

EXECUTIVE SUMMARY

Title: Alternative Learning Program Waiver Requests

Type of Executive Summary:

- Consent
- Action
- Action on First Reading
- Discussion
- Information

Policy Implications:

- Constitution _____
- General Statute # 115C-47(32a), 115C-105.26(c1)
- SBE Policy #GCS-Q-001
- SBE Policy Amendment
- SBE Policy (New)
- APA # _____
- APA Amendment
- APA (New)
- Other _____

Presenter(s): Dr. Rebecca Garland (Chief Academic Officer/Associate State Superintendent, Academic Services and Instructional Support), Mrs. Charlotte Hughes (Director, Federal Program Monitoring and Support), and Dr. Kenneth Gattis (Senior Research and Evaluation Coordinator, Federal Program Monitoring and Support)

Description:

GS 115C-47(32a) requires each LEA to establish at least one alternative school or alternative learning program. The Department of Public Instruction has recently updated a state directory of alternative schools and programs (ALP), revised the ALP monitoring instrument, and created an ALP monitoring plan. The recent work on the directory revealed five LEAs without ALP programs. GS 115C-105.26(c1) allows LEAs to request a waiver of the requirement to operate at least one alternative learning program or alternative school. One of the five LEAs, Elkin City Schools, has an existing waiver. Four LEAs have submitted waiver requests.

Resources:

N/A

Input Process:

The Federal Program Monitoring and Support Division reviewed and summarized the waiver requests.

Stakeholders:

State Board of Education, General Assembly, Department of Public Instruction, and public schools

Timeline For Action:

The waiver requests are presented for Action on First Read.

Recommendations:

It is recommended that the waiver requests presented to the State Board of Education be approved.

Audiovisual equipment requested for the presentation:

- Data Projector/Video (Videotape/DVD and/or Computer Data, Internet, Presentations-PowerPoint preferred)
Specify: _____
- Audio Requirements (computer or other, except for PA system which is provided)
Specify: _____
- Document Camera (for transparencies or paper documents – white paper preferred)

Motion By: _____

Seconded By: _____

Vote: Yes _____ No _____

Abstain _____

Approved _____ Disapproved _____ Postponed _____ Revised _____

*Person responsible for SBE agenda materials and SBE policy updates: Sylvia Moore, 919-807-4009

**NORTH CAROLINA STATE BOARD OF EDUCATION
Policy Manual**

Policy Identification

Priority: High Student Performance

Category: Dropouts

Policy ID Number: GCS-Q-001

Policy Title: Policy regarding dropout prevention and students at-risk

Current Policy Date: 04/01/2004

Other Historical Information: Previous board dates: 06/06/1990, 08/07/1996, 08/06/1998, 01/13/1999. 01/13/2000

Statutory Reference: SB 43 (1989)

Administrative Procedures Act (APA) Reference Number and Category:

***** Begin Policy *** (Do not tamper with this line)**

The 1985 General Assembly established the state dropout prevention fund as a part of the Basic Education Program. The intent of the General Assembly is to increase the number and range of services to at-risk students. It is the policy of the State Board of Education that dropout prevention and students at risk services be a part of the educational program of every local education agency (LEA). The Board has established the goal of reducing the dropout rate in North Carolina. To facilitate the accomplishment of this goal, the State Board of Education has adopted a performance indicator in guidelines for implementation of the School Improvement and Accountability Act and a standard in state accreditation which requires all local education agencies to set a goal for the reduction of their dropout rates.

I. DEFINITIONS

- A. Dropout - Any student who leaves school for any reason before graduation or completion of a program of studies without transferring to another elementary or secondary school.
- B. Student at risk - A student at risk is a young person who because of a wide range of individual, personal, financial, familial, social, behavioral or academic circumstances may experience school failure or other unwanted outcomes unless interventions occur to reduce the risk factors. Circumstances which often place students at risk may include, but are not limited to: not meeting state/local proficiency standards, grade retention; unidentified or inadequately addressed learning needs, alienation from school life; unchallenging curricula and/or instruction, tardiness and or poor school attendance; negative peer influence; unmanageable behavior; substance abuse and other health risk behaviors, abuse and neglect; inadequate parental/family and/or school support; and limited English proficiency.

- C. Alternative Learning Programs – Alternative Learning Programs are defined as services for students at risk of truancy, academic failure, behavior problems, and/or dropping out of school. These services should be designed to better meet the needs of students who have not been successful in the regular public school setting. Alternative learning programs serve students at any level who
- are suspended and/or expelled,
 - are at risk of participation in juvenile crime,
 - have dropped out and desire to return to school,
 - have a history of truancy,
 - are returning from juvenile justice settings or psychiatric hospitals, or
 - have learning styles that are better served in an alternative setting.

