available by the county office of education to the pupil upon the pupil's release, if possible.

(h) The county office of education, in collaboration, as needed, with the county probation department, shall establish procedures for the timely, accurate, complete, and confidential transfer of educational records in compliance with state and federal law.

(i) Notwithstanding any other law, this section applies to juvenile court schools that are operated by, or as, charter schools. As used in this section, "county office of education" includes a charter school that serves juvenile court school pupils.

MENDOCINO COUNTY OVERVIEW

The Mendocino County Office of Education will provide an educational option for expelled students who are able to access MCOE programs. The philosophy of each individual school district affects how the Mendocino County Office of Education County Community School Program will meet the needs of that particular school district. For example, some school districts may use the county program as an educational option for expelled students as well as an educational placement option for students identified habitually truant by a School Attendance Review Board (SARB).

Mendocino County is a geographically large but sparsely populated county comprising 3,878 square miles and a population of 86,749 (2019). There are 13 school districts (including MCOE) with a total enrollment of 11, 402. Many of our students and districts are separated from each other and the county office by large distances, country roads, and mountain ranges.

Mendocino County School Districts Enrollment 2019-20

| District | TK | K | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | TOTAL |
|--------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------------|
| Anderson Valley Unified | 0 | 27 | 29 | 39 | 39 | 42 | 28 | 45 | 38 | 44 | 49 | 30 | 41 | 27 | 478 |
| Arena Union Elementary | 0 | 25 | 37 | 25 | 24 | 27 | 29 | 26 | 32 | 32 | 0 | 0 | 0 | 0 | 257 |
| Fort Bragg Unified | 21 | 138 | 132 | 132 | 136 | 168 | 132 | 129 | 137 | 147 | 184 | 149 | 167 | 159 | 1931 |
| Laytonville Unified | 0 | 35 | 23 | 34 | 27 | 27 | 33 | 36 | 25 | 30 | 41 | 38 | 24 | 28 | 401 |
| Leggett Valley Unified | 0 | 16 | 8 | 10 | 11 | 11 | 11 | 15 | 13 | 16 | 17 | 6 | 6 | 9 | 149 |
| Manchester Union Elementary | 0 | 7 | 7 | 3 | 5 | 6 | 5 | 5 | 6 | 4 | 0 | 0 | 0 | 0 | 48 |
| Mendocino County Office of Education | 0 | 0 | 1 | 3 | 3 | 2 | 2 | 3 | 6 | 17 | 11 | 40 | 39 | 32 | 159 |
| Mendocino Unified | 10 | 44 | 43 | 37 | 30 | 47 | 37 | 44 | 56 | 45 | 61 | 54 | 51 | 46 | 605 |
| Point Arena Joint Union High | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 47 | 45 | 29 | 45 | 166 |
| Potter Valley Community Unified | 1 | 27 | 24 | 20 | 26 | 26 | 29 | 21 | 31 | 21 | 25 | 20 | 15 | 25 | 311 |
| Round Valley Unified | 0 | 41 | 36 | 37 | 30 | 32 | 29 | 35 | 60 | 27 | 36 | 52 | 31 | 45 | 491 |
| Ukiah Unified | 81 | 483 | 473 | 479 | 466 | 477 | 498 | 474 | 451 | 463 | 525 | 528 | 507 | 501 | 6406 |
| Willits Unified | 0 | 166 | 112 | 168 | 122 | 128 | 109 | 113 | 100 | 98 | 164 | 144 | 172 | 160 | 1756 |

Changes from 2018 Triennial Plan

The Local Control Accountability Plan (LCAP) requires school districts and the county office of education to address eight state priorities two of which are School Climate (reducing suspensions and expulsions) and Student Engagement (reducing chronic truancy). County offices of education are required to address an additional state priority on coordinating services for expelled pupils. The Triennial Plan for Expelled Pupils addresses this state priority for COEs.

The 2018-2021 period was a time of rapid change and additions to the various law as governing expelled youth. Please refer to the legal update above for specific information.

Mendocino County Existing Educational Alternatives for Expelled Youth

Mendocino County Office of Education's Alternative Education Program

1. Mendocino County Community School - Provides educational services to expelled, probation-referred and SARB-referred students (both located in Ukiah and utilizing a countywide Educational Outreach program).
2. West Hills Juvenile Hall Court School – Provides year-round educational services for incarcerated expelled students.

