



**SAN MATEO COUNTY  
PROBATION DEPARTMENT  
INSTITUTIONS SERVICES MANUAL**

**ARTICLE 6  
Programs and Activities  
§1370**

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**Procedure  
Educational Services**

**1370 PURPOSE AND SCOPE**

This policy provides general guidance regarding the Education Services for the youth.

**1370. 1 CARE CLASS PROCEDURE**

1. As part of its Court School program, the San Mateo County Office of Education (SMCOE) supports the Court Alternative Restorative Education (CARE) class as an alternative learning space for students who need additional support during the school day. The CARE class is located inside Hillcrest School at the County of San Mateo's Youth Services Center (YSC), which is operated by the San Mateo County Probation Department (Probation). In the CARE classroom, students receive instruction from credentialed teachers as well as Probation staff trained in Restorative Justice counseling techniques.
2. Students placed in CARE receive English, math, science, social studies and PE instruction from the appropriately-credentialed content teacher. Each content teacher rotates into the CARE classroom for one period of instruction. For students enrolled in the CARE class and who also qualify for and are receiving special education services, those students continue to receive any and all accommodations and services identified in his or her Individualized Education Plan (IEP). Probation staff also attends and participates in any IEP meeting involving a student placed in CARE in order to convey pertinent information that informs whether a particular student should remain in the CARE class placement.
3. All decisions regarding the entry into and exit out of the CARE class are made in consultation between the San Mateo County Office of Education (SMCOE) and Probation staff during weekly Multidisciplinary Team (MDT) meetings. A specific student's review may be scheduled for weekly, bi-weekly, or monthly consideration as determined by the MDT team. Each review follows the criteria set forth on the CARE Review Form –
4. Students may be recommended to attend the CARE class for reasons including, but not limited to:
  - a. The student expresses concern about learning with a larger group and/or the student may feel anxiety around peers.

- b. The school has provided the student with a specialized academic track to complete graduation requirements that are not typically taught by SMCOE teachers, i.e. (Visual & Performing Arts, Foreign Language, Economics, etc.).
- c. A student eligible for special education services is placed in CARE through his or her IEP due to the smaller environment or other considerations.
- d. The student requests or Probation suggests that the student be assigned to the CARE class for protective custody during school hours.
- e. Probation and/or Hillcrest School staff determine that the student's disruptive behavior impedes the learning of others.

Students may re-enter the regular classroom for reasons including but not limited to:

- a. The student has demonstrated the ability to complete all academic requirements without requiring the additional support provided in the CARE class.
- b. The student requests to be returned to the regular classroom setting.
- c. A special education student's IEP team agrees that re-entry into the regular classroom environment is the student's appropriate placement.
  - The decision to re-enter the student back into the regular classroom should be reviewed and approved by Probation through the MDT process described above.
  - If there is any dispute regarding the appropriateness of returning a student to the regular classroom, the SMCOE will take the necessary steps to ensure the student's placement is in compliance with special education law.
- d. The student feels socially and emotionally ready to re-enter the mainstream student population and both SMCOE and Probation have participated in the CARE Review process together.
- e. The student graduates or is released from custody and no longer attends Hillcrest School.

### **1370.2 CARE PLACEMENT REVIEW PROCESS**

1. Once placed in the CARE class, a student's continued enrollment in the CARE class will be jointly reviewed by SMCOE and Probation during weekly MDT meetings.
2. As part of the review process, the MDT team will complete the CARE Review Form— . A copy of each completed CARE review form will be placed in the student's file. To the extent a special education student is placed in the CARE class through his or her IEP, copies of completed CARE review forms should instead be placed in the student's special education file.
3. A specific student's placement review may be scheduled for weekly, bi-weekly, or monthly consideration as determined by the MDT team in its discretion.
4. If the MDT team recommends that a special education student—who has been placed in the CARE class through his/her IEP—be returned to the regular classroom, the SMCOE will conduct an IEP meeting to discuss changing the student's IEP placement.
  - a. Probation shall attend the IEP meeting to convey pertinent information as to whether a particular student should remain enrolled in the CARE class.

5. Probation is the entity ultimately responsible for the safety and security of youth and staff at the Youth Services Center (YSC).
  - a. To the extent there is a disagreement between Probation and SMCOE regarding the appropriateness of returning a CARE student to the regular classroom due to Probation's safety and/or security concerns, the SMCOE's Associate Superintendent of Student Services and the Youth Services Center Director or Juvenile Probation Camps Director shall meet and confer within three (3) business days to resolve the dispute.
  - b. If the dispute cannot be resolved, the matter may be submitted to the Chief Probation Officer and to the County Superintendent of Schools for resolution.