Alternative learning programs provide individualized programs outside of a standard classroom setting in a caring atmosphere in which students learn the skills necessary to redirect their lives.

An alternative learning program must

- provide the primary instruction for selected at-risk students
- enroll students for a designated period of time, usually a minimum of one academic grading period,
- offer course credit or grade-level promotion credit in core academic areas and
- provide transition support to and from/between the school of origin and alternative learning program.

Alternative learning programs may also

- address behavioral or emotional problems that interfere with adjustment to or benefiting from the regular education classroom,
- provide smaller classes and/or student/teacher ratios,
- provide instruction beyond regular school hours,
- provide flexible scheduling, and/or
- assist students in meeting graduation requirements other than course credits.

Alternative learning programs for at-risk students typically serve students in an alternative school or alternative program within the regular school.

- D. Alternative School - An Alternative School is one option for an alternative learning program. It serves at-risk students and has an organizational designation based on the DPI assignment of an official school code. An alternative school is different from a regular public school and provides choices of routes to completion of school. For the majority of students, the goal is to return to the regular public school. Alternative schools may vary from other schools in such areas as teaching methods, hours, curriculum, or sites, and they are intended to meet particular learning needs.

II. ADMINISTRATIVE GUIDELINES

- A. Funds may be used to support programs and services to at-risk students in all grades, pre-kindergarten through grade twelve.
- B. Each school system and school shall develop and maintain identifiable and targeted dropout prevention and students at risk program to meet the needs of students at risk of school failure. The program shall be goal oriented and shall include specific strategies to improve student achievement and keep students in school. Plans shall be maintained at the LEA and be available for review by Department of Public Instruction staff. Individual schools with dropout rates above the annual state average and/or those that have not steadily reduced their dropout rates annually shall develop a dropout prevention plan based on best practices and shall incorporate these strategies into their School Improvement Plan.
- C. LEAs are encouraged to develop a personal education plan for each identified student at risk.
- D. Funds may be used to employ full-time or part-time personnel.
- E. Funds may be used to compensate substitute teachers.
- F. All personnel must hold State Board of Education certification appropriate for the teaching or student services position held. Personnel in in-school suspension programs may in some instances be non-certified, as determined by program needs on a case-by-case basis. However, in instances where these personnel are not certified, they should minimally have the same training as required for teacher assistants. In-school suspension programs should include both an instructional focus and behavior modification strategies.
- G. Funds may be used for administrative costs to support the salary, travel, and supplies of a full- or part-time coordinator (supervisor or director).
- H. Funds may be used for instructional materials, supplies, travel, and equipment for dropout prevention and students at risk staff and programs.
- I. All work of staff employed through dropout prevention funds must directly benefit students at risk of dropping out. Dropout prevention and students at risk staff may, however, share proportionately in routine duties carried out by all staff of a school.
- J. State dropout prevention and students at risk funds may not supplant dropout prevention programs funded from other state and federal sources (except Job Training Partnership Act funds).
- K. All Average Daily Membership positions that are generated by dropout prevention programs, such as extended school day and alternative schools, should remain within those programs to provide additional services to at-risk youths.

- L. Funds may be used for dropout prevention programs throughout the twelve months of the fiscal year but may not be carried forward to the next fiscal year.
- M. Each LEA shall submit data requested by the Department of Public Instruction.

III. PROGRAM GUIDELINES

Each LEA is expected to implement the following guidelines for dropout prevention. The program's impact can be evaluated by the indicators listed.

- A. Reduce the dropout rate of the school system.
Indicator:
 - 1. A decrease in the number of dropouts as set forth in the Lea's accountability plan.
- B. Provide an alternative to out-of-school suspension by creating a learning and therapeutic environment within the school for students with problems which would normally lead to out-of-school suspension.
Indicator:
 - 1. A reduction in the number of out-of-school suspensions from the previous school year.
 - 2. A reduction in the number of in-school suspensions from the previous school year.
- C. Develop and adopt by the local board of education a system-wide discipline policy incorporating a continuum of approaches to be used in addressing behavior problems.
Indicator:
 - 1. A reduction in the number of incidents and referrals to the principal's office for behavior problems from the previous school year.
 - 2. Completed copy of the adopted discipline policy.
- D. Implement a system, using teachers, counselors, or other appropriate personnel, for early identification of at-risk students, grades K-12, with an emphasis on the early grades, K-3.
Indicator:
 - 1. Development and adoption of a system for the identification of at-risk students, kindergarten through grade twelve.
 - 2. Development and maintenance of a profile of each at-risk student. The profile should include grades, truancy (attendance record), number of retentions, and discipline problems.
- E. Develop and enhance programs and services to identify, assess, and resolve difficulties which may interfere with a student's attendance.
Indicator:
 - 1. A reduction in unlawful absences from the previous school year.