Anderson Valley Unified

1. MCOE Alternative Education Programs
2. Voluntary Contracted Independent Study
3. Continuation High School

Arena Union Elementary

1. MCOE Alternative Education Programs
2. Voluntary Contracted Independent Study

Ft. Bragg Unified

1. Lighthouse Community Day School serving grades 9-12
2. Shelter Cove Community Day School serving grades 5-8
3. Voluntary Independent Study 3-12

Laytonville Unified

1. MCOE Alternative Education Programs
2. Voluntary Contracted Independent Study

Leggett Valley Unified

1. MCOE Alternative Education Programs
2. Voluntary Contracted Independent Study

Manchester Union Elementary

1. MCOE Alternative Education Programs
2. Voluntary Contracted Independent Study

Mendocino Unified

1. Continuation High School
2. Ft. Bragg Community Day Schools for grades 7-12
3. MCOE Alternative Education Programs

Pt. Arena Joint Unified School District

1. Ft. Bragg Community Day School

Potter Valley Community Unified

1. MCOE Alternative Education Programs
2. Voluntary Contracted Independent Study

Round Valley Unified

1. MCOE Alternative Education Programs
2. Voluntary Contracted Independent Study

Ukiah Unified

1. MCOE Alternative Education Programs
2. Voluntary Contracted Independent Study

Willits Unified

1. MCOE Alternative Education Programs
2. Voluntary Contracted Independent Study

In addition, school districts located within Mendocino County offer the following options for expelled youth, depending on the specific offense, Education Code violation, and board recommendation:

1. Suspended expulsion with placement on the same school campus.

2. Suspended expulsion with placement on a different school campus within the district (i.e. Continuation School).
3. Suspended expulsion with voluntary placement on District Contracted Independent Studies.

Rehabilitation Plans

School districts must also indicate in the expulsion documents a rehabilitation plan for the pupil which may include recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community services and/or other rehabilitation programs. E.C. 48916(b).

Students with Exceptional Needs

Students with exceptional needs are subject to the same suspension rules as non-disabled students, except that suspension of students with disabilities cannot exceed 10 days without a Manifestation Determination hearing. State law defers to federal law for most of the rules governing suspension and expulsion of Special Education students. Refer to Calif. EC 48915.5 and Federal Law 20 U.S.C. Sec. 1415(k)(1)(B). The Mendocino County SELPA (Special Education Local Planning Agency) is a resource to assist both parents and school administrators during this process.

Options for High-Risk Youth

Students who exhibit habitual truancy, documented behavior interventions (short of expulsion), or are on juvenile probation, are also served in the MCOE county community school or the district community day school programs. There are referral processes in place for enrollment in these programs either voluntarily or involuntarily following education code 1981 (a) (b) and (c). School Attendance Review Boards (SARBs) are/were active in Willits, Ukiah, and Ft. Bragg and reviews cases of habitual truancy at all grade levels. The Mendocino County Sheriff, City Police Departments, Dept. of Social Services and Mendocino County Juvenile Probation participate in the SARB process along with school districts.

Failed Placements

Students referred to the county community school per E.C. 1981 (a) or (b) continue to be the responsibility of the referring school district to insure their educational needs are met (EC 48916).

Students who exhibit continued truancy and fail their educational placement into the county community school would be brought up for discussion at the SARB to consider other educational options or additional supports.

Students who fail placement in a district community day school

Districts have not identified this as an issue.

County and District Gaps and Strategies Regarding the Provision of Educational Services to Expelled Pupils

There are seven identified service gaps that have existed for at least the past decade with respect to providing services to expelled pupils. In surveying school districts for the 2021 revision, these service gaps continue to persist. As previously stated, Mendocino County is geographically large and has significant access and transportation issues with small remote and rural school districts. Of the 13 districts, only three have more than 1000 students, six have between 200-650 students and four have below 200 enrolled students.

Current Issues:

- 1. Proximity to MCOE Alternative Education Programs serving expelled students:** MCOE's Community School Program is currently located in Ukiah. Expelled students outside of the Ukiah Valley must travel between 25 to 70 miles one-way over two-lane country mountain roads. District students enrolling in MCOE Alternative Education have had access to a regular day program or contracted Independent Study. In 2021, MCOE will begin to offer an additional blended learning Educational Outreach program (EOP) option to support students across a greater region of the county.
- 2. Closing of Community Day Schools:** When California reduced funding for Community Day Schools in the education budget several years ago, most districts in Mendocino County (with the exception of Ft. Bragg) closed their Community Day Schools. The Local Control Funding Formula (LCFF) includes Community Day School funding with all other categorical funding allowing districts local control on the use of these funds. Currently, there are no plans for districts to bring back additional district-based Community Day Schools.
- 3. Pupils who are expelled and placed in a district Community Day School but fail to meet the terms and conditions of their rehabilitation plan have few options.** Previously, when more districts operated Community Day Schools, they were encouraged to use their programs as a regional

school enrolling expelled students from neighboring districts. Currently, with only one district offering Community Day Schools, this is not available for the majority of districts in the county.

