

NEW STATE LAWS THAT EXPAND ALTERNATIVE EDUCATION 2000–2004 [609] ¹

Carol A. Kochhar-Bryant, Ph.D. ^a
Renee Lacey, Ed.D. ^b

^a Graduate School of Education and Human Development, The George Washington University
^b Prince William County Public Schools, Virginia

- TX (2001): Relates to the placement in an alternative education program or expulsion of a public school student who makes a false alarm or report or a terroristic threat.
- WV (2004): Provides for safe schools through alternative education programs; provides certain juvenile justice records to public school officials.
- MS (2000): Clarifies the authority of school superintendents, principals, and school boards to suspend, expel, or change the placement of pupils for conduct that renders a pupil's presence in the classroom detrimental to the school's educational environment or the best interest of a class as a whole; authorizes the referral of such pupils to an alternative school program.
- VA (2001): Creates optional age-appropriate education programs for students in grades K–5 who require guidance, supervision and discipline in a structured learning environment and who need to be redirected toward appropriate classroom decorum and acceptable personal behavior. Such programs shall be adequately staffed by licensed teachers or other persons with demonstrated qualifications to instruct and manage students with a range of academic gifts and deficiencies, disciplinary problems, and the need to develop and use appropriate social skills.
- MA (2004): Relates to establishing an alternative education grant program; provides for assistance to address needs of children who have been exposed to violence and abuse; provides for at-risk students.
- RI (2004): Each school district is required to adopt a plan to create alternative education programs to educate students who are removed from the classroom because of a suspension of more than ten (10) days or who are chronically truant.
- OK (2000): Requires all school districts in the state providing alternative education programs to expand the programs to include middle school grade students.
- VA (2000): Clarifies that regional pilot projects for alternative education are designed for elementary as well as middle and high school students; directs the Department of Education to issue a request for

¹ Editor's Note: The authors prepared the foundation paper, which was not presented at the 2005 conference. The foundation paper is published in the Proceedings of the 2005 conference at <http://hamfish.org/pub/conf2005/Kochhar-Bryant%20and%20Lacey%209504%20Paper.pdf>, or see Kochhar-Bryant, C. A. and Lacey, R. (2005, September). “Alternative Education as a Quality Choice for Youth: Preparing Educators for Effective Programs.” In D. L. White, M. K. Faber, and B. C. Glenn (Eds.), *Proceedings of Persistently Safe Schools 2005*, 110-127. Washington, DC: Hamilton Fish Institute, The George Washington University.

proposals for regional pilot projects for selected alternative education options for elementary school students.

- GA (2000): States that in-school suspension and alternative schools have been combined to create alternative programs. In-school suspension may be included as a type of alternative program. The Office of Educational Accountability determines what is an acceptable performance of alternative education programs.
- NC (yyyy): Implements the recommendation to provide an appropriate education for students on long-term suspension and to direct the state board of education to develop and recommend a funding formula for alternative learning programs and alternative schools.
- OH (2004): Requires that upon a child's discharge or release from the custody of the Department of Youth Services certain records pertaining to the child be released to the superintendent of the school district in which the child is entitled to attend school; specifies that a school district's policy on the assignment of students to alternative school may provide for the assignment of any child released from the custody of the department of Youth Services to such school.
- MD (2004): Establishes the Department of Juvenile Services Education; requires each facility established and operated by the Department of Juvenile Services to have an education center; provides that each child in the custody of the department receive appropriate educational services; establishes the Department of Juvenile Services Board of Education; provides for the appointment, terms, and removal of members of the Board of Education.
- TN (2004): Concerns General Assembly, Directed Studies; directs the Office of Education Accountability (with the assistance of the state board and state department) to study and evaluate the quality of curriculums and policies and procedures relative to punishment utilized by Tennessee alternative schools and present findings and recommendations to the education oversight committee.
- CO (2004): States that the performance of alternative schools that qualify is to be measured under a different set of accountability indicators. Schools that serve a population that is more than 95 percent "at risk" as defined by the law must demonstrate baseline levels of and measurable annual benchmarks on at least one measure of academic performance. These measures must be based upon progress of individual students or groups of students and include one or more other indicators; must measure nonacademic or behavioral improvement appropriate for the particular schools, including average daily attendance, student post-matriculation rates of enrollment, enlistment or employment, rates of stability or retention, reduced rates of suspension or other discipline, or attendance rates.
- LA (2003): States that have a mandatory minimum 24-month expulsion of any student age 16 or older, or mandatory minimum 12-month expulsion of student under age 16 in grades six through 12, who is found guilty of possession of, or knowledge of and intentional distribution of, or possession with intent to distribute any drug or controlled substance on school grounds does not apply if the student participates full time in a juvenile drug court program operated by a Louisiana court. States that the district may place the student in a state board-approved alternative education program for suspended and expelled students.
- MD (2003): Makes the juvenile justice alternative education pilot program a permanent, non-pilot program. Specifies that the juvenile justice alternative education program is for students who are suspended, expelled, identified as candidates for being suspended or expelled, or ordered to attend by the juvenile court as a condition of probation. Requires the Department of Education to oversee and the state board of education to organize and run the program. Establishes composition of juvenile justice

