

ALTERNATIVE LEARNING PROGRAMS

Policy Code: **3470/4305**

A. PURPOSES

The board is committed to the goal of providing a safe and orderly learning environment in each school. The educational program and the student behavior management plan developed at each school, in addition to numerous other strategies identified in board policy, are intended to create such an environment and to help each student be a successful and contributing member of the school community.

Alternative learning programs are provided as an option for those instances in which a student's behavior management or academic performance needs cannot be met in a regular educational setting. The purposes of an alternative learning program are: (1) to intervene and address problems that prevent a student from achieving success in the regular educational setting; (2) to reduce the risk that a student will drop out of school by providing resources to help the student resolve issues affecting his or her performance at school; (3) to return a student, if and when it is practicable, to the regular educational setting with the skills necessary to succeed in that environment; and (4) to preserve a safe and orderly learning environment in the regular educational setting.

B. ALTERNATIVE LEARNING PROGRAMS

Alternative learning programs should serve the purposes described above. Such alternative education programs are expected to meet all board policy and state requirements. In addition, alternative education programs and support services should be designed to facilitate students' transition back to the regular educational setting when appropriate.

All school personnel at alternative learning programs should receive training so that students enrolled in such programs receive appropriate educational services.

The superintendent or designee shall direct school officials at each alternative learning program to develop a behavior management plan, an academic student learning plan, a conflict resolution plan, and/or a parental involvement plan to address student needs, in accordance with board policy. The board encourages the principal and other school personnel, in developing these plans, to review successful alternative education programs and make effective use of the resources provided by the superintendent or designee.

The superintendent or designee will review these plans in accordance with board policy. While providing flexibility at the school level to develop the plans, the superintendent will only approve plans that are reasonably likely to meet the purposes of an alternative learning program.

Prior to implementing a new alternative learning program, the board will develop a program proposal that is consistent with the State Board of Education standards for

alternative learning programs. The board then will submit the proposal to the State Board for its review. After the proposal has been reviewed by the State Board, the board will consider any recommendations from the State Board to modify the proposal before implementing the alternative learning program.

The board will review on a regular basis whether the school system's alternative learning programs comply with State Board standards.

C. ASSIGNMENT TO ALTERNATIVE LEARNING PROGRAMS

Students generally are assigned to a school based on attendance area. However, as provided by law, the board may assign any student to a school outside of his or her attendance area in order for the student to attend a specialized school or for any other reason the board, in its sole discretion, deems sufficient. The assignment or transfer of a student with a disability will comply with applicable federal and/or state requirements for students with disabilities. Students may be assigned to an alternative learning program on a voluntary or involuntary basis, or pursuant to a disciplinary suspension. The transfer process is provided below.

1. Responsibilities of Personnel at Referring School

In addition to any other procedures required by this policy, prior to referring a student to an alternative learning program, the principal of the referring school must:

- a. document the procedures that were used to identify the student as being at risk of academic failure or as being disruptive or disorderly;
- b. provide the reasons for referring the student to an alternative learning program or school; and
- c. provide to the alternative learning program all relevant student records, including anecdotal information.

2. Responsibilities of School Personnel at the Alternative Learning Program

In addition to any other procedures required by this policy, once a student is placed in an alternative learning program, the appropriate school personnel of the program must meet to review the student's records and any other documentation forwarded by the referring school. Based on these records and any input provided by the parent or guardian concerning the student's needs, the personnel at the alternative program shall determine the support services and intervention strategies that are recommended for the student.

If a student who is subject to G.S. 14-208.18 is assigned to an alternative school, the student must be supervised by school personnel at all times.

3. Voluntary Referral

The board encourages parental involvement in decisions regarding the child's education and in identifying effective options for addressing concerns regarding the child's behavior or academic performance.

Voluntary assignments are encouraged whenever possible. A voluntary assignment is an agreement by the parent or guardian, the principal, and the disciplinary review committee that assignment is an appropriate option for the particular student. After agreement has been reached, the principal of the regular educational setting and the principal of the alternative learning program or school shall arrange the process and time for the assignment. The principal of the regular educational setting shall notify the superintendent of the assignment.

