

Policy Code: 3470/4305 Alternative Learning Programs/Schools

A. Purposes

The board is committed to the goal of providing a safe and orderly learning environment in each school. The educational program, school student behavior management plans, school improvement plans, and as well as 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 education 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 the student will drop out of school by providing resources to help the student resolve issues affecting performance at school; (3) to return the 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 at the regular educational setting.~~

As used in this policy and context, an alternative learning program or school 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.

B. ALTERNATIVE LEARNING PROGRAMS/SCHOOLS

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

~~All school personnel at an alternative learning program shall receive such training as deemed appropriate so that students enrolled in the alternative program receive appropriate educational services.~~

~~The superintendent or designee shall direct school officials at each alternative learning program or school to develop a behavior management plan, a school improvement plan, and a parental involvement plan in accordance with board policy. A conflict resolution plan may be included in the school improvement plan. 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.~~

~~The superintendent or designee will review these plans in accordance with board policy and report to the Board. While providing flexibility at the school level to develop the plans, the superintendent and board will not approve any plans that are not reasonably likely to meet the purpose of the alternative learning program or school.~~

B. Standards for Alternative Learning Programs/Schools

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

C. Transfer to Alternative Learning Programs or Schools

~~Students generally are assigned to a school based upon attendance area. However, as provided by law, the board may assign any student to a school outside his or her attendance area in order for the student to attend a specialized school or for any 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 transferred to the alternative learning program or school on a voluntary or involuntary basis, or pursuant to a disciplinary suspension. The process for transfer is provided below.~~

1. Basis for Transfer

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. In all cases, 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 transferred to an alternative learning program or school on a voluntary or involuntary basis under any of the following circumstances.

- a. the student's parent or guardian and the principal agree, and a multi-disciplinary team agrees, that the transfer 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.

2. 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 or school, 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 or school all relevant student records, including anecdotal information.

3. Referral

- 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 a transfer in circumstances where a student is experiencing academic or developmental difficulties or continuing social/behavioral problems, the principal or 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. 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.

c. In all cases where a basis for transfer exists, other than where the student has received due process pursuant to a recommendation for long-term suspension or expulsion, the principal must refer the student to a multi-disciplinary team to determine whether the student should be transferred to an alternative school. 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 parent 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 an alternative school 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.

At the meeting, the multi-disciplinary team shall determine whether the student will be transferred to the alternative school. 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 transfer, the principal of the regular educational setting and the principal of the alternative school shall make all necessary arrangements.

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

~~In addition to any other procedures required by this policy, prior to referring a student to the alternative learning program or school, the appropriate school personnel of the program or school 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 program or school 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.~~

Once a student is placed in an alternative learning program or school, the appropriate school personnel of the program or school 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 or school 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.

5. Assignment of Student with Disabilities to Alternative Programs/Schools

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 or school established by State Board of Education policy shall be observed.

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 principal of the alternative learning program or school 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 an alternative learning program or school 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 transfer 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 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.

If an agreement for voluntary transfer is not reached and a basis for involuntary transfer exists, the principal may recommend to the superintendent that the student be transferred to an alternative school. 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 circumstances that support an involuntary transfer.

~~A copy of the recommendation and other documentation must be provided to the parents by certified mail or in person. The 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.~~

~~If the superintendent approves the transfer, the principal of the regular educational setting and the principal of the alternative school 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 transferred to the alternative learning program or school.~~

~~5. A student who receives a long-term or 365-day suspension may be offered services in the alternative learning program or school 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](#).~~

~~6. 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. 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 or school, 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.

E. Administrative Assignments

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

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](#).

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 an alternative learning program or school.

F. Transition from Alternative Learning Programs or Schools

In most instances, the goal of the alternative learning program or school 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 or school 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 or school 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.

G. Assignment of Professional Personnel to Alternative Learning Programs or Schools

When assigning professional personnel to an alternative learning program or school, the superintendent shall consider the experience and evaluation ratings of the professional employee who may be assigned to the program or school. As school system resources allow, the superintendent shall strive to avoid assigning to an alternative school or program less experienced professional personnel or professional personnel of professional personnel who have received an evaluation rating of less than "accomplished" within the last three years.

who have received unfavorable evaluations. Additionally, all school personnel at alternative learning programs or schools should receive training so that students enrolled in such programs or schools receive appropriate educational services.

H. Evaluation of Alternative Learning Programs or Schools

1. State Accountability

The board will determine annually how each alternative school 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. referral patterns from the regular educational setting, including age, race, gender, and method of transfer (voluntary, or involuntary, or pursuant to suspension);~~

~~b. drop-out rates;~~

~~c. how long students stay at the alternative learning program or school and where they go (including the regular educational setting, community college/technical schools or dropping out) when they leave the alternative program or school;~~

~~d. training and development of professional employees assigned to the alternative learning program or school;~~

~~e. a list of services or programs that the alternative learning program or school coordinates with other governmental agencies; and~~

~~f. any other information the superintendent requires.~~

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

Legal References: ~~[G.S. 14-208.18](#), [115C-47\(32a\)](#), [-105.47A](#), [-105.48](#), [-276\(r\)](#), [-288](#), [-367](#), [-391](#)~~

Cross References: ~~Parental Involvement (policy 1310), Board Meetings (policy 2300), School Improvement Plan (policy 3430), Student Sex Offenders (policy 4260), School Plan for Student Behavior (policy 4302), Assaults, Threats and Harassment (policy 4331), Weapons, Bomb Threats, Terrorist Threats and Clear Threats to Safety (policy 4333), Student Discipline Records (policy 4345)~~

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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](#), [ALTP-002](#), [DROP-001](#), [EXCP-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, 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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