

A. PURPOSES

The Transylvania County Board of Education (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 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.**

~~Alternative learning programs or schools are provided as an option for those instances in which a student’s behavior management or academic performance needs cannot be met in a regular educational setting. The purposes of an alternative learning program or school 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 PROGRAMS/SCHOOLS

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

~~All school personnel at alternative learning programs or schools should receive training so that students enrolled in such programs or schools 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, as provided in policy 3431, Conflict Resolution, 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 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 or school.~~

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

1. Basis of 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**; ~~or pursuant to a disciplinary suspension. The transfer process is provided below.~~

- 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**

- 89 educational setting are needed to address the issue;
- 90
- 91 e. the student is a clear threat to the safety of other students or personnel; or
- 92
- 93 f. the student has been charged with a felony or with any crime that
- 94 allegedly endangered the safety of others, and it is reasonably foreseeable
- 95 that the student's continued presence will significantly disrupt the regular
- 96 educational environment.
- 97

98 The board encourages parental involvement in decisions regarding the child's

99 education and in identifying effective options for addressing concerns regarding

100 the child's behavior or academic performance.

101

102 2. Responsibilities of Personnel at Referring School

103 In addition to any other procedures required by this policy, prior to referring a

104 student to an alternative learning program or school, the principal of the referring

105 school must:

106

- 107
- 108 a. document the procedures that were used to identify the student as being at
- 109 risk of academic failure or as being disruptive or disorderly;
- 110
- 111 b. provide the reasons for referring the student to an alternative learning
- 112 program or school; and
- 113
- 114 c. provide to the alternative learning program or school all relevant student
- 115 records, including anecdotal information.
- 116

117 ~~3. Responsibilities of School Personnel at the Alternative Learning Program or~~

118 ~~School~~

119

120 ~~In addition to any other procedures required by this policy, once a student is~~

121 ~~placed in an alternative learning program or school, the appropriate school~~

122 ~~personnel of the program or school must meet to review the student's records and~~

123 ~~any other documentation forwarded by the referring school. Based on these~~

124 ~~records and any input provided by the parent or guardian concerning the student's~~

125 ~~needs, the personnel at the alternative program or school shall determine the~~

126 ~~support services and intervention strategies that are recommended for the student.~~

127

128 ~~If a student who is subject to G.S. 14-208.18 is assigned to an alternative school,~~

129 ~~the student must be supervised by school personnel at all times.~~

130

131 3. Voluntary Referral

132

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

136
137 ~~Voluntary transfers are encouraged whenever possible. A voluntary transfer is an~~
138 ~~agreement by the parent or guardian, the principal, and the disciplinary review~~
139 ~~committee that transfer is an appropriate option for the particular student. After~~
140 ~~agreement has been reached, the principal of the regular educational setting and~~
141 ~~the principal of the alternative learning program or school shall arrange the~~
142 ~~process and time for the transfer. The principal of the regular educational setting~~
143 ~~shall notify the superintendent of the transfer.~~

144 ~~4. Involuntary Referral~~

145
146 ~~A student may be required to be transferred from the regular educational setting to~~
147 ~~an alternative learning program or school under any of the following~~
148 ~~circumstances:~~

149
150
151 ~~g. the student presents a clear threat to the safety of other students or~~
152 ~~personnel;~~

153
154 ~~h. the student presents a significant disruption to the educational~~
155 ~~environment in the regular educational setting;~~

156
157 ~~i. the student is at risk of dropping out or not meeting standards for~~
158 ~~promotion, and resources in addition to or different from those available in~~
159 ~~the regular educational setting are needed to address the issue;~~

160
161 ~~j. the student has been charged with a felony or a crime that allegedly~~
162 ~~endangered the safety of others, and it is reasonably foreseeable that the~~
163 ~~educational environment in the regular educational setting will be~~
164 ~~significantly disrupted if the student remains; or~~

165
166 ~~k. if the Code of Student Conduct provides for a transfer as a consequence of~~
167 ~~the student's behavior.~~