alternative education advisory board membership. Specifies that the state board must, with the advice of the advisory board, select a private agency to administer the program, and that the program may be operated in a facility owned and operated by a private party or a county board. Specifies that a student who is suspended or expelled or who is identified as a candidate for suspension or expulsion must attend the program starting the first day of the student's suspension or expulsion. Requires students to receive courses focusing on English/language arts, math, science and social studies. Requires every board to consider course credit earned in such a program as credit earned in a county school. Requires the county board to pay the juvenile justice alternative education program the basic current expenses per pupil for each student transferred to the program from the county's schools.

- CO (2002): Requires the state board to establish criteria and an application process for a school to be designated an alternative education campus. Mandates that such criteria and application process include specified components. Permits charter schools meeting criteria to be designated alternative education campuses. Mandates that Colorado Student Assessment Program (CSAP) results for all part-time students at an alternative education campus be included in the school's academic performance and academic improvement ratings. However, any school designated an alternative education campus is exempt from receiving an academic performance or improvement rating unless the state board approves receipt of such ratings.
- LA (2004): Lowers the age for when certain students may attend alternative education or vocational-technical education programs; provides relative to attendance of certain students in BESE-approved adult education programs.
- WV (2002): Defines terms; expands defined terms to include definitions for alternative education and the dangerous student; sale of narcotics and possession of deadly weapons and controlled substances on educational facility premises, and vehicles and at school-sponsored functions; assault and battery committed by a pupil; suspension and expulsion, and exceptions; hearing; notice and procedure of hearing; notification by regular mail; postponement of hearing; allowing county boards to determine whether a student is a dangerous student; allowing county boards to refuse to provide alternative education to dangerous students who have been expelled; reexamination of dangerous student status; reporting requirements; authority to request subpoena in certain circumstances; establishing guidelines for permitting a reduction in a mandatory 12-month suspension; removing provisions applying to students with disabilities and maintaining that application to students with disabilities must be consistent with federal law; and expanding and redefining deadly weapon as the phrase applies to schools.
- OK (2001): Alternative Approaches grants are to be targeted at school districts located in counties with a high number of dropouts for the school year preceding the year for which the grant is being sought, and a high number of referrals to the juvenile justice system, or to a nonprofit organization or entity formed by an interlocal cooperative agreement in those districts. To be eligible for a High Challenge grant, a program must meet research-based criteria set by the state department. The Alternative Approaches Technical Assistance Center is required to provide the department with research and recommendations on effective programming for high-challenge children; limits Alternative Approaches grants for alternative education to middle-grade level alternative schools provided by a school district and to secondary-grade level programs provided pursuant to a contract with a nonprofit organization.
Title: H.B. 1460
- NC (2001): Establishes a pilot program under which participating local school administrative units place all students who are on short-term out-of-school suspension into alternative learning programs.

Table 1. Spectrum of Alternative Education Settings

Program Model	Student Profile
School within a school; experimental and career focused schools	Broad range of academic abilities from gifted to academically challenged. Students choose to attend.
In-school suspension programs	Secondary school students who are suspended from school and recommended to attend.
Community day schools	Expelled, probation-referred, truancy. Students are recommended to attend.
Home-schooled students; contracted learning	Broad range of academic abilities from gifted to academically challenged and students with special needs. Guardian chooses to home school student.
Alternative career and academic programs	Students aged 16–21 who have dropped out of school and are returning for a GED, career, or technical training. Students who are pregnant or parenting.
Second chance programs	Older students up to 23 years of age who have not completed high school. Student chooses to attend.
GED Accelerated programs	For high school age students who have dropped out of school. Students attend school from 10 a.m. to 10 p.m. to complete their degree in half the normal time.
Inter-agency alternative schools; short-term therapeutic settings	Students who are unable to function successfully in mainstream education programs. Students may be disruptive, court-involved, substance abusers, or truants, or those put on long-term suspension. Students may also have social or emotional problems. Elementary, middle and high school students. Students are recommended to attend.
Juvenile correctional education schools	Students who are referred to Juvenile Court School by the courts. A majority of these students are male, high school students. Students attend as part of their correctional program.
Group homes and social service institutional schools	Students who have been neglected or abused who have been placed in shelters, or who are involved in emergency placement.