4. Involuntary Referral

A student may be required to be assigned from the regular educational setting to an alternative learning program under any of the following circumstances:

- a. the student presents a clear threat to the safety of other students or personnel;
- b. the student presents a significant disruption to the educational environment in the regular educational setting;
- c. the student is at risk of dropping out or not meeting standards for promotion, and resources in addition to or different from those available in the regular educational setting are needed to address the issue;
- d. the student has been charged with a felony or a crime that allegedly endangered the safety of others, and it is reasonably foreseeable that the educational environment in the regular educational setting will be significantly disrupted if the student remains; or
- e. if the Code of Student Conduct provides for a transfer as a consequence of the student's behavior.

Prior to an involuntary assignment in circumstances where a student is experiencing academic or developmental difficulties or chronic social/behavioral problems, the principal or disciplinary committee of the referring school shall document the student's behavior and academic performance and efforts to assist the student in the regular educational environment as provided in Section C.1. School administrators are encouraged to meet with the student's parents or guardians to try to reach a consensus how to address the student's difficulties at school.

The preceding steps are encouraged, but not required in the case of an involuntary assignment arising from a disciplinary reassignment or when the student's behavior immediately endangers other students or personnel.

If an agreement for voluntary assignment is not reached and a basis for involuntary assignment exists, the principal may refer the student to a multi-disciplinary team to determine whether the student should be assigned to an alternative program. The principal must provide in writing: (1) an explanation of the student's behavior or academic performance that is at issue; (2) documentation or a summary of the documentation of the efforts to assist the student in the student's regular educational setting, if applicable; and (3) documentation of the circumstances that support the referral.

A copy of the referral and other documentation must be provided to the parents or guardian by certified mail or in person. The parent may request an informal meeting with the superintendent or designee to discuss the assignment.

The multi-disciplinary team shall consist of the student's parent or guardian and at least three school system employees who are informed about the student's needs. The team shall meet to consider the principal's referral and determine whether the student will be assigned to an alternative program. The student's parent or guardian shall be provided written notice of the time, place, and date of the meeting.

At the meeting, the multi-disciplinary team shall determine whether the student will be assigned to the alternative program. The student's parent or guardian shall be provided written notice of the team's decision, as well as notice of the parent or guardian's appeal and due process rights. If the student's parent or guardian attended the team meeting, such notice shall be provided at the end of the meeting. If the student's parent or guardian did not attend the meeting, such notice shall be provided by certified mail within one business day of the meeting.

If the multi-disciplinary team approves the assignment, the principal of the regular educational setting and the coordinator of the alternative program shall make all necessary arrangements.

The parent may appeal the superintendent's decision to the board. The board will hear the appeal in closed session and will follow its procedures as provided in policy 2500, Hearings Before the Board. During the period of the appeal, the student may be assigned to the alternative learning program.

5. Assignment of Student with Disabilities to Alternative Programs

If the principal intends to refer for an involuntary assignment to the alternative program a student who is eligible for services under the Individuals with Disabilities Education Act (IDEA), the principal shall first convene the student's

Individual Education Program (IEP) team to determine whether such an assignment constitutes a change in placement for the student. All decisions regarding changes in a student's placement or service delivery must be made by the student's IEP team. If the IEP team determines that the proposed assignment would not constitute a change in placement, the principal shall refer the proposed assignment to the multidisciplinary team for consideration in accordance with the process described in subsection C.4, above.

All additional requirements specific to the assignment of students with disabilities to an alternative program established by State Board of Education policy shall be observed

6. Appeals Process

If the student's assignment is the result of an IEP team decision, parents or guardians who are dissatisfied with the decision must comply with the due process procedures set forth in Procedures Governing Policies and Services for Children with Disabilities, as adopted by the State Board of Education.

