

**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 school~~ student behavior management plans ~~developed at each school~~, school improvement plans and 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. As used in this policy and context, an alternative learning program may serve as the site to: (1) deliver educational services required by G.S. 115C-390.9 or -390.10 to a student who is serving a long-term or 365-day suspension; (2) provide concentrated support for students at risk of academic failure; and/or (3) deliver educational and other services to students who are or may be disruptive to a safe and orderly learning environment in the regular educational setting.

~~The alternative learning program is provided as an option for students in grades 6 through 12 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 the 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. STANDARDS FOR ALTERNATIVE LEARNING PROGRAM**

~~The alternative learning program should serve the purposes described above. The alternative learning program is expected to meet all board policy and state requirements. In addition, the alternative learning program and support services should be designed to facilitate students' transition back to the regular educational setting when appropriate.~~

~~All personnel at the alternative learning program should receive training so that students enrolled in the program receive appropriate educational services.~~

~~The alternative learning program is required to develop a behavior management plan, a plan for program improvement and a parental involvement plan in accordance with board policy. In addition, a conflict resolution plan, as provided in policy 3431, Conflict Resolution, must be included in the plan for program improvement. The board encourages the administration and other program personnel, in developing these plans, to review successful alternative education programs and make effective use of the resources provided by the superintendent.~~

~~The superintendent and board will review these plans in accordance with board policy. While providing flexibility at the school level to develop the plans, the superintendent and board will not approve any plan that is not reasonably likely to meet the purposes of an alternative learning program.~~

Prior to implementing a new alternative learning program or school, 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 or school.

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

## C. ASSIGNMENT TO THE ALTERNATIVE LEARNING PROGRAM

### 1. Basis for Assignment

~~In all cases, T~~the assignment of a student with a disability shall comply with applicable federal and/or state requirements for students with disabilities.

Students may be assigned to the alternative learning program under the following circumstances. ~~The assignment process is provided below.~~

- a. the student's parent or guardian and the principal agree, and a multi-disciplinary team agrees, that the assignment would be in the best interest of the student and the efficient administration of the public schools;
- b. the student has been recommended for long-term suspension or expulsion;
- c. the student poses a significant disruption to the educational environment in the regular educational setting due to continuing social/behavioral problems;
- d. the student is at risk of dropping out or not meeting standards for promotion due to academic, developmental and/or behavioral problems and resources in addition to or different from those available in the regular educational setting are needed to address the issue;
- e. the student is a clear threat to the safety of other students or personnel; or
- f. the student has been charged with a felony or with any crime that allegedly endangered the safety of others, and it is reasonably foreseeable that the student's continued presence will significantly disrupt the regular educational environment.

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.

#### 1.2. Responsibilities of Personnel at Referring School

In addition to any other procedures required by this policy, prior to referring a student to the 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 the alternative learning program; 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 the alternative learning program, the appropriate 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 concerning the student's needs, the personnel at the alternative learning 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 the alternative learning program, the student must be supervised by program 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 transfers are encouraged whenever possible. A voluntary transfer is an agreement by the parent, the principal and the disciplinary review committee that transfer is an appropriate option for the particular student. After agreement has been reached, the principal of the regular educational setting and the administration of the alternative learning program shall arrange the process and time for the transfer. The principal of the regular educational setting shall notify the superintendent of the transfer.~~

#### 4. ~~Involuntary Referral~~

~~A student may be required to be transferred from the regular educational setting to the 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.~~

a. Students who are recommended for long-term suspension or expulsion and who receive due process through the disciplinary process for violations of the Code of Student Conduct do not require additional referral procedures prior to transfer.

b. Prior to ~~an involuntary~~ a transfer in circumstances where a student is experiencing academic or developmental difficulties or ~~chronic~~ continuing social/behavioral problems, the principal or ~~disciplinary~~ school-based 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 on how to address the student's difficulties at school.