### **1370.3 YOUTH EDUCATION PROCEDURES**

1. The San Mateo County Office of Education (SMCOE) shall provide for the administration and operation of juvenile court schools in conjunction with the Probation Department.
2. SMCOE and the Probation Department shall meet as needed to discuss relevant policies and procedural issues and the operations of the education program. The MDT (Multi-Disciplinary Team) shall meet weekly to discuss relevant youth and unit concerns with the school department.
3. SMCOE shall prepare an annual review of the required elements of the education program and a report or review checklist on compliance, deficiencies, and corrective action needed to achieve compliance.
4. Upon receipt of the review, the Deputy Chief or the authorized designee shall review each item with the Superintendent of Schools and shall take whatever corrective action is necessary to address each deficiency and to fully protect the educational interests of all youth in the facility.
5. SMCOE shall accommodate education for all youth in the facility, including youth who have completed their High School Equivalency Test (HiSET) or high school diploma. In addition, the SMCOE shall provide education services to youth who do not attend mainstream classroom education for various reasons (see CARE class procedure above). Youth who have earned their HiSET or high school diploma, are 18 years old and/or are involved in a vocational training program may be exempted from educational services with SMCOE.
6. The Court Alternative Restorative Education (CARE) class is an alternative space for students who, for various reasons, need additional support during the school day.
  - a. See policy stating reasons for CARE class placement and re-entry into mainstream classes.
7. SMCOE shall comply with the conditions of the State Education Code, County Board of Education policies, all applicable federal education statutes and regulations and provide for an annual evaluation of the educational program offerings. The education program shall include provisions for different learning styles and abilities of students. Culturally responsive and trauma-informed approaches should be applied when providing instruction. Education staff should collaborate with the facility administrator to use technology to facilitate learning and ensure safe technology practices.
  - a. The education program shall include, but not be limited to courses required for high school graduation.

- b. Information and preparation for the HiSET as approved by the California Department of Education shall be made available to eligible youth. Administration of the HiSET shall be made available when possible.
  - c. Youth shall be informed of post-secondary education and vocational opportunities. When appropriate, SMCOE shall collaborate with local post-secondary education providers to facilitate access to educational and vocational opportunities for youth that considers the use of technology to implement these programs.
  - d. The minimum school day shall be consistent with State Education Code Requirements for juvenile court schools. The facility Director, in conjunction with education staff, must ensure operational procedures to deliver youth to their educational program do not interfere with the time afforded for the minimum instructional day.
8. Positive behavior management will be implemented to reduce the need for disciplinary action in the school setting and be integrated into the facility's overall behavior management plan and security system.
9. School staff shall be advised of administrative decisions made by probation staff that may affect the educational programming of the students.
10. Expulsion or suspension from school shall be imposed only when other means of correction fail to bring about proper conduct. School staff shall comply with the due process and youth rights contained in the state Education Code including the rights of students with special needs.
11. The facility Director and education staff shall collaborate in developing a plan for youth who cannot remain in the classroom due to behavioral issues.
12. SMCOE shall comply with state and federal laws regarding the education of students with disabilities or suspected disabilities.
13. Youth identified as English Learners (EL) shall be provided for in the school program in compliance with all state and federal laws and regulations governing programs for EL students.
14. SMCOE shall interview youth after admission and prepare a written report detailing the youth's educational history including, but not limited to, school progress, home language (English Language Proficiency Assessments for California), special needs, and discipline problems as they relate to the school program. Youth shall be immediately enrolled in school after admission.
15. Education staff shall conduct an assessment of the youth's academic functioning and develop a preliminary plan for placement in core curriculum courses.
16. Upon enrollment, the education staff shall request the youth's school transcript, Individual Education Program, English Language Proficiency Assessments for California (ELPAC) scores, 504 Plan, immunization records, exit grades and partial credits from the youth's home school and shall review and modify the youth's education plan within five school days. Youth should be informed of the credits they need to graduate.
17. Upon release of the youth, education staff shall forward school records to the youth's next school placement. The youth shall receive credit for the work completed while in a juvenile court school in accordance with the State Education Code.
18. SMCOE will collaborate with the youth's home district and/or school to develop a transition and reentry plan for the youth.

19. The facility Director shall forward all grievances about the school program to the Principal of Court Schools who shall interview the youth, investigate the complaint, and determine a disposition for the complaint. The Principal of Court Schools shall inform the youth of the disposition and allow for appeal to the next-highest level of review.