168
169 ~~a. Students who are recommended for long-term suspension or expulsion and~~
170 ~~who receive due process through the disciplinary process for violations of~~
171 ~~the Code of Student Conduct do not require additional referral procedures~~
172 ~~prior to transfer.~~

173
174 ~~b. Prior to an involuntary a transfer in circumstances where a student is~~
175 ~~experiencing academic or developmental difficulties or chronic continuing~~
176 ~~social/behavioral problems, the principal or disciplinary school-based~~

177 committee of the referring school shall document the student's behavior
178 and academic performance and efforts to assist the student in the regular
179 educational environment ~~as provided in Section C.1.~~ School
180 administrators are encouraged to meet with the student's parents or
181 guardians to try to reach a consensus on how to address the student's
182 difficulties at school.

183
184 ~~The preceding steps are encouraged, but not required in the case of an involuntary~~
185 ~~transfer arising from a disciplinary reassignment or when the student's behavior~~
186 ~~immediately endangers other students or personnel.~~

- 187
188 c. ~~If an agreement for voluntary transfer is not reached and a basis for~~
189 ~~involuntary transfer exists,~~**In all cases where a basis for transfer exists,**
190 **other than where the student has received due process pursuant to a**
191 **recommendation for long-term suspension or expulsion,** the principal ~~may~~
192 **must** refer the student to a multi-disciplinary team to determine whether
193 the student should be transferred to an alternative school. The principal
194 must provide in writing: (1) an explanation of the student's behavior or
195 academic performance that is at issue; (2) documentation or a summary of
196 the documentation of the efforts to assist the student in the student's
197 regular educational setting, if applicable; and (3) documentation of the
198 circumstances that support the referral. A copy of the referral and other
199 documentation must be provided to the parent or guardian by certified
200 mail or in person.

201
202 The multi-disciplinary team shall consist of the student's parent or
203 guardian and at least three school system employees who are informed
204 about the student's needs. The team shall meet to consider the principal's
205 referral and determine whether the student will be assigned to an
206 alternative school **and shall perform all other duties assigned to it by State**
207 **Board of Education policy.** The student's parent or guardian shall be
208 provided written notice of the time, place, and date of the meeting.

209
210 At the meeting, the multi-disciplinary team shall determine whether the
211 student will be transferred to the alternative school. The student's parent
212 or guardian shall be provided written notice of the team's decision, as well
213 as notice of the parent or guardian's appeal and due process rights. If the
214 student's parent or guardian attended the team meeting, such notice shall
215 be provided at the end of the meeting. If the student's parent or guardian
216 did not attend the meeting, such notice shall be provided by certified mail
217 within one business day of the meeting. If the multi-disciplinary team
218 approves the transfer, the principal of the regular educational setting and
219 the principal of the alternative school shall make all necessary
220 arrangements.

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

223
224 Once a student is placed in an alternative learning program or school, the
225 appropriate school personnel of the program or school must meet to review the
226 student's records and any other documentation forwarded by the referring school.
227 Based on these records and any input provided by the parent or guardian
228 concerning the student's needs, the personnel at the alternative program or school
229 shall determine the support services and intervention strategies that are
230 recommended for the student.

231
232 If a student who is subject to G.S. 14-208.18 is assigned to an alternative school,
233 the student must be supervised by school personnel at all times.

234
235 **5. Assignment of Student with Disabilities to Alternative Programs/Schools**

236
237 Students who receive services under the Individuals with Disabilities Education
238 Act (IDEA) are entitled to all of the processes and protections pursuant to the
239 IDEA. All additional requirements specific to the assignment of students with
240 disabilities to an alternative program or school established by State Board of
241 Education policy shall be observed. ~~If the principal intends to refer for an~~
242 ~~involuntary transfer to the alternative school a student who is eligible for services~~
243 ~~under the Individuals with Disabilities Education Act (IDEA), the principal shall~~
244 ~~first convene the student's Individual Education Program (IEP) team to determine~~
245 ~~whether such a transfer constitutes a change in placement for the student. All~~
246 ~~decisions regarding changes in a student's placement or service delivery must be~~
247 ~~made by the student's IEP team. If the IEP team determines that the proposed~~
248 ~~transfer would not constitute a change in placement, the principal shall refer the~~
249 ~~proposed transfer to the multidisciplinary team for consideration in accordance~~
250 ~~with the process described in subsection C.4, above.~~

