

POLICIES AND PROCEDURES

FOR

ALTERNATIVE LEARNING

PROGRAMS AND SCHOOLS

GRADES K-12

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North Carolina Department of Public Instruction

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ALTERNATIVE LEARNING PROGRAMS

I. Legislation

§ 115C-12 Powers and Duties of the State Board

(24) Duty to Develop Policies and Guidelines for Alternative Learning Programs, Provide Technical Assistance on Implementation of Programs, and Evaluate Programs - The State Board of Education shall adopt standards for assigning students to alternative learning programs. These standards shall include (i) a description of the programs and services that are recommended to be provided in alternative learning programs and (ii) a process for ensuring that an assignment is appropriate for the student and that the student's parents are involved in the decision. The State Board also shall adopt policies that define what constitutes an alternative school and an alternative learning program.

II. Mission

The State Board of Education approved a set of procedures for alternative learning programs in 1999. These procedures established minimum standards of implementation, operation and maintenance of alternative learning programs and schools throughout the state.

State Board Policy GCS-Q-001 defines alternative learning programs as services for students at risk of truancy, academic failure, behavior problems, and/or dropping out of school. Alternative programs should be designed to better meet the needs of students who have not been successful in the regular public school setting.

In January 2000, the Alternative and Safe Schools/Instructional Support Section at the Department of Public Instruction was charged with developing policies and guidelines for establishing and maintaining effective alternative learning programs.

This 2003 document was the first revision to an existing manual for alternative programs and schools. The revisions were based on information gathered from the following sources:

- a. interpretations of existing legislation,
- b. feedback elicited from alternative learning program staff members during focus sessions, and
- c. research-based information on best practices for improving student outcomes in alternative learning programs.

This document was developed to

- a. provide operational guidance for alternative learning programs,
- b. provide clear procedures and guidelines for transferring students from traditional schools to alternative programs,
- c. provide clear procedures and guidelines for transitioning students from alternative programs to traditional schools or other services,
- d. strengthen the articulation and coordination of services for students assigned to alternative learning programs,
- e. identify programs standards, and
- f. identify elements of effective programs.

III. Alternative Program Parameters

Alternative learning programs are programs and schools that are designed to meet the needs of students placed at risk as a result of various factors. There are many types of alternative educational settings. However, this document only addresses the two types of alternative learning programs that are described in General Statutes and administrative policies. The first category of the alternative education setting is an alternative learning program. An alternative program is established in affiliation with an existing school. The information that is generated by the participants of the program becomes a part of the history and documentation of the associated school. A program may be housed within a school, on the same site, or at a different location within the district. The second type of alternative education setting is an alternative school. An alternative school has a school number. An official school number is the primary factor that distinguishes an alternative school from an alternative program. In this document, alternative program and alternative education refer to both alternative programs and alternative schools.

Local boards of education are to approve the establishment of alternative learning programs. They should adopt fair and equitable policies and procedures for assigning students to alternative programs.

In developing alternative learning programs, local school districts should

- a. describe the mission and goals of the program,
- b. describe the services to be provided by the program,
- c. describe the criteria for assignment to the program,
- d. describe the process for ensuring that the assignment is appropriate for the student,
- e. describe the process for the input of parents,
- f. serve students who demonstrate behaviors that put them at significant risk of school failure,
- g. provide the primary instruction for students during the enrollment period,
- h. offer course credit and grades in each course,
- i. assist students in meeting the requirements for grade promotion and graduation,
- j. participate in the state accountability and testing program as prescribed by law,
- k. employ highly qualified instructors, and
- l. serve students for a specific and extended period of time (at least one grading period).

Successful alternative learning programs will develop the capacity to maintain learning environments that are nurturing. To achieve such an environment, strategies should be in place to

- a. maintain emotionally and physically safe, orderly and caring learning environments,
- b. increase parental input and involvement,
- c. reduce dropout and suspension rates,
- d. increase student attendance,
- e. provide a smaller teacher/student ratio, and
- f. advance the concept of alternative learning programs as avenues of opportunity for positive student outcomes.

It is the desire of the State Board of Education and the Department of Public Instruction to assist local education agencies in developing high quality alternative learning programs. Establishing these standards throughout the state will require a commitment of time and resources to support the development and growth of alternative learning programs.

