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Highlighted changes added by JCPS staff, including changes to reflect input from Board Policy Committee members.

Changes based on recommendation from the Kentucky Department of Education.

Changes based on board member input at 10/15/2019 Board meeting.

STUDENTS

09.4341

## **Alternative Education Programs**

### **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.<sup>1</sup>

There are two types of Alternative Education Programs governed by 704 KAR 19:002:

1. An alternative education program that is a district-operated facility with no definable attendance boundaries that is designed to remediate academic performance, improved behavior or provide an enhanced learning experience.
2. A program funded by the Kentucky Education Collaborative for State Agency Children (KECSAC) serving state agency children.

### **PURPOSE**

The purpose of the Board's Alternative Education Programs ~~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 Academic Standards and the learning goals in each student's Individual Learning Plan (ILP).
- Successful student transition to the ~~school to which the student would otherwise be assigned under the District Student Assignment Plan~~ ~~regular school assignment~~, when desired, appropriate, and possible, or to post-secondary status.
- A meaningful alternative to suspension and/or expulsion of a student, ~~where applicable~~.

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 Programs 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.<sup>2</sup>

### **ELIGIBILITY CRITERIA**

Alternative education ~~assignments~~ ~~placements~~ may be utilized for students at ~~all grade levels~~. The Superintendent/designee shall create procedures regarding entry eligibility, criteria, and transition/exit (see Alternative School Profiles).:

~~All grade levels (see Alternative School Profiles for details)~~

## Alternative Education

### ELIGIBILITY CRITERIA (CONTINUED)

~~Middle and high school grade levels~~

~~High school level~~

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

An ILP shall exist for a student in grade six (6) and above as required by regulation prior to ~~assignment placement~~ in a District Alternative Education Program.

### Involuntary Assignment

Criteria for involuntary assignment by District personnel in ~~an the~~ Alternative Education Program shall ~~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.
- ~~Documentation that the 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 ~~an~~ alternative setting.
- Confirmation that the student has significant and on-going truancy issues that are impeding academic growth.
- Documentation that the student needs intensive support ~~with 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 Student~~ the Student Support and Behavior Intervention Handbook ~~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 704 KAR 19:002.

A student shall not be involuntarily assigned to an Alternative Education Program solely for being at risk of academic failure and/or dropping out of school, but that may be taken into account, with documentation, when determining an involuntary assignment, if the student meets one (1) or more of the criteria.

### Voluntary Assignment

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

**Alternative Education****ELIGIBILITY CRITERIA (CONTINUED)**

Criteria for voluntary 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.
- Documentation that there are specific academic 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.
- 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.

**VOLUNTARY ASSIGNMENT PROCEDURES**

A student is referred to the Student Relations Office by completing an online referral. The student may also have to attend an orientation or complete an assessment prior to coming to the Student Relations Office for ~~placement~~ assignment. A phone call is made to schedule an appointment with the student/family. The Student Relations Choice Counselor reviews information and meets with family to determine appropriate ~~placement~~ assignment. The Choice Counselor communicates ~~placement~~ assignment decision to the family, current school, and sending school via email. The sending school then reaches out to the family to schedule an intake meeting and schedule enrollment.

**NOTIFICATION**

The ~~Principal or other~~ designated administrator shall provide written notification to ~~notify~~ the parents regarding ~~by letter of~~ their child's assignment to ~~an the~~ Alternative Education Program. The notification ~~letter for an involuntary assignment~~ shall include length and reason for assignment, expected behavior of the student, ~~and as well as criteria for exiting the program~~ notification that assignment may be extended or shortened depending upon the attitude and cooperation of the student.

In cases of involuntary assignment, parents or guardians shall be provided a copy of appeal procedures when they are notified of their child's assignment.

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

**ILPA TEAM**

~~The Superintendent/designee shall appoint members of a~~ A designated team ~~to shall~~ develop an Individual Learning Plan Addendum (ILPA) for students in grades ~~kindergarten six~~ through twelve (K6-12) 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

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### ILPA TEAM (CONTINUED)

the Alternative Education Program ~~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 by ~~when required through the Admissions and Release Committee (ARC) 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 Education Programs alternative schools or programs~~ shall be eligible to access extracurricular activities including, but not limited to sports activities, as allowed under applicable Board policy, ~~Student Support and Behavior Intervention Handbook code of conduct~~, SBDM policy, KHSAA rules or other alternative program standards adopted by the District.

### CONTINUING SUPPORT

Opportunities shall be provided for students to continue regular school work as appropriate under the supervision of Alternative Education Program staff. Students participating in an alternative program shall continue to be able to access tutoring, intervention, counseling, and other resources and services already available in the District as determined through the development of the ILPA.

### TRANSITION

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 ~~ARC 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.

**Alternative Education****COLLABORATION WITH OUTSIDE AGENCIES (CONTINUED)****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 assignment**, including **Family Accountability, Intervention and Response (FAIR) teams**, 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).

**RELATED POLICIES:**

08.131, 08.141  
09.123, 09.14, 09.426

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

**REFERENCES:**

<sup>1</sup>KRS 160.380  
<sup>2</sup>704 KAR 19:002  
707 KAR 1:320  
*Student Discipline Guidelines*, Kentucky Department of Education  
OAG 77-419