- F. Establish linkages with community agencies for program support and coordination.

Indicator:

1. Development and adoption of written cooperative agreements with at least two community agencies serving at-risk students.
2. Collection of data on the number of referrals of individual students to community agencies (results to be submitted to state agency).

IV. PROGRAM OPTIONS

A wide range of programs for dropout prevention and students at risk is needed within every school system and community to complement the quality educational programs available to all students. Listed below are the types of programs which may be funded through state dropout prevention and students at risk funds. Within these general options, the specific programs to be implemented will be determined by each local school system based on an assessment of needs and local priorities. Local programs may include components of one or more of these options, but every school system is encouraged to develop programs which can most effectively meet local needs.

- A. **Early Identification and Intervention Programs:**
Early identification and intervention programs seek to recognize students who may face problems and prevent or ameliorate those problems before they become severe.
- B. **Counseling for At-Risk Students:**
Counseling for at-risk students focuses the skills of counselors on preventing and alleviating the problems facing students which can lead to dropping out. Counselors identify at-risk students and follow up to assure that needed services are provided.
- C. **Behavior Improvement Programs:**
Behavior improvement programs seek to improve discipline in the schools through a variety of approaches, with the ultimate goal of greater self-discipline. The emphasis is on increasing the ability of teachers to handle discipline within their own classrooms. In-school suspension programs are one alternative for students whose behavior is extremely disruptive and could result in suspension or expulsion. The programs focus on reduction of disruptive behavior and provide classroom instruction as well as counseling in a therapeutic setting.
- D. **Academic Enhancement Programs:**
Academic enhancement programs are designed to accelerate the learning of students who are falling behind their peers in academic achievement. Through remediation, accelerated learning, continuous progress learning, and other enhancements, the goal is to increase achievement while keeping these at-risk students a part of the overall educational program in the schools.

- E. **Work-Related Programs:**
Work-related programs identify potential dropouts and offer counseling, remediation, career guidance, and job preparation services designed to meet their individual needs. These services are intended to assist at-risk students in moving from school to the work environment and to provide them with skills necessary to compete in today's society.

- F. **Services for At-Risk Students:**
Services for at-risk students are designed to meet particular local needs and priorities. The basic requirement of each service is that its primary goal is to encourage achievement and keep students in school. Among the types of services that may be funded are attendance improvement programs and other programs that serve groups of at-risk students, such as the handicapped, juvenile and youthful offenders, substance abusers, pregnant students, or adolescent parents, such as school social work, school psychology services, or school nursing, to at-risk students. Services such as after-school care and enrichment, public/private partnerships, mentoring, support clubs, summer activities, peer helpers, outdoor experiences, student advocacy, and parental involvement are encouraged (to the extent that they may be funded under other guidelines set forth herein).

V. APPLICATION TO CHARTER SCHOOLS

A charter school may apply to the State Board of Education for designation as an alternative school if it designates in the charter that the school will serve as an alternative school as defined in Section I-C of this policy.

Charter Schools designated as alternative schools are subject to application procedures and on-site monitoring by the Charter Schools office and/or the Division of Accountability Services as specified by the State Board of Education.

In all respects, programs will be consistent with Chapter 147, Article 3C of the General Statutes (Senate Bill 1260).

115C-105.26. Waivers of State laws, rules, or policies.

(a) When included as part of a school improvement plan accepted under G.S. 115C-105.27, local boards of education shall submit requests for waivers of State laws, rules, or policies to the State Board of Education. A request for a waiver shall (i) identify the school making the request, (ii) identify the State laws, rules, or policies that inhibit the school's ability to improve student performance, (iii) set out with specificity the circumstances under which the waiver may be used, and (iv) explain how the requested waiver will permit the school to improve student performance. Except as provided in subsection (c) of this section, the State Board shall grant waivers only for the specific schools for which they are requested and shall be used only under the specific circumstances for which they are requested.

(b) When requested as part of a school improvement plan, the State Board of Education may grant waivers of:

(1) State laws pertaining to class size and teacher certification; and

(2) State rules and policies, except those pertaining to public school State salary schedules and employee benefits for school employees, the instructional program that must be offered under the Basic Education Program, the system of employment for public school teachers and administrators set out in G.S. 115C-287.1 and G.S. 115C-325, health and safety codes, compulsory attendance, the minimum lengths of the school day and year, and the Uniform Education Reporting System.