ESTABLISHING ALTERNATIVE LEARNING PROGRAMS

I. Legislation

§ 115C-47 Powers and duties generally (of local boards of education)

(32a) To Establish Alternative Learning Programs and Develop Policies and Guidelines. - Each local board of education shall establish at least one alternative learning program and shall adopt guidelines for assigning students to alternative learning programs. These guidelines shall include (i) a description of the programs and services to be provided, (ii) a process for ensuring that an assignment is appropriate for the student and that the student's parents are involved in the decision, and (iii) strategies for providing alternative learning programs, when feasible and appropriate, for students who are subject to long term suspension or expulsion. In developing these guidelines, local boards shall consider the State Board's standards developed under G.S. 115C-12(24).

The General Assembly urges local boards to adopt policies that prohibit superintendents from assigning to any alternative learning program any professional public school employee who has received within the last three years a rating on a formal evaluation that is less than above standard.

Notwithstanding this subdivision, each local board shall adopt policies based on the State Board's standards developed under G.S. 115C-12(24). These policies shall apply to any new alternative learning program or alternative school that is implemented beginning with the 2006-2007 school year. Local boards of education are encouraged to apply these standards to alternative learning programs and alternative schools implemented before the 2006-2007 school year.

Local boards shall assess on a regular basis whether the unit's alternative schools and alternative learning programs comply with the State Board's standards developed under G.S. 115C-12(24) and whether they incorporate best practices for improving student academic performance and reducing disruptive behavior, are staffed with professional public school employees who are well trained and provided with appropriate staff development, are organized to provide coordinated services, and provide students with high quality and rigorous academic instruction.

II. Responsibilities of the State Board of Education and the Department of Public Instruction Regarding Alternative Learning Programs

The responsibilities of the State Board of Education and the Department of Public Instruction include

- a. establishing policies and procedures for alternative learning programs,
- b. evaluating the operations and effectiveness of alternative learning programs,
- c. providing technical assistance and staff development,
- d. reviewing district level policies and plans for alternative learning programs,
- e. providing feedback to the school districts about their plans and programs,
- f. monitoring the implementation and effectiveness of the programs and
- g. assessing programs funded through and the use of funds for at-risk and alternative programs.

III. Responsibilities of the Local Education Agency (LEA) Regarding Alternative Learning Programs

The responsibilities of each local education agency include

- a. establishing at least one alternative learning program for students who are at-risk of school failure due to academic or behavior needs,
- b. establishing a fair and equitable process for assignment of students to alternative programs that are free of capricious and arbitrary features,
- c. a written policy and plan approved by the local board of education for assigning students to an alternative learning program,
- d. developing a plan in conjunction with the state policies and procedures,
- e. making the plan, process, and procedures available to parents as needed, and
- f. communicating the plan to principals of the feeder schools.

IV. The Local Plan for Alternative Programs

The plan should describe

- a. the program's mission, goals and expected outcomes,
- b. the target population,
- c. the process for assigning and enrolling students into the alternative program,
- d. who participates in the decision to refer a student in addition to the parent or guardian,
- e. the documentation used to establish the need for the assignment,
- f. the steps in the appeals process for parents and students,
- g. the documents to be transferred to the alternative program,
- h. instructional day and how students are to be transported to the program,
- i. the communication process between the referring school and the alternative program,
- j. the courses to be offered at the alternative program,
- k. how the parent/guardian is to be included in entry and exit decisions,
- l. the faculty and staff assigned to the alternative program,
- m. the resources needed to effectively implement the *North Carolina Standard Course of Study*, and
- n. procedures to ensure the ongoing effectiveness of the program and success of the students.

V. Program Standards

Alternative schools and programs should

1. Establish a mission, goals and expected outcomes.
2. Identify the target population.
3. Have a process for assigning and enrolling students into the alternative program.
4. Have at least one representative to participate in the assignment and transition decisions.
5. Provide for parent/guardian participation in the assignment and transition decisions.
6. Have access to the documentation used to establish the need for the assignment.
7. Have access to and utilize information from the referring school that identifies previous interventions, strategies, or actions taken.