In all other cases, within three business days of receiving written notice of the multidisciplinary team's decision, the parent or guardian may appeal the decision in writing to the superintendent, who shall review the documentation and render a decision within five business days, absent extraordinary circumstances that require additional response time. Parents and guardians who are dissatisfied with the superintendent's decision may appeal to the board. The board will hear the appeal in closed session and will follow its procedures as provided in policy 2500, Hearings Before the Board. During the period of the appeal, the student may be transferred to the alternative learning program or school, except as prohibited by the IDEA.

7. Assignment During a Long-Term or 365-Day Suspension

A student who receives a long-term or 365-day suspension may be offered services in the alternative learning program for a portion or the full duration of the suspension. See policy 4353, Long-Term Suspension, 365-Day Suspension, Expulsion. Any student who receives a long-term or 365-day suspension must be offered alternative education services unless the superintendent provides a significant or important reason for declining to offer such services. Alternative education services include, but are not limited to, the alternative programs or schools established in this policy in accordance with G.S. 115C-105.47A.

8. Assignment of Student Sex Offenders

The board may decide, pursuant to G.S. 115C-390.11(a)(2), to assign a student who is subject to G.S. 14-208.18 to an alternative learning program or school.

D. TRANSITION FROM ALTERNATIVE LEARNING PROGRAMS

In most instances, the goal of the alternative learning program is to return the student to the regular educational setting with the skills necessary to succeed in that environment as soon as practicable. The personnel of the alternative learning program and those of the regular educational setting shall work together to help create a successful transition for the student.

If the student is not or will not be returned to the regular educational setting, the alternative learning program will assist in the student's transition to other educational settings, including other programs offered by the school system or a community college or vocational school.

For students identified as eligible under the IDEA, the student's IEP team shall make all transition decisions that would result in a change in placement.

E. EVALUATION OF ALTERNATIVE LEARNING PROGRAMS**1. State Accountability**

The board will determine annually how each alternative p will participate in the State Alternative Schools' Accountability Model. The superintendent shall provide for this information to be reported to the North Carolina Department of Public Instruction by August 1 of each year.

2. Information to be Reported to the Board of Education

Each year, the board will evaluate each alternative learning program or school based upon reports provided by the superintendent and any other information the board wishes to consider. In addition to data required by policy 3430, School Improvement Plan, each alternative learning program or school must report the following information annually to the board:

- a. annual program goals; and
- b. performance on annual goals.

To assist the board in evaluating an alternative learning program or school, each alternative school or program's school improvement plan must include measures of the effectiveness of the alternative program or school.

3. Items to be Considered

In addition to any other outcomes the board deems important, the board will determine whether:

- a. the alternative learning program or school complies with State Board standards;
- b. the alternative learning program or school incorporates best practices for improving student academic performance and reducing disruptive behavior;
- c. school personnel at the alternative learning program or school are well-trained and provided with appropriate professional development;
- d. the alternative learning program or school is organized to provide coordinated services;
- e. students at the alternative learning program or school receive high quality and rigorous academic instruction; and
- f. the alternative learning program or school assists students in transitioning back to the regular educational setting or to other educational settings.

Legal References: G.S. 14-208.18; 115C-47(32a), -105.27, -105.47A, -105.48, -276(r), -288, -367, -369, -390.7, -390.9, -390.10, -390.11; State Board of Education Policy ACCT-038,DROP-001,EXCP-001; *Policies Governing Services for Children with Disabilities*, as amended (Public Schools of N.C.); *Policies and Procedures for Alternative Learning Programs and Schools* (NC Dept. of Public Instruction, October 2014), available at <https://eboard.eboardsolutions.com/Meetings/Attachment.aspx?S=10399&AID=31595&MID=1590>

Cross References: Parental Involvement (policy 1310/4002), Hearings Before the Board (policy 2500), School Improvement Plan (policy 3430), Conflict Resolution (policy 3431), Student Sex Offenders (policy 4260), School Plan for Management of Student Behavior (policy 4302), Student Discipline Records (policy 4345), Long-Term Suspension, 365-Day Suspension, Expulsion (policy 4353), Assignments/Reassignments/Transfers (policy 7440)

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