251
252 ~~All additional requirements specific to the assignment of students with disabilities~~
253 ~~to an alternative program or school established by State Board of Education~~
254 ~~policy shall be observed.~~

255
256 ~~6. Appeals Process~~

257
258 **D. APPEALS PROCESS**

259
260 If the student's transfer is the result of an IEP team decision **for a student with a**
261 **disability**, parents or guardians who are dissatisfied with the decision must comply with
262 the due process procedures set forth in *Procedures Governing Policies and Services for*
263 *Children with Disabilities*, as adopted by the State Board of Education.
264

265 In all other cases, within three business days of receiving written notice of the ~~multi-~~
266 ~~disciplinary team's~~ decision to assign the student to an alternative program or school, the
267 parent or guardian may appeal the decision to the superintendent, who shall review the
268 documentation and render a decision within five business days, absent extraordinary
269 circumstances that require additional response time. Parents and guardians who are
270 dissatisfied with the superintendent's decision may appeal to the board. The board will
271 hear the appeal in closed session and will follow its procedures as provided in policy
272 2500, Hearings Before the Board. During the period of the appeal, the student may be
273 transferred to the alternative learning program or school, except as prohibited by the
274 IDEA.

275 276 **E. ADMINISTRATIVE ASSIGNMENTS**

277 278 **1. Assignment During a Long-Term or 365-Day Suspension**

279
280 ~~A student who receives a long-term or 365-day suspension may be offered~~
281 ~~services in the alternative learning program or school for a portion or the full~~
282 ~~duration of the suspension. See policy 4353, Long Term Suspension, 365 Day~~
283 ~~Suspension, Expulsion.~~ Any student who receives a long-term or 365-day
284 suspension must be offered alternative education services unless the
285 superintendent provides a significant or important reason for declining to offer
286 such services. Alternative education services include, but are not limited to, the
287 alternative programs or schools established in this policy in accordance with G.S.
288 115C-105.47A.

289 290 **2. Assignment of Student Sex Offenders**

291
292 The board may decide, pursuant to G.S. 115C-390.11(a)(2), to assign a student
293 who is subject to G.S. 14-208.18 to an alternative learning program or school.

294 295 **F. TRANSITION FROM ALTERNATIVE LEARNING PROGRAMS OR SCHOOLS**

296
297 In most instances, the goal of the alternative learning program or school is to return the
298 student to the regular educational setting with the skills necessary to succeed in that
299 environment as soon as practicable. The personnel of the alternative learning program or
300 school and those of the regular educational setting shall work together to help create a
301 successful transition for the student.

302
303 If the student is not or will not be returned to the regular educational setting, the
304 alternative learning program or school will assist in the student's transition to other
305 educational settings, including other programs offered by the school system or a
306 community college or vocational school.

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

310
311 **G. ASSIGNMENT OF PROFESSIONAL PERSONNEL TO ALTERNATIVE LEARNING PROGRAMS**
312 **OR SCHOOLS**

313
314 When assigning professional personnel to an alternative learning program or school, the
315 superintendent shall consider the experience and evaluation ratings of the professional
316 employee who may be assigned to the program or school. As school system resources
317 allow, the superintendent shall strive to avoid assigning to an alternative school or
318 program less experienced professional personnel or professional personnel who have
319 received an evaluation rating of less than "accomplished" within the last three years
320 **unfavorable evaluations. Additionally, all school personnel at alternative learning**
321 **programs or schools should receive training so that students enrolled in such programs or**
322 **schools receive appropriate educational services.**

323
324 **H. EVALUATION OF ALTERNATIVE LEARNING PROGRAMS OR SCHOOLS**

325
326 **1. State Accountability**

327
328 The board will determine annually how each alternative school will participate in
329 the State Alternative Schools' Accountability Model. The superintendent shall
330 provide for this information to be reported to the North Carolina Department of
331 Public Instruction by August 1 of each year.