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

c. In all cases where a basis for transfer exists, other than where the student ~~has~~ has ~~an agreement for voluntary transfer is not reached~~ received due process pursuant to a recommendation for long-term suspension or

~~expulsion, and a basis for involuntary transfer exists,~~ the principal ~~may~~ ~~must recommend~~ refer the student to a multi-disciplinary team to ~~determine whether the student should to the superintendent that the student~~ be transferred to the alternative learning 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~~ ~~an involuntary transfer~~. A copy of the ~~recommendation referral~~ and other documentation must be provided to the parents ~~or guardian~~ by certified mail or in person.

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 the alternative program and shall perform all other duties assigned to it by State Board of Education policy. The student's parent or guardian shall be provided written notice of the time, place and date of the meeting.~~ ~~parent may request an informal meeting with the superintendent to discuss the transfer. The superintendent has the authority to determine who may be present at the meeting.~~

~~At the meeting, the multi-disciplinary team shall determine whether the student will be transferred 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 superintendent~~ approves the transfer, the principal of the regular educational setting and the administrator of the alternative learning program shall make all necessary arrangements.

#### 4. Responsibilities of School Personnel at the Alternative Learning Program

~~Once a student is placed in the 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 the alternative program, the student must be supervised by school personnel at all times.~~

### 5. Assignment of Student with Disabilities to Alternative Program

Students who receive services under the Individuals with Disabilities Education Act (IDEA) are entitled to all of the processes and protections pursuant to the IDEA. 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.

### D. APPEALS PROCESS

If the student's transfer is the result of an IEP team decision for a student with a disability, 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 decision to assign the student to an alternative program, the parent or guardian may appeal the superintendent's decision in writing to the board 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, except as prohibited by the IDEA.

### E. ADMINISTRATIVE ASSIGNMENTS

#### 1. 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 learning program established in this policy in accordance with G.S. 115C-105.47A.

#### 2. 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 the alternative learning program.

### D.F. TRANSITION FROM THE ALTERNATIVE LEARNING PROGRAM

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.G. ASSIGNMENT OF PROFESSIONAL PERSONNEL TO THE ALTERNATIVE LEARNING PROGRAM**

When assigning professional personnel to the alternative learning program, the superintendent shall consider the experience and evaluation ratings of the professional employee who may be assigned to the program. As school system resources allow, the superintendent shall strive to avoid assigning to the alternative learning program less experienced professional personnel or professional personnel who have received unfavorable evaluations. an evaluation rating of less than "accomplished" within the last three years. Additionally, all school personnel at the alternative learning program should receive training so that students enrolled in the program receive appropriate educational services.

#### **F.H. EVALUATION OF THE ALTERNATIVE LEARNING PROGRAM**

##### 1. Information to be Reported

Each year, the board will evaluate the alternative learning program 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, the alternative learning program must report the following information annually to the board:

- a. referral patterns from the regular educational setting, including age, race, gender and method of transfer (voluntary, as an alternative to suspension or expulsion, or involuntary);
- b. drop-out rates;
- c. how long students stay at the alternative learning program and where they go (including the regular educational setting, community college/technical schools or dropping out) when they leave the alternative learning program;

- ~~d. the training and development of professional employees assigned to the alternative learning program;~~
- ~~e. a list of services or programs that the alternative learning program coordinates with other governmental agencies; and~~
- ~~f. any other information the superintendent requires.~~

~~To assist the board in evaluating the alternative learning program, the program's plan for program improvement may include measures of the effectiveness of the alternative learning program.~~

## ~~2. Items to be Considered~~

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

- ~~a. a diverse group of students is referred to the alternative learning program;~~
- ~~b. the alternative learning program complies with State Board standards;~~
- ~~c. the alternative learning program incorporates best practices for improving student academic performance and reducing disruptive behavior;~~
- ~~d. school personnel at the alternative learning program are well-trained and provided with appropriate professional development;~~
- ~~e. the alternative learning program is organized to provide coordinated services;~~
- ~~f. students at the alternative learning program receive high quality and rigorous academic instruction; and~~
- ~~g. the alternative learning program 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; 16 N.C.A.C. 6G .0314; State Board of Education Policy ACCT-038, ALTP-002, DROP-001, GCS-Q-002EXCP-000; *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)*, available at <https://www.dpi.nc.gov/students-families/enhanced-opportunities/alternative-learning-programs#development,-implementation,-and-operations>

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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