8. Provide the steps in the appeals process to parents.
9. Have access to data on students to be transferred to the alternative program.
10. Indicate how students are to be transported to the program.
11. Have safe, orderly, caring, and inviting learning environments.
12. Have effective intake and transition procedures that address the preparation and plans for the student.
13. Have highly qualified and effective faculty and staff.
14. Have sufficient faculty and staff to carry out the mission of the program.
15. Have a small student to teacher ratio, 10:1 or smaller, but not more than 15:1.
16. Have a percentage of exceptional children at a rate not significantly higher than that for the district.
17. Ensure that services for students with disabilities are provided according to the student's individualized education program.
18. Use the *North Carolina Standard Course of Study* as the primary framework for instruction.
19. Have flexibility in implementing strategies for delivering instruction.
20. Supplement the curriculum and instruction with life skills, character education, conflict management, and career preparation.
21. Promote high expectations for students.
22. Provide professional development opportunities for faculty and staff.
23. Provide staff, parents, and students with copies of the handbook that includes the policies, procedures, and standards of the school or program.
24. Cultivate a collaborative and supportive relationship with referring schools and encourage them to maintain an investment in the success of the students and the program.
25. Cultivate a collaborative and supportive relationship with parents.
26. Cultivate a collaborative and supportive relationship with the community.
27. Evaluate programs and procedures.

VI. Characteristics of More Effective Programs

A general review of the research suggests that the following characteristics contribute to effective alternative programs:

- a. strong, visionary, and supportive leaders,
- b. warm and caring teachers and other staff,
- c. high level of student and staff engagement,
- d. high expectations for staff and students,
- e. allowing staff choice to work in the program,;
- f. allowing student choice to enroll in the program,
- g. providing long term interventions,
- h. holistic approach in the delivery of services to students,
- i. small teacher to student ratios,
- j. flexible and individualized in their design and delivery of instruction,
- k. sufficient support staff and a comprehensive counseling component,
- l. a sense of community and family,
- m. a safe, orderly, caring and inviting learning environment,
- n. standards for conduct, interaction, and engagement, and
- o. fair and equitable policies and procedures that are free of arbitrary and capricious features.

VII. Characteristics of Less Effective Programs

A general review of the research suggests that the following characteristics contribute to ineffective alternative programs:

- a. mission not clearly defined,
- b. target population not clearly determined,
- c. “choice” is typically not a factor in the assignment of students,
- d. “choice” is typically not a factor in the assignment of administrator or staff,
- e. purpose and mission of the program is punitive,
- f. design and operation of the program is punitive,
- g. programs are punitive by the deprivation of and/or lack of access to needed resources,
- h. rigid implementation and application of existing policies, rules, regulations and procedures,
- i. programs are not responsive to the needs of the students,
- j. insufficient staff development opportunities,
- k. insufficient resources to support the mission and goals of the program,
- l. student assignment decision are often inconsistent and inequitable and
- m. policies, procedures, and practices that are viewed as unfair, inequitable, arbitrary and capricious.

VIII. Alternative Education Program Evaluation

GS 115C-12(24) states

The State Board shall evaluate the effectiveness of alternative learning programs and, in its discretion, of any other programs funded from the Alternative Schools/At-Risk Student allotment. Local school administrative units shall report to the State Board of Education on how funds in the Alternative Schools/At-Risk Student allotment are spent and shall otherwise cooperate with the State Board of Education in evaluating the alternative learning programs.

IX. Process for Waiver

Per GS 115C-47(32a), each LEA is required to have at least one alternative school or alternative learning program. However, the State Board is allowed to grant requests received from local boards for waivers of this requirement [GS 115C-105.26(c1)].

PROCEDURES FOR ASSIGNMENT OF STUDENTS

I. Legislation

115C-105.48. Placement of students in alternative schools/alternative learning programs.

(a) Prior to referring a student to an alternative school or an alternative learning program, the referring school shall:

- (1) Document the procedures that were used to identify the student as being at risk of academic failure or as being disruptive or disorderly.
- (2) Provide the reasons for referring the student to an alternative school or an alternative learning program.
- (3) Provide to the alternative school or alternative learning program all relevant student records, including anecdotal information.

(b) When a student is placed in an alternative school or an alternative learning program, the appropriate staff of the alternative school or alternative learning program shall meet to review the records forwarded by the referring school and to determine what support services and intervention strategies are recommended for the student. The parents shall be encouraged to provide input regarding the students' needs.