4. The small school districts within Mendocino County generally expel very few students during the course of a school year, therefore, having a special class or program for such students, located in each district, or even between districts, is not financially or geographically feasible.

Strategies to address this gap are:

- Voluntary Contracted Independent Study
- Suspended Expulsion
- Suspended expulsion with placement on the same school campus
- Enrollment in MCOE Alternative Education Program(s)
- Enrollment in district Community Day School (with district board approval)

5. Students who are expelled may vary as to age, grade level, and expulsion offenses. The wide range of age, grade level, and seriousness of offense make it difficult to provide appropriate programs for small school district(s).

Strategy for addressing this gap:

- An EOP regional program will be offered through the cooperation of Mendocino County Office of Education and the school district(s) to offer an alternative option for students both on the coast and inland.

6. There are significant geographical distances between local small districts. Therefore, district or county-operated classroom sites/programs for small school districts may require extensive transportation. This may not be financially feasible for district or parental transportation.

Strategy for addressing this gap:

- Pupils may need support with accessing public or private transportation to engage with MCOE programs in Ukiah when public transportation is not readily available or easy to access.
- Pupils may enroll in MCOE's EOP – which would support various options for serving and educating them close to or in their district or community.

7. Students in grades four through six who are expelled do not have the same educational options available as do expelled youth enrolled in grades seven through twelve due to the rarity of elementary pupils expelled in these lower grades. Younger students cannot attend MCOE programs designed for middle and high school students. They also cannot attend middle school community day school programs. Placing young elementary children with middle school

teens is not an alternative.

Strategy for addressing this gap:

- An EOP regional program will be offered through the cooperation of Mendocino County Office of Education and the school district(s) to offer an alternative option for younger students both on the coast and inland.

Based on the survey submitted to school districts - with the exception of transportation challenges and the dearth of programs for younger expelled pupils - districts are satisfied with the current available options for their expelled students. MCOE's new EOP program is intended to meet the identified needs and close this critical service gap.

Available supports to returning expelled students

- Anderson Valley: Counseling
- Laytonville: Counseling and access to all services.
- Leggett: Counseling and access to all services.
- Potter Valley: Regular school setting with supports such as counseling and tutoring.
- Pt. Arena: Counseling available to returning expelled students.
- Round Valley: Provides counseling to returning students and could improve on these supports.
- Ukiah Unified: Counseling and transition planning is provided.
- Willits: Provides additional counseling support and academic remediation within the comprehensive setting.

Addressing disproportionate representation of minority students if applicable.

- Anderson Valley: Not an issue with so few expulsions.
- Laytonville: Not an issue with so few expulsions.
- Leggett: Not an issue with so few expulsions.
- Pt. Arena: Not an issue with so few expulsions.
- Manchester: Not an issue with so few expulsions if any.
- Mendocino: Not an issue with so few expulsions if any.
- Potter Valley: Not an issue with so few expulsions.
- Ukiah: Providing Positive Behaviors Intervention and Supports (PBIS) and Restorative Practices training to staff.
- Willits: Provide more training to staff to support students to make better choices; and provide more interventions prior to suspension/expulsion.

Strategies described in district's Local Control Accountability Plan addressing School Climate to reduce suspensions and expulsions.

- Anderson Valley: PBIS, MTSS, PBL, Restorative Practices
- Manchester: Keep students involved in school: school spirit days, culture days, activities that are tied to curriculum but allow for progress using all modalities.
- Mendocino: Hiring of a full-time school social worker to connect with at-risk students and families. Also have run a Chronic Absenteeism Task Force since 2019.
- Laytonville: Providing PBIS and Restorative Practices, Mental Health and Mendocino County Youth Project services.

- Leggett: Restorative practices/justice in alternative education sites.
- Potter Valley: Implementation of a MTSS system, tracking of pertinent student data, and increasing early interventions.
- Pt. Arena: Uses Tier 1 and Tier 2 interventions for alternatives to suspension.
- Round Valley: Elementary utilizes multiple interventions before office referral and are using PBIS with fidelity. The high school is using a hybrid restorative justice program that focuses on relationships and engagement. Both have led to significant reductions in suspension and expulsion.
- Ukiah: Providing PBIS and Restorative Practices.
- Willits: Implementation of Restorative Practices at all school sites to reduce the number of repeat offenses.
- Fort Bragg: Implemented PBIS k-8 and restorative practices/justice k-12