#### **1370. 4 SAN MATEO COUNTY OF EDUCATION HILLCREST SCHOOL DISCIPLINE PLAN**

There are five categories of infractions, which range from relatively minor breaches of discipline in Level A to criminal behavior in Level E.

Level A Infractions—Students should not be sent out of class for level A infractions unless the behavior(s) become habitual (more than three times). Classroom teachers will be responsible for assigning consequences. Note: The teacher may elect to assign consequences even after three infractions. If a student is sent out of class by the teacher or probation staff for Level A infractions, the teacher must submit a written or electronic referral to the principal.

Examples of Level A Infractions:

- a. Disruption of class (excessive talking or laughing, leaving seat without permission, swearing in conversation, etc.)
- b. Lying to staff
- c. Littering

Level B Infractions—Depending on the offense and frequency of occurrence, students may or may not be sent out of class for habitual and on-going Level B infractions that have been documented. The teacher may assign the consequence or the teacher may refer the student to the principal by completing a discipline referral. A request for support from the Academic Counselor, mental health or other therapeutic staff may be appropriate. A detailed incident report shall be written at the request of the principal, a probation officer, and/or a group supervisor. If a student is sent out of class by the teacher or probation staff for Level B infractions, the teacher must submit a written or electronic referral to the principal.

Examples of Level B Infractions:

- a. Disrespectful, obscene, or vulgar language directed at any adult or other student
- b. Disruptive confrontations with students (off task conversations, loud bantering, etc)
- c. Horseplay/Roughhousing
- d. Misuse of school property
  
- e. Gambling
- f. Misuse of the Internet, network, or e-mail
- g. Cheating or plagiarism

Level C Infractions—Referral required. A detailed incident report shall be written at the request of the principal, a probation officer, and/or a group supervisor.

#### Actions to be taken in response to Levels C-E Infractions

- a. Probation Group Supervisor (GS) staff will immediately remove student/students involved in the incident and return them to their unit.
- b. The teacher will notify School Site Administration about the incident as soon as possible.
  - If the School Site Administration is not available, the teacher should notify the Lead Teacher(s) in charge about the incident as soon as possible.
- c. The teacher must submit a written or electronic referral for each student involved in the incident. The referral must be written and submitted to the principal as soon as possible regardless of whether the teacher or probation staff requested removal of the student. Probation may require an incident report as well.
- d. The Institutional Services Manager (ISM) or On-Duty Officer of the Day will make the determination whether or not to remove the other students from class and/or school.
- e. School Site Administrator or designee will go to the classroom to debrief the incident with the classroom teacher and/or classroom staff. If school resumes immediately after the incident, the effected teacher will be given the option to take a 20 to 30 minute break away from the classroom to regroup. Any certificated staff not currently assigned to a roster of students including: support teachers, academic counselor, administrators, etc. may cover the effected teacher's class.
  - If School Site Administration is not available, the Lead Teacher(s) in charge will debrief with the classroom teacher and/or staff.
- f. The School Site Administration will determine the consequence, including suspension from school.
  - If the School Site Administration is not available, the Lead Teacher in charge will contact the principal, asst. principal, Assoc. Supt., member of the executive team, or the HR manager or HR Assoc. Supt to get authorization for suspension.
- g. If the ISM or On-Duty Officer of the Day makes the decision to shut down all classes, the School Site Administrator or designee will immediately call an all staff meeting to communicate details about the incident and debrief the staff.
- h. If the ISM or On-Duty Officer of the Day determines that it is safe for classes to continue as normal, the School Site Administrator or designee will call an all staff meeting at the next school break, lunch break, or immediately after school, to communicate details about the incident and debrief the staff.
- i. The School Site Administrator will collaborate with Probation (GS) staff about when to visit the unit in order to discuss the discipline referral and school consequence with student(s) involved.
- j. The Credit Recovery and/or Academic Counselor will work with teachers to provide instructional materials for student(s) to complete during the suspension period.
- k. The School Site Administrator will monitor the number of instructional days an individual student is suspended. This information will then be entered into PROMIS.