(c) The State Board also may grant requests received from local boards for waivers of State laws, rules, or policies that affect the organization, duties, and assignment of central office staff only. However, none of the duties to be performed under G.S. 115C-436 may be waived.

(c1) The State Board also may grant requests received from local boards for waivers of State laws, rules, or policies that require that each local school administrative unit provide at least one alternative school or at least one alternative learning program.

(d) Notwithstanding subsections (b) and (c) of this section, the State Board shall not grant waivers of G.S. 115C-12(16)b. regarding the placement of State-allotted office support personnel, teacher assistants, and custodial personnel on the salary schedule adopted by the State Board.

**LEA Requests for Waivers
Requirement to Run Alternative School/ Alternative Learning Program**

Waivers may be granted by the State Board of Education in accordance with NC General Statute 115C-105.26(c1). DPI recommends that each of the following waiver requests be granted.

<u>LEA</u>	<u>Reasons for Requesting Waiver</u>
Catawba County	Alternative school needs are served by the Core Academy, an ALP at Hickory Career & Arts Magnet High School, operated by Hickory City Schools. Catawba County provides 60% of the funding for this school.
Newton Conover	Newton Conover has partnerships with Catawba County Schools and Hickory City Schools in the areas of alternative education, transportation, community schools, schooling for disabled students, and mental health day treatment. Like Catawba County, alternative school needs for Newton Conover are met by the Core Academy operated by Hickory City Schools.
Jones County	Jones County reconfigured its ALP from a “stand alone” program serving a small number of students to a direct instructional program serving at-risk students in middle school and high school. The following programs support at-risk students: <ul style="list-style-type: none"> - AVID at the middle and high school levels - Student and parent interviews and counseling - Tutoring/mentoring/individualized instruction programs. - Response to Intervention (RtI) and PBIS programs, K-12.
Tyrrell County	<ul style="list-style-type: none"> - Small size allows keeping all students in general education classes. - After school tutoring is available for all grades. - Utilizes Positive Behavioral Intervention & Support (PBIS). - Operates middle school transition classroom to support struggling students.

Mr. Glenn Barger
Interim Superintendent

Pat Hensley
Asst. Superintendent - Human Resources
Steven Demiter
Asst. Superintendent - Operations
Beth Isenhour
Asst. Superintendent - Curriculum & Instruction



10 East 25th Street
PO Box 1010
Newton, NC 28658
828-464-8333

November 2, 2010

Dr. Ken Gattis, Coordinator
Support Services Section
6350 Mail Service Center
NC Department of Public Instruction
Raleigh, NC 27699-6350

Dear Dr. Gattis:

Please be advised that Catawba County Schools, LEA 180, has been in partnership with Hickory Public Schools and Newton-Conover City Schools to provide an Alternative Learning School since the late 1970s. While Hickory Public Schools is the fiscal agent for the Core Academy, formerly known as Catawba Valley High School, Catawba County Schools provides sixty percent (60%) of the funding stream.

Therefore, Catawba County Schools is requesting a waiver to the requirement of each local school administrative unit providing an alternative school as outlined in General Statute 115C-105.26(c1).

Thank you for your anticipated assistance in this matter. Please contact the undersigned if you have further questions.

Sincerely,

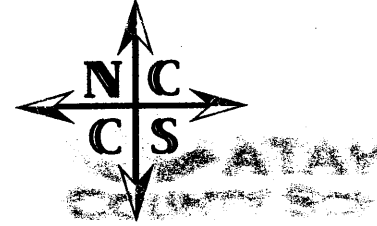
Mr. Glenn E. Barger
Superintendent



Newton Conover City Schools

"Absolute Excellence by 2012"
Local Efforts Global Results
"Whatever It Takes"

Dr. Barry Redmond, Superintendent



October 25, 2010

Dr. Ken Gattis, Coordinator
Support Services Section
6350 Mail Service Center
NC Department of Public Instruction
Raleigh, NC 27699-6350

Dear Dr. Gattis,

For the past thirty years or longer, the Newton Conover City Schools have partnered with the Catawba County Schools and the Hickory Public Schools to operate shared programs in the following areas:

Transportation	Oversight by Catawba County Schools
Alternative Placement School	Oversight by Hickory Public Schools
Community Schools (Before and after school care and summer day camp)	Oversight by Newton Conover City Schools
Conover School (Separate public school for disabled and low functioning students)	Oversight by Newton Conover City Schools
Assisting Children Together (Mental health day treatment center for K-5)	Oversight by Newton Conover City Schools

As the law requires each system to have an alternative placement school for disruptive students, please know that we meet that requirement via our partnership and involvement with the Hickory Public Schools. Their program known as Catawba Valley High School in the past, has undergone a re-visioning this summer and is now known as a dual program, Hickory Career and Arts Magnet and the CORE academy which is the alternative school portion.

