

1 **A. PURPOSES**  
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3 The Transylvania County Board of Education (the “board”) is committed to the goal of  
4 providing a safe and orderly learning environment in each school. The educational  
5 program and the student behavior management plan developed at each school, in addition  
6 to numerous other strategies identified in board policy, are intended to create such an  
7 environment and to help each student be a successful and contributing member of the  
8 school community.  
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10 Alternative learning programs or schools are provided as an option for those instances in  
11 which a student’s behavior management or academic performance needs cannot be met in  
12 a regular educational setting. The purposes of an alternative learning program or school  
13 are: (1) to intervene and address problems that prevent a student from achieving success  
14 in the regular educational setting; (2) to reduce the risk that a student will drop out of  
15 school by providing resources to help the student resolve issues affecting his or her  
16 performance at school; (3) to return a student, if and when it is practicable, to the regular  
17 educational setting with the skills necessary to succeed in that environment; and (4) to  
18 preserve a safe and orderly learning environment in the regular educational setting.  
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20 **B. ALTERNATIVE LEARNING PROGRAMS/SCHOOLS**  
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22 Alternative learning programs and schools should serve the purposes described above.  
23 Such alternative education programs are expected to meet all board policy and state  
24 requirements. In addition, alternative education programs and support services should be  
25 designed to facilitate students’ transition back to the regular educational setting when  
26 appropriate.  
27

28 All school personnel at alternative learning programs or schools should receive training  
29 so that students enrolled in such programs or schools receive appropriate educational  
30 services.  
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32 The superintendent or designee shall direct school officials at each alternative learning  
33 program or school to develop a behavior management plan, a school improvement plan,  
34 and a parental involvement plan in accordance with board policy. A conflict resolution  
35 plan, as provided in policy 3431, Conflict Resolution, may be included in the school  
36 improvement plan. The board encourages the principal and other school personnel, in  
37 developing these plans, to review successful alternative education programs and make  
38 effective use of the resources provided by the superintendent.  
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40 The superintendent and board will review these plans in accordance with board policy.  
41 While providing flexibility at the school level to develop the plans, the superintendent  
42 and board will not approve any plan that is not reasonably likely to meet the purposes of  
43 an alternative learning program or school.  
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45 Prior to implementing a new alternative learning program or school, the board will  
46 develop a program proposal that is consistent with the State Board of Education standards  
47 for alternative learning programs. The board then will submit the proposal to the State  
48 Board for its review. After the proposal has been reviewed by the State Board, the board  
49 will consider any recommendations from the State Board to modify the proposal before  
50 implementing the alternative learning program or school.

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

### 54 55 **C. TRANSFER TO ALTERNATIVE LEARNING PROGRAMS OR SCHOOLS**

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

#### 65 66 **1. Responsibilities of Personnel at Referring School**

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

- 71  
72 a. document the procedures that were used to identify the student as being at  
73 risk of academic failure or as being disruptive or disorderly;
- 74  
75 b. provide the reasons for referring the student to an alternative learning  
76 program or school; and
- 77  
78 c. provide to the alternative learning program or school all relevant student  
79 records, including anecdotal information.

#### 80 81 **2. Responsibilities of School Personnel at the Alternative Learning Program or** 82 **School**

83  
84 In addition to any other procedures required by this policy, once a student is  
85 placed in an alternative learning program or school, the appropriate school  
86 personnel of the program or school must meet to review the student's records and  
87 any other documentation forwarded by the referring school. Based on these  
88 records and any input provided by the parent or guardian concerning the student's

89 needs, the personnel at the alternative program or school shall determine the  
90 support services and intervention strategies that are recommended for the student.

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

### 94 3. Voluntary Referral

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96 The board encourages parental involvement in decisions regarding the child's  
97 education and in identifying effective options for addressing concerns regarding  
98 the child's behavior or academic performance.  
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100  
101 Voluntary transfers are encouraged whenever possible. A voluntary transfer is an  
102 agreement by the parent or guardian, the principal, and the disciplinary review  
103 committee that transfer is an appropriate option for the particular student. After  
104 agreement has been reached, the principal of the regular educational setting and  
105 the principal of the alternative learning program or school shall arrange the  
106 process and time for the transfer. The principal of the regular educational setting  
107 shall notify the superintendent of the transfer.  
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### 109 4. Involuntary Referral

110  
111 A student may be required to be transferred from the regular educational setting to  
112 an alternative learning program or school under any of the following  
113 circumstances:

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- 115 a. the student presents a clear threat to the safety of other students or  
116 personnel;
  - 117
  - 118 b. the student presents a significant disruption to the educational  
119 environment in the regular educational setting;
  - 120
  - 121 c. the student is at risk of dropping out or not meeting standards for  
122 promotion, and resources in addition to or different from those available in  
123 the regular educational setting are needed to address the issue;
  - 124
  - 125 d. the student has been charged with a felony or a crime that allegedly  
126 endangered the safety of others, and it is reasonably foreseeable that the  
127 educational environment in the regular educational setting will be  
128 significantly disrupted if the student remains; or
  - 129
  - 130 e. if the Code of Student Conduct provides for a transfer as a consequence of  
131 the student's behavior.  
132

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

140  
141 The preceding steps are encouraged, but not required in the case of an involuntary  
142 transfer arising from a disciplinary reassignment or when the student's behavior  
143 immediately endangers other students or personnel.

144  
145 If an agreement for voluntary transfer is not reached and a basis for involuntary  
146 transfer exists, the principal may ~~recommend to the superintendent that the~~  
147 ~~student~~ **refer the student to a multi-disciplinary team to determine whether the**  
148 **student should** be transferred to an alternative school. The principal must provide  
149 in writing: (1) an explanation of the student's behavior or academic performance  
150 that is at issue; (2) documentation or a summary of the documentation of the  
151 efforts to assist the student in the student's regular educational setting, if  
152 applicable; and (3) documentation of the circumstances that support ~~an~~  
153 ~~involuntary transfer~~ **the referral**.