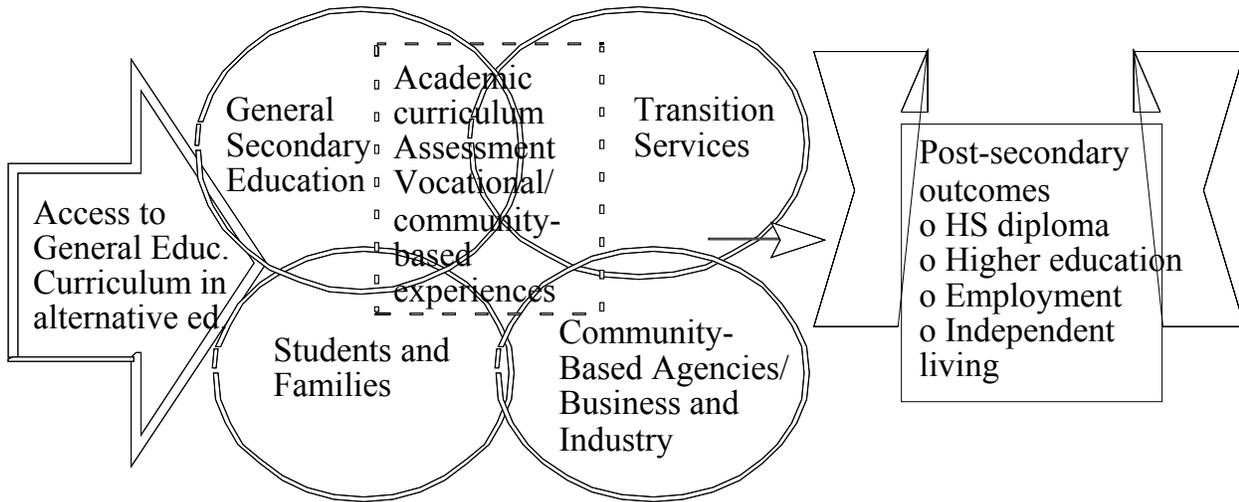
Table 2. Indicators of Success for Alternative Education

<ul style="list-style-type: none">• Improvement in three core areas of academic achievement: reading, mathematics, and English• Increased graduation rates or GED achievement• Increased enrollment in two- and four- year college or technical schools• Increased portion of the student population achieving districtwide honor roll status• Greater focus on academics and improved attitudes toward school• Graduation at levels that exceed the faculty’s expectations• Increase in average daily attendance• Progress toward personal goals• Successful return to home schools• Significant increase in self-esteem• Reduction of delinquent behavior• Earned permission to take lunch breaks outside the building and return to class on time• Earned permission to take textbooks home whereas in the past they could not remove textbooks from class• Earned permission to produce a yearbook and to have a senior prom• Benefits from regular staffing that help both teachers and students solve students’ problems that impeded their social and academic development• Improved parental involvement	<ul style="list-style-type: none">• Greater respect shown by students who are given more responsibility by the school staff• Student perceptions of high teacher commitment and involvement• Student reports of benefit from school policies that discourage avoidant behaviors• Student reports of benefits from counseling services, peer mediators, support groups for adolescent issues, and individual academic assistance and of a sense of belonging• Student reports of benefit from one-to-one interaction with teachers• Smaller number of students in the classrooms• Teacher expectations of the best from students• Acquisition of a marketable skill at graduation• Acquisition of required graduation credits• Improved social behavior• Student recognition that their actions, hard work, improved grades, graduation, and attitude will help them be viewed as successful• Significant increases in extrinsic motivation, persistence, home self-esteem, peer self-esteem, and school self-esteem• Increased productivity and engagement in the community after school.• Students’ expressed belief that they have benefited from the program and derived high levels of satisfaction with the program.
---	--

Table 3. Summary of evidence-based practices in selection, support, and assessment

Program Area	Evidence-Based Practices/Tools
Admittance	Haberman Interview Protocol
Clinical supervision and in-school support	Providing in-school mentors; Praxis III—Pathwise teacher assessment
Providing models of effective practice for AED	Psychoeducational teaching; life-centered crisis intervention; cognitive-behavioral interventions; positive behavioral supports
Collaborating with parents	Comer Model
Orchestrating success in secondary education and transition	Unit and lesson organizer; western Oregon work sampling; learning strategy instruction; student-led IEPs; interdisciplinary collaboration skills
Preparing for diversity	Observe-learn from culturally responsive role models; intermix coursework with multicultural competencies

Figure 1. Access to Regular Diploma and Transition Planning



This page is blank.