II. Definition of Student At Risk¹

A student at risk is a young person who, because of a wide range of individual, personal, financial, familial, social, behavior or academic circumstances, may experience school failure or other unwanted outcomes unless intervention occurs to reduce the risk factors. Circumstances which often place students at risk include

- a. not meeting state/local/ proficiency standards,
- b. grade retention,
- c. unidentified or inadequately addressed learning needs,
- d. alienation from school,
- e. unchallenging curricula and/or instruction,
- f. tardiness and/or poor school attendance,
- g. negative peer influence,
- h. unmanageable behavior
- i. substance abuse and other health risk behaviors,
- j. abuse and neglect,
- k. inadequate parental, family, community and/or school support,
- l. limited English proficiency *or*
- m. *other risk factors*

¹ Definition approved by NCSBE in January 2000 and modified in September 2003.

III. Referring Students to the School Based Committee (Student Assistance Team)

A student who is demonstrating significant academic, social, and/or behavioral difficulties which puts him/her at risk of school failure may be referred by the parent, guardian, teacher, or school administrator to the student assistance team. The Student Assistance Team will

- a. review the evidentiary information to support the reasons for the referral,
- b. document the individuals involved in the decision,
- c. document parental participation, or the lack thereof,
- d. develop, expand or revise the intervention/action/PEP plan,
- e. document the recommended prevention/intervention strategies, resources, or services,
- f. evaluate and document the effectiveness of interventions,
- g. review interventions and student progress,
- h. make available all evidentiary information to the entity that makes the assignment decision,
- i. provide written information to the parents or guardians concerning due process rights and the appeals process,
- j. facilitate the transfer of students for a successful transition into the alternative program,
- k. send to the alternative school or program all relevant student records, including anecdotal information, and
- l. participate in the transition of students back to the regular school.

RESPONSIBILITY OF THE ENTITY THAT MAKES ASSIGNMENT DECISIONS

I. Multi-disciplinary Team

When a school has exhausted all avenues of interventions and services available to a student as identified through the schools school-based committee or student assistance team, the school may, in collaboration with the parent, refer the student to the entity that makes decisions for alternative learning programs. A multi-disciplinary team is necessary to keep the decision-making process open, and it increases objectivity, fairness, and equity as it reduces biased decisions. Therefore, this entity will

- a. be a multi-disciplinary team made up of three or more informed individuals in addition to the parents,
- b. receive and review the referral,
- c. schedule a meeting,
- d. provide written notification to the parents/guardian of the time, place, and date of the meeting,
- e. document the interventions identified in the plan for the student,
- f. document evidentiary information that supports the referral,
- g. document parental participation, or the lack thereof,
- h. provide to the alternative school or program all relevant student records, including anecdotal information if a decision is made to place the student,
- i. advise the parents or guardians of the student's due process rights and the appeals process,
- j. provide written notification to the parent/guardian, referring school, and ALP of the decision to assign or not to assign the student to the alternative program, and

II. Parent Involvement

Engaging the parents/guardians in the learning process is critical to the success of the students. Parents are to be

- a. informed of their child's progress,
- b. invited to participate in decisions that affect their child, and
- c. informed in writing of the decision on whether or not to assign their child to an alternative program or school.

III. Data Sources

Listed below are sources of data that may be used in exploring the need for an alternative placement:

- a. discipline records
- b. attendance records
- c. number of years the student is behind grade level
- d. student's cumulative record, including grades and state EOG or EOC scores
- e. Exceptional Children (EC) records, if applicable
- f. interviews with the student, teacher(s) and parents/guardian
- g. home visits conducted by teacher, social worker or other school personnel
- h. observations made in the student's regular education setting by an appropriate third party
- i. student's self-report,
- j. portfolio of student's work in the regular classroom
- k. medical records, if applicable
- l. academic and behavioral screening information, if available

IV. Assignment of Students with Disabilities to Alternative Programs

Students who participate in the Exceptional Children's Program have specific requirements that must be met. These requirements are stated below:

- a. If the student has an active IEP or is suspected of having a disability, the procedures outlined in the *Procedures Governing Policies and Services for Children with Disabilities* must be followed.
<http://ec.ncpublicschools.gov/policies/nc-policies-governing-services-for-children-with-disabilities/policies-children-disabilities.pdf>
- b. The IEP should be reviewed to ensure that the alternative program is able to provide the services that the student needs.
- c. The IEP Team must review, develop, or revise the IEP with all procedural safeguards and due process afforded parents, guardians, or surrogate parents. (If the student is age 18, all rights transfer to the student, the parents unless guardianship has been transferred to parent. Parents retain right of notice.)
- d. The IEP is based on student needs rather than the particular resources that are available in the alternative program.
- e. The IEP Team makes all decisions regarding change of placement and delivery of services for students with disabilities.
- f. IEP decisions should occur before, not after, the student is assigned to the alternative program.
- g. When the Assignment Committee and the IEP Team agree that the alternative program is the appropriate placement for the student, the LEA is responsible for providing the resources needed to implement the IEP. This includes providing accommodations, modifications, and supplementary services as outlined in the IEP.

