

LEGAL: NEW REGULATION 704 KAR 19:002 REQUIRES DISTRICTS TO ADOPT ALTERNATIVE EDUCATION PROGRAM POLICIES AND PROCEDURES. IN ONE (1) SECTION NOTED BELOW, PLEASE CHECK THE OPTION YOUR BOARD WANTS INCLUDED OR ADD ALTERNATE LANGUAGE. THEN PLEASE RETURN A COPY OF THIS DRAFT WITH YOUR UPDATE CHECKLIST.

FINANCIAL IMPLICATIONS: IN ADDITION TO FUNDING FOR STAFF AND MATERIALS TO PROVIDE AN ENHANCED ALTERNATIVE EDUCATION PROGRAM, THERE MAY BE COSTS RELATED TO STAFF TIME REQUIRED FOR THE INDIVIDUAL LEARNING PLAN ADDENDUM (ILPA) TEAM TO FULFILL NEW RESPONSIBILITIES.

STUDENTS

09.4341

Alternative Education

DEFINITION

Alternative Education Program means a program that exists to meet the needs of students that cannot be addressed in a traditional classroom setting but through the assignment of students to alternative classrooms, centers, or campuses that are designed to remediate academic performance, improve behavior, or provide an enhanced learning experience. Alternative education programs do not include career or technical centers or departments.¹

PURPOSE

The purpose of the Board's Alternative Education Program is to provide:

- Learning activities that support innovative pathways and are aligned to college and career outcomes for all students.
- A curriculum that is aligned with the Kentucky Core Academic Standards and the learning goals in each student's Individual Learning Plan (ILP).
- Successful student transition to the regular school assignment, when possible, or to post-secondary status.
- A meaningful alternative to suspension and/or expulsion of a student.

NOTE: Students do not have a right to assignment to alternative programs or services except as specifically provided by law.

As required by Kentucky Administrative Regulation:

- The District's Alternative Education Program shall include training to build capacity of staff and administrators to deliver high-quality services and programming.
- The Board shall review this policy and accompanying procedure(s) annually.²

ELIGIBILITY CRITERIA

Alternative education placements may be utilized for students at:

- ☐ All grade levels
- ☐ Middle and high school grade levels
- ☐ High school level

Placement may be voluntary or involuntary, and the program may be offered either on-site or off-site.

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Alternative EducationELIGIBILITY CRITERIA (CONTINUED)

An ILP shall exist for a student in grade six (6) and above as required by regulation prior to placement in a District Alternative Education Program. Criteria for involuntary assignment by District personnel in the Alternative Education Program may include one (1) or more of the following:

- The need for a different educational environment for the student that will reflect an instructional delivery style best provided in an alternative setting.
- The student has contributed to substantial and on-going disruption of the educational process.
- Documentation that there are specific academic and/or behavioral performance areas that require intensive assistance best provided in alternative setting.
- Confirmation that the student has significant and on-going truancy issues that are impeding academic growth.
- Documentation that that the student needs intensive support in the areas of social and personal issues that are impeding academic performance and/or behavioral expectations.
- The student has been assigned for code of conduct or Board policy violations for which assignment to an alternative program is authorized under the code or policy.
- The student has been identified as being at risk of academic failure and/or dropping out of school.
- The student has previously dropped out of school, but has requested to return to school via enrollment in an alternative education setting.
- The student is assigned to an alternative school or program for other reasons as provided in the code of conduct, Board policy, or other program standards adopted by the Board.
- Other reasons related to safety concerns and educational needs of the student referenced in 702 KAR 19:002.

A student's parent/legal guardian or a student who is eighteen (18) years of age or older may request voluntary placement in the Alternative Education Program.

NOTIFICATION

The Principal or his/her designee ~~other designated administrator~~ shall notify the parents by letter of their child's assignment to the Alternative Education Program. The letter shall include length and reason for assignment, expected behavior of the student, and notification that assignment may be extended or shortened depending upon the attitude and cooperation of the student.

The duration of the alternative assignment shall be as provided in applicable Board policy, code of conduct, or other alternative program standards adopted by the District or as decided by the team and approved by the Superintendent/designee.

Parents shall be provided written notice that video cameras may be installed in areas used in the alternative education program to record student behavior. Evidence of student misbehavior recorded on video may be used to discipline students.

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Alternative Education**ASSIGNMENT/ILPA TEAM**

For conduct that disrupts the educational process, a student may be assigned to the Alternative Education program by the Principal or his/her designee.

The duration of assignment shall be fixed by the Principal or his/her designee.

The Superintendent/designee shall appoint members of a team to develop an Individual Learning Plan Addendum (ILPA) for students in grades six through twelve (6-12) assigned to an alternative school or program. The team may consist of the lead administrator/designee of the student's current school/program, the lead administrator/designee of the alternative school/program, counselors, teachers and other staff as appropriate.

The Superintendent/designee shall chair the team and invite the parents, and as appropriate, the student to participate.

After consideration of input of the team, the counselor or the designated administrator shall prepare or revise the ILPA to address, as appropriate, academic and behavioral needs, criteria for re-entry into the traditional program and review of student progress.

EXCEPTIONS:

- Such decisions for individual students with disabilities under the IDEA shall be made when required through the Admissions and Release Committee process and changes in service delivery required under the IDEA shall be made to the student's IEP.
- Such decisions for students identified under Section 504 shall be made through the team process as required under federal law and corresponding District policies and procedures.

EXTRACURRICULAR PARTICIPATION

Students assigned to alternative schools or programs shall be eligible to access extracurricular activities including, but not limited to sports activities, as allowed under applicable Board policy, code of conduct, SBDM policy, KHSAA rules or other alternative program standards adopted by the District.

SUPERVISION/CONTINUING SUPPORT

The student shall remain in the regular school setting but shall be isolated from the regular school schedule. Opportunities shall be provided for the students to continue regular school work as appropriate under the supervision of Alternative Education Program the school staff, and Students participating in an alternative program shall continue to be able to access tutoring, intervention, counseling, and other resources and services shall be provided to address school-related problems already available in the District as determined through the development of the ILPA.

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Alternative EducationTRANSITION

Students may transition to a regular classroom setting in accordance with any criteria for re-entry established by the ILPA Team and in accordance with the following process:

1. The lead Alternative Education Program administrator/designee shall invite the student (age 18 or older) or the parent/legal guardian to meet to discuss the proposed transition. If the parent/legal guardian or adult student do not attend, written notification shall be provided to explain the proposed re-entry.

For IDEA or Section 504 students, the IEP or Section 504 team shall determine placement of students as required by law.

2. Strategies shall be documented to promote successful transition to include specific staff responsibilities and how follow-up monitoring will occur.
3. Should the transition not be successful for the student, reassignment to the Alternative Education Program may be considered, and the ILPA Team may be reconvened accordingly.

COLLABORATION WITH OUTSIDE AGENCIES

The coordinator or lead administrator of the Alternative Education Program shall establish a process to collaborate with outside agencies involved with involuntary placements, including courts or other social service agencies to address student transitions between programs. Release of protected information about students involved in the program shall be in compliance with the Family Educational Rights and Privacy Act (FERPA).

NOTE: THIS POLICY DOES NOT APPLY TO A TEMPORARY/SHORT-TERM INTERVENTION.

REFERENCES:

¹KRS 160.380

²704 KAR 19:002

~~704 KAR 7:050~~

707 KAR 1:320

Student Discipline Guidelines, Kentucky Department of Education
OAG 77-419

RELATED POLICIES:

08.131, 08.141

09.123, 09.14, 09.426

09.434

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