154  
155 A copy of the ~~recommendation~~ **referral** and other documentation must be  
156 provided to the parents **or guardian** by certified mail or in person. ~~The parent may~~  
157 ~~request an informal meeting with the superintendent to discuss the transfer. The~~  
158 ~~superintendent has the authority to determine who may be present at the meeting.~~

159  
160 **The multi-disciplinary team shall consist of the student's parent or guardian and at**  
161 **least three school system employees who are informed about the student's needs.**  
162 **The team shall meet to consider the principal's referral and determine whether the**  
163 **student will be assigned to an alternative school. The student's parent or guardian**  
164 **shall be provided written notice of the time, place, and date of the meeting.**

165  
166 **At the meeting, the multi-disciplinary team shall determine whether the student**  
167 **will be transferred to the alternative school. The student's parent or guardian**  
168 **shall be provided written notice of the team's decision, as well as notice of the**  
169 **parent or guardian's appeal and due process rights. If the student's parent or**  
170 **guardian attended the team meeting, such notice shall be provided at the end of**  
171 **the meeting. If the student's parent or guardian did not attend the meeting, such**  
172 **notice shall be provided by certified mail within one business day of the meeting.**

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174 If the ~~superintendent~~ **multi-disciplinary team** approves the transfer, the principal  
175 of the regular educational setting and the principal of the alternative school shall  
176 make all necessary arrangements.

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

If the principal intends to refer for an involuntary transfer to the alternative school 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 a transfer 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 transfer would not constitute a change in placement, the principal shall refer the proposed transfer 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 or school established by State Board of Education policy shall be observed.

## 6. Appeals Process

If the student's transfer 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 multi-disciplinary team's decision, 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 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 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

221 such services. Alternative education services include, but are not limited to, the  
222 alternative programs or schools established in this policy in accordance with G.S.  
223 115C-105.47A.

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225 **8. Assignment of Student Sex Offenders**

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

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230 **D. TRANSITION FROM ALTERNATIVE LEARNING PROGRAMS OR SCHOOLS**

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

237

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

242

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

245

246 **E. ASSIGNMENT OF PROFESSIONAL PERSONNEL TO ALTERNATIVE LEARNING PROGRAMS**  
247 **OR SCHOOLS**

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

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256 **F. EVALUATION OF ALTERNATIVE LEARNING PROGRAMS OR SCHOOLS**

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258 **1. State Accountability**

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

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265           **2. Information to be Reported to the Board of Education**

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

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- 273           a.       referral patterns from the regular educational setting, including age, race,  
274               gender, and method of transfer (voluntary, involuntary, or pursuant to  
275               suspension);
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  - 277           b.       drop-out rates;
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  - 279           c.       how long students stay at the alternative learning program or school and  
280               where they go (including the regular educational setting, community  
281               college/technical schools or dropping out) when they leave the alternative  
282               program or school;
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  - 284           d.       the training and development of professional employees assigned to the  
285               alternative learning program or school;
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  - 287           e.       a list of services or programs that the alternative learning program or  
288               school coordinates with other governmental agencies;
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  - 290           f.       the school's results under the state's alternative school's accountability  
291               model, as applicable; and
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  - 293           g.       any other information the superintendent requires.

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

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299           **3. Items to be Considered**

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

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- 304           a.       a diverse group of students is referred to the alternative learning program  
305               or school;
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  - 307           b.       the alternative learning program or school complies with State Board  
308               standards;

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- 310 c. the alternative learning program or school incorporates best practices for
- 311 improving student academic performance and reducing disruptive
- 312 behavior;
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- 314 d. school personnel at the alternative learning program or school are well-
- 315 trained and provided with appropriate professional development;
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- 317 e. the alternative learning program or school is organized to provide
- 318 coordinated services;
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- 320 f. students at the alternative learning program or school receive high quality
- 321 and rigorous academic instruction; and
- 322
- 323 g. the alternative learning program or school assists students in transitioning
- 324 back to the regular educational setting or to other educational settings.
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326 Legal References: G.S. 14-208.18; 115C-47(32a), -105.27, -105.47A, -105.48, -276(r), -288, -

327 367, -369, -390.7, -390.9, -390.10, -390.11; State Board of Education Policy **ACCT-038**, ~~GCS-~~

328 ~~Q-001~~, **DROP-001**, ~~GCS-Q-002~~ **EXCP-001**; *Policies Governing Services for Children with*

329 *Disabilities, as amended (Public Schools of N.C.); Policies and Procedures for Alternative*

330 *Learning Programs and Schools* (NC Dept. of Public Instruction, October 2014), available at

331 [https://eboard.eboardsolutions.com/Meetings/Attachment.aspx?S=10399&AID=31595&MID=1](https://eboard.eboardsolutions.com/Meetings/Attachment.aspx?S=10399&AID=31595&MID=1590)

332 [590](https://eboard.eboardsolutions.com/Meetings/Attachment.aspx?S=10399&AID=31595&MID=1590)

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334 Cross References: Parental Involvement (policy 1310/4002), Hearings Before the Board (policy

335 2500), School Improvement Plan (policy 3430), Conflict Resolution (policy 3431), Student Sex

336 Offenders (policy 4260), School Plan for Management of Student Behavior (policy 4302),

337 Student Discipline Records (policy 4345), Long-Term Suspension, 365-Day Suspension,

338 Expulsion (policy 4353), Assignments/Reassignments/Transfers (policy 7440)

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340 Adopted: August 1, 2011

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342 Revised: January 19, 2016; [DATE]

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