- h. The LEA is also responsible for providing these same resources to students with disabilities who as a result of a disciplinary suspension are assigned by to an alternative program as an interim alternative educational setting (IAES) for a drug or weapon violation or when ordered to an IAES by a hearing officer as a result of an expedited due process hearing for dangerousness.
- i. A student who has not been determined eligible for special education is eligible for protections and the procedural safeguards apply if it is determined that the LEA had knowledge that the student was a child with a disability.
- j. Transportation as a related service is a supportive service that is required to assist a student with disabilities to benefit from special education. If assignment to the alternative program presents a barrier that prevents the student's attendance due to the lack of transportation, then the transportation and related services must be provided.

V. Long Term Suspended and Expelled Students

Research indicates that removals from school place students at a higher risk for school failure. Local educational agencies are encouraged to provide alternative settings for students who are subject to long-term suspension and expulsion. A new statute (115C-390.9) was added in 2011 requiring long-term suspended students to be offered alternative education services "unless the superintendent provides a significant or important reason for declining to offer such services."

RESPONSIBILITIES OF THE ALTERNATIVE PROGRAM STAFF

The success of students in alternative programs is dependent upon a coordinated effort of everyone supporting the process and following through on critical points. Crucial aspects for consideration are the intake process and the plan that is developed or modified for the student. The alternative program staff has the primary responsibility of making sure that this happens effectively. When a student is placed in an alternative program, the appropriate staff of the alternative program should meet to review the records forwarded by the referring school (or committee) to determine what support services and intervention strategies are needed for the student. The parents or guardians also should be encouraged to provide input regarding the students' needs in accordance with GS 115C-105.48.

Members of the alternative program staff should

- a. meet to review all of the records forwarded from the referring school and/or committee,
- b. identify strengths and areas of need based on all available data,
- c. amend or develop the intervention/action/PEP plan which includes the target date of the exit/transition, the criteria used in determining growth, intervention strategies, resources, and services,
- d. provide a written copy of the plan to parents/guardians,
- e. ensure that IEPs are implemented for students with disabilities, and
- f. encourage the participation of the parents or guardians during the student's period of enrollment.

I. Enrolling/Exiting the Alternative Learning Program

Services should be available to facilitate a student's successful transitions to and from the regular school and the alternative learning program. Successful alternative program transitions insure that

- a. the receiving school is aware of and prepared for the entrance of the student,
- b. the receiving school is the most appropriate educational setting based on available data,
- c. appropriate assessments are continued,
- d. counseling or other support services are available,
- e. interventions and support strategies are available to facilitate students' success,
- f. open communications among parents, students, and agencies are maintained, and
- g. the student has transportation to the new assignment.

II. Community, Faith, and State Based Support

When an alternative program cannot meet a student's needs, and another type of service is required, the following list of educational programs may be considered:

- a. community-based programs and services
- b. faith-based programs and services
- c. community colleges
- d. mental health services
- e. juvenile justice services
- f. programs that provide educational services for suspended and expelled students

CURRICULUM AND INSTRUCTION

I. Legislation

Local boards shall assess on a regular basis whether the unit's alternative schools and alternative learning programs comply with the State Board's standards developed under G.S. 115C-12(24) and whether they incorporate best practices for improving student academic performance and reducing disruptive behavior, are staffed with professional public school employees who are well trained and provided with appropriate staff development, are organized to provide coordinated services, and provide students with high quality and rigorous academic instruction. [G.S. 115C-47 (32a)].

II. Curriculum and Instruction Guidelines

Alternative learning programs should consider the following guidelines when developing the curriculum and instruction for students enrolled in their school or program.