#### Examples of Level C Offences:

- a. Fighting. A student will receive a consequence when the student had any opportunity to physically avoid the conflict but still engaged in combat or the student contributed to the build-up immediately before the combat. Contributing behavior includes, but is not limited to, arguing, challenging, posturing, taunting, gestures, signs, or swearing.
- b. Defiance or refusal to follow the directions of a school employee, including, verbal abuse, gestures, or refusal to give legal name.
- c. Gang signs, graffiti or symbols
- d. Misuse of the internet, network, or e-mail
- e. B Receiving stolen property
- f. Harassment - sexual, racial, gender, and ethnic harassment
- g. Tampering with alarm system (fire or burglar alarms) including false fire alarms
- h. Theft or attempted theft
- i. Threats or verbal abuse toward other students or staff
- j. Vandalism - Causing or attempting to cause damage to school property or private property. This includes, but is not limited to graffiti and breaking windows.
- k. Abuse of school computers resulting in damage to hardware or software
- l. Possession of potentially hazardous chemicals
- m. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma
- n. Offering, arranging for, negotiating to sell, or possessing drug paraphernalia
- o. Destroying school property

Level D Infractions- Immediate referral to school principal. A detailed incident report shall be written at the request of the principal, a probation officer and/or a group supervisor. Mandatory suspension and permissive expulsion [Ed Code 48915(a)(1)]

See Action to be taken for Levels C-E Infractions above.

- a. Causing serious physical injury to another person, except in self defense
- b. Possession of any knife or other dangerous object of no reasonable use to the pupil
- c. Unlawful possession of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, except for either of the following: (i) The first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis. (ii) The possession of over the counter medication for use by the pupil for medical purposes or medication prescribed for the pupil by a physician.
- d. Robbery or extortion
- e. Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee. Assault: An unlawful attempt, coupled with a present ability, to commit a violent injury on the person of another. Battery: Any willful and unlawful use of force or violence upon the person of another.

Level E Infractions—Immediate referral to the principal. A detailed incident report shall be written at the request of the principal, a probation officer and/or a group supervisor. Mandatory suspension and recommendation for expulsion [Ed Code 48915(c)].

See Actions to be taken for Level C-E Infractions above.

- a. Sale, possession or furnishing a firearm
- b. Brandishing a knife
- c. Selling a controlled substance
- d. Sexual assault or battery
- e. Possession of an explosive

### **1370.5 CLASSROOM CONSEQUENCES**

Examples of teacher redirection or classroom consequences:

- a. Behavior contract
- b. Behavior intervention plan
- c. Classroom consequence (loss of privileges, change of seat)
- d. Conference with parent, student and PO
- e. Conference with student
- f. Paper or project related to the offense
- g. Parent and PO contact (email, phone)
- h. Quiet reminders (give students time to comply)
- i. Reflection sheet (reviewed with the student)
- j. Restricted break/lunch
- k. Use of humor (not sarcasm) to redirect
- l. Verbal warning (give students time to comply; avoid putting the students “on blast” if at all possible)

Examples of administrative consequences:

- a. Behavior contract
- b. Behavior intervention plan
- c. Class suspension
- d. Conference with parent, student and PO
- e. Conference with student
- f. Confiscation of prohibited item
- g. Conflict Resolution/Mediation
- h. Detention
- i. In school suspension
- j. Lunch detention
- k. Loss of privileges
- l. Out of school suspension
- m. Parent and PO contact (email, phone)

- n. Restitution/campus beautification/community service
- o. Time out

### **1370.6DISCIPLINE REFERRAL PROCESS**

1. Teacher completes an electronic or the top portion of the referral form for Level B, C, D or E infractions or Level A infractions which have become habitual.
  - a. If the same incident involves more than one student, each student involved needs a separate form.
  - b. Do not use other students' names on the form. Use initials or student ID (preferable).
  - c. The form is not the place to vent. Only the facts. No opinions.
2. Teacher submits an electronic form or writes a referral and delivers it to the principal's in-box at the first opportunity possible after the incident. All referrals should be date stamped by the Administrative Assistant before being placed in the principal's in-box. To be specific, referrals should be date stamped and submitted to the principal's in-box at the following times:
  - a. at morning break for all incidences occurring before break
  - b. at lunch for all incidences occurring after break and before lunch
  - c. after school for all incidences occurring after lunch through the end of the school day
3. Principal will provide Due Process to the students and assign the consequence(s).
4. Principal will select the assigned consequence(s) electronically or complete the bottom portion of the referral form.
5. Principal will review the form and enter into PROMIS.

#### Note:

1. A student may not be sent out of class without a referral except in emergency situations (e.g., fight). A referral must be written for teacher and probation removals.
2. Once the student has been referred to the principal, they will be assigning appropriate consequences (all full day suspensions and in-school suspensions are assigned by the principal only)
3. Adults and students who witnessed or were involved in an incident may be asked to write an incident statement.

See Policy

Manual on Youth Education Services for Further Information