332
333 **2. Information to be Reported to the Board of Education**

334
335 Each year, the board will evaluate each alternative learning program or school
336 based upon reports provided by the superintendent and any other information the
337 board wishes to consider. ~~In addition to data required by policy 3430, School~~
338 ~~Improvement Plan, each alternative learning program or school must report the~~
339 ~~following information annually to the board:~~

340
341 a. ~~referral patterns from the regular educational setting, including age, race,~~
342 ~~gender, and method of transfer (voluntary, involuntary, or pursuant to~~
343 ~~suspension);~~

344
345 b. ~~drop-out rates;~~

346
347 c. ~~how long students stay at the alternative learning program or school and~~
348 ~~where they go (including the regular educational setting, community~~
349 ~~college/technical schools or dropping out) when they leave the alternative~~
350 ~~program or school;~~

351

- 352 ~~d. the training and development of professional employees assigned to the~~
353 ~~alternative learning program or school;~~
354
355 ~~e. a list of services or programs that the alternative learning program or~~
356 ~~school coordinates with other governmental agencies;~~
357
358 ~~f. the school's results under the state's alternative school's accountability~~
359 ~~model, as applicable; and~~
360
361 ~~g. any other information the superintendent requires.~~
362

363 ~~To assist the board in evaluating an alternative learning program or school, each~~
364 ~~alternative school or program's school improvement plan must include measures~~
365 ~~of the effectiveness of the alternative program or school.~~
366

3. ~~Items to be Considered~~

367
368
369 ~~In addition to any other outcomes the board deems important, the board will~~
370 ~~determine whether:~~
371

- 372 ~~a. a diverse group of students is referred to the alternative learning program~~
373 ~~or school;~~
374
375 ~~b. the alternative learning program or school complies with State Board~~
376 ~~standards;~~
377
378 ~~c. the alternative learning program or school incorporates best practices for~~
379 ~~improving student academic performance and reducing disruptive~~
380 ~~behavior;~~
381
382 ~~d. school personnel at the alternative learning program or school are well-~~
383 ~~trained and provided with appropriate professional development;~~
384
385 ~~e. the alternative learning program or school is organized to provide~~
386 ~~coordinated services;~~
387
388 ~~f. students at the alternative learning program or school receive high quality~~
389 ~~and rigorous academic instruction; and~~
390
391 ~~g. the alternative learning program or school assists students in transitioning~~
392 ~~back to the regular educational setting or to other educational settings.~~
393

394 Legal References: G.S. 14-208.18; 115C-47(32a), -105.27, -105.47A, -105.48, -276(r), -288, -
395 367, -369, -390.7, -390.9, -390.10, -390.11; State Board of Education Policy ACCT-038, **ALTP-**

396 ~~002~~, DROP-001, EXCP-000~~4~~; *Policies Governing Services for Children with Disabilities*, as
397 amended (Public Schools of N.C.); *Policies and Procedures for Alternative Learning Programs*
398 *and Schools* (NC Dept. of Public Instruction, October 2014), available at
399 [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)
400 [590](https://eboard.eboardsolutions.com/Meetings/Attachment.aspx?S=10399&AID=31595&MID=1590)

401
402 Cross References: Parental Involvement (policy 1310/4002), Hearings Before the Board (policy
403 2500), School Improvement Plan (policy 3430), Conflict Resolution (policy 3431), Student Sex
404 Offenders (policy 4260), School Plan for Management of Student Behavior (policy 4302),
405 Student Discipline Records (policy 4345), Long-Term Suspension, 365-Day Suspension,
406 Expulsion (policy 4353), Assignments/Reassignments/Transfers (policy 7440)

407
408 Adopted: August 1, 2011

409
410 Revised: January 19, 2016; June 5, 2017; [DATE]

REVISED