- a. Use the *North Carolina Standard Course of Study*.
- b. Integrate character education and life skills throughout the curriculum.
- c. Incorporate positive student management, peer mediation and conflict resolution into disciplinary practices.
- d. Award course credit to each assigned class or course.
- e. Recognize and reward achievement and growth.
- f. Utilize community services for mentoring and tutoring.
- g. Use innovative and developmentally appropriate instructional strategies.
- h. Use hands-on demonstrations and real-life experiences.
- i. Establish and enforce standards and rules for behavior.
- j. Identify learning styles.
- k. Use differentiated strategies in instructional presentations and student assignments.
- l. Provide one-to-one interaction with students.
- m. Utilize Personalized Education Plans (PEPs).
- n. Use technology to enhance instruction.
- o. Provide flexible scheduling.
- p. Assess and monitor student outcomes for success.
- q. Use instructional support delivery systems (e.g., NC Learn, on-line courses, etc.).

STAFF REQUIREMENTS FOR ALTERNATIVE LEARNING PROGRAMS

I. Legislation

Local boards of education shall assess on a regular basis whether the unit's alternative programs...are staffed with professional employees who are well-trained and provided with appropriate staff development... [GS 115C-47 (32a)]

The General Assembly urges local boards to adopt policies that prohibit superintendents from assigning any professional public school employee who has received within the last three years a rating on a formal evaluation that is less than above standard. [GS 115C-47(32a)]

The State Board also shall adopt guidelines to require that local school administrative units shall use (i) the teachers allocated for students assigned to alternative learning programs pursuant to the regular teacher allotment and (ii) the teachers allocated for students assigned to alternative learning programs only to serve the needs of these students. [GS 115C-12(24)]

II. The Administration and Teaching Staff

Alternative learning programs should recruit and maintain teachers that are committed to creating and maintaining safe, orderly, caring and inviting learning environments. Additionally, educators should be highly-qualified, knowledgeable about, and effectively use aspects of the following:

- a. conflict management and resolution;
- b. differentiated learning and learning styles,
- c. principles of child development,
- d. diversity and cultural literacy,
- e. character education, and
- f. the *North Carolina Standard Course of Study*.

The principal or director of the alternative learning program should have input into the selection of staff members. The staff should have training in the philosophy and concept of alternative education. Teachers should hold licensure appropriate to the areas in which they are assigned to teach. Every attempt should be made to recruit experienced teachers with expertise in working with students experiencing academic and behavior difficulties. If Initially Licensed teachers (ILTs), lateral entry teachers, or probationary teachers are employed, appropriate staff development and mentoring support shall be provided.

III. Additional Professional Staff

The following are recommended instructional support service providers for alternative programs:

1. assistant principal or lead teacher
2. school social worker
3. school counselor
4. school psychologist
5. school nurse

APPENDIX

**NC GENERAL STATUTES GOVERNING
ALTERNATIVE LEARNING PROGRAMS**

§ 115C-12. Powers and duties of the Board generally.

(24) Duty to Develop Standards for Alternative Learning Programs, Provide Technical Assistance on Implementation of Programs, and Evaluate Programs. - The State Board of Education shall adopt standards for assigning students to alternative learning programs. These standards shall include (i) a description of the programs and services that are recommended to be provided in alternative learning programs and (ii) a process for ensuring that an assignment is appropriate for the student and that the students' parents are involved in the decision. The State Board also shall adopt policies that define what constitutes an alternative school and an alternative learning program.

The State Board of Education shall also adopt standards to require that local school administrative units shall use: (i) the teachers allocated for students assigned to alternative learning programs pursuant to the regular teacher allotment and (ii) the teachers allocated for students assigned to alternative learning programs only to serve the needs of these students.

The State Board of Education shall provide technical support to local school administrative units to assist them in developing and implementing plans and proposals for alternative learning programs.

The State Board shall evaluate the effectiveness of alternative learning programs and, in its discretion, of any other programs funded from the Alternative Schools/At-Risk Student allotment. Local school administrative units shall report to the State Board of Education on how funds in the Alternative Schools/ At-Risk Student allotment are spent and shall otherwise cooperate with the State Board of Education in evaluating the alternative learning programs. As part of its evaluation of the effectiveness of these programs, The State Board shall, through the application of the accountability system developed under G.S. 115C-83.15 and G.S. 115C-105.35, measure the educational performance and growth of students placed in alternative schools and alternative programs. If appropriate, the Board may modify this system to adapt to the specific characteristics of these schools.

(27) Reporting Dropout Rates, Corporal Punishment, Suspensions, Expulsions, and Alternative Placements. - The State Board shall report by March 15 of each year to the Joint Legislative Education Oversight Committee on the numbers of students who have dropped out of school, been subjected to corporal punishment, been suspended, been expelled, been reassigned for disciplinary purposes, or been provided alternative education services. The data shall be reported in a disaggregated manner, reflecting the local school administrative unit, race, gender, grade level, ethnicity, and disability status of each affected student. Such data shall be readily available to the public. The State Board shall not include students that have been expelled from school when calculating the dropout rate. The Board shall maintain a separate record of the number of students who are expelled from school and the reasons for the expulsion.

§ 115C-47. Powers and duties generally (of local boards of education).

(32a) To Establish Alternative Learning Programs and Develop Policies and Guidelines. - Each local board of education shall establish at least one alternative learning program and shall adopt guidelines for assigning students to alternative learning programs. These guidelines shall include (i) a description of the programs and services to be provided, (ii) a process for ensuring that an assignment is appropriate for the student and that the student's parents are involved in the decision, and (iii) strategies for providing alternative learning programs, when feasible and appropriate, for students who are subject to long term suspension or expulsion. In developing these guidelines, local boards shall consider the State Board's standards developed under G.S. 115C-12(24).

The General Assembly urges local boards to adopt policies that prohibit superintendents from assigning to any alternative learning program any professional public school employee who has received within the last three years a rating on a formal evaluation that is less than above standard.

Notwithstanding this subdivision, each local board shall adopt policies based on the State Board's standards developed under G.S. 115C-12(24). These policies shall apply to any new alternative learning program or alternative school that is implemented beginning with the 2006-2007 school year. Local boards of education are encouraged to apply these standards to alternative learning programs and alternative schools implemented before the 2006-2007 school year.

Local boards shall assess on a regular basis whether the unit's alternative schools and alternative learning programs comply with the State Board's standards developed under G.S. 115C-12(24) and whether they incorporate best practices for improving student academic performance and reducing disruptive behavior, are staffed with professional public school employees who are well trained and provided with appropriate staff development, are organized to provide coordinated services, and provide students with high quality and rigorous academic instruction.

§ 115C-105.47A. Proposals to establish alternative learning programs or alternative schools.

(a) Before establishing any alternative learning program or alternative school, the local board of education shall develop a proposal to implement the program or school that includes all of the following:

- (1) The educational and behavioral goals for students assigned to the program or school.
- (2) The policies and procedures for the operation of the program or school based on the State Board's standards adopted under G.S. 115C-12(24). The policies and procedures shall address the assignment of students to the program or school.
- (3) Identified strategies that will be used to improve student achievement and behavior.
- (4) Documentation that similar programs and schools in or out of the State, or both, have demonstrated success in improving the academic achievement and behavior of students assigned to them.
- (5) The estimated actual cost of operating the program or school. To the extent practicable, this shall include the cost of:
 - a. Staffing the program or school with teachers who have at least four years' teaching experience and who have received an overall rating of at least above standard on a formal evaluation and are certified in the areas and grade levels being taught;
 - b. Providing optimum learning environments, resources and materials, and high quality, ongoing professional development that will ensure students who are placed in the program or school are provided enhanced educational opportunities in order to achieve their full potential;
 - c. Providing support personnel, including school counselors, psychiatrists, clinical psychologists, social workers, nurses, and other professionals to help students and their families work out complex issues and problems;
 - d. Maintaining safe and orderly learning environments; and
 - e. Providing transitional supports for students exiting the program or school and reentering the referring school.
- (6) Documented support of school personnel and the community for the implementation of the program or school.

(b) After the local board completes the proposal under subsection (a) of this section, the board shall submit the proposal to the State Board of Education for its review. The State Board shall review the proposal expeditiously and, if appropriate, may offer recommendations to modify the proposal. The local board shall consider any recommendations made by the State Board before implementing the alternative learning program or alternative school.

§ 115C-105.48. Placement of students in alternative schools/alternative learning programs.

(a) Prior to referring a student to an alternative school or an alternative learning program, the referring school shall:

(1) Document the procedures that were used to identify the student as being at risk of academic failure or as being disruptive or disorderly.

(2) Provide the reasons for referring the student to an alternative school or an alternative learning program.

(3) Provide to the alternative school or alternative learning program all relevant student records, including anecdotal information.

(b) When a student is placed in an alternative school or an alternative learning program, the appropriate staff of the alternative school or alternative learning program shall meet to review the records forwarded by the referring school and to determine what support services and intervention strategies are recommended for the student. The parents shall be encouraged to provide input regarding the students' needs.