I hope this answers any questions or concerns regarding our ability to effectively manage our students requiring alternative placement. Our partnership has always allowed us to take care of such needs. I appreciate your guidance and support in all of our endeavors.

Sincerely,

Dr. Barry Redmond
Superintendent

605 N Ashe Avenue · Newton, NC 28658

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Jones County Public Schools

Michael T. Bracy, Superintendent
Telephone: 252-448-2531 – Fax: 252-448-1394

October 29, 2010

Dr. Kenneth Gattis, Coordinator
Support Services Section
North Carolina Department of Public Instruction
6350 Mail Service Center
Raleigh, North Carolina 27699-6350

Dear Dr. Gattis;

Jones County Public Schools is requesting a waiver of State statute 115C-105.26(c1), *Waivers of State Laws, Rules, or Policies* requiring that each local school administrative unit provide at least one alternative school or at least one alternative learning program. Beginning school year 2010-2011, Jones County Public Schools reconfigured its Alternative Learning Program (ALP) from a separate “stand alone” program serving a minimal number of students to a direct instructional program serving our identified at-risk students (e.g., academic failure, drop out) on the middle and high school level.

Through our program a student’s grades, attendance and/or suspensions are monitored periodically throughout each grading period with special emphasis at the 4.5 week period and most especially during the first nine weeks grading period. On a weekly basis, teachers will turn into administration (or designee) the attendance of all students identified as at-risk of academic failure and dropping out and served through our at-risk program. Administration will evaluate data to determine patterns of behaviors (academic, behavioral, or both) that reflect as identified “red flags” for that student, (e.g., days absent, a pattern of behavior that leads to suspension, difficulty in a specific subject area/teacher, academic/behavioral strengths, etc.). If/when a “red flag” has been determined administration will consult with the student to determine why the pattern(s) have been established, the possible reason(s) for established patterns and the development of strategies for improved school/classroom attendance, grades and the reduction of suspensions. Administration will communicate with the student’s classroom teacher(s), parent/guardian, and the RtI/PBIS team the reason(s) expressed by the student as to why attendance has been poor along with established strategies for improved attendance and academic performance.

The following proven best practice methodologies have been established to address our ALP and at-risk student population:

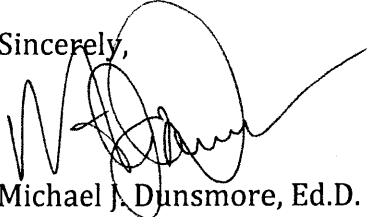
1. AVID at the middle and high school. Through the AVID program, the students involved have demonstrated an increase in their academic performance in mathematics, the sciences, history, civics and economics. At the conclusion of a two year study, it was found that AVID students performed at a 1.5% to 12.7% higher rate than non-AVID students. Over the past two years, 27 students have dropped out of high school none of them were AVID students.

2. Student and parent interview/counseling with school and district level administration of at-risk students of dropping out. Jones County Public Schools administration (district and school level) has adopted the practice of interviewing potential at-risk students and their parents. Through this practice, administration has determined specific needs and strengths in our school programs along with the opportunity to develop strategies that not only benefit the individual student but the school system as a whole.
3. Tutorial/mentoring/individualized instructional programs and the establishment of a "5th Period" with an emphasis on rising ninth graders and all students who require additional academic assistance. Jones County Public Schools offers tutorial, mentoring and individualized instruction programs throughout the school year and into the summer months. As our data study has shown, 54 of our current and immediate past ninth graders have been retained at least once. Through the offering of early intervention techniques and additional tutoring, the assignment of a student/staff mentor and individualized instructional programs (e.g., PEP), our students will have a more firm foundation early on in their high school academic career.
4. Early literacy development. Our LEA has been selected by NC DPIs Exceptional Children Division as a State Personnel Development Grant (SIP III) reading site. Through additional funds provided through this grant, the Exceptional Children Department has provided training to K-12 teachers (general and special education) in proven reading instructional methodologies (e.g., Reading Foundations) and through the implementation of the Language! reading program. Staff members have also been trained in the Dibels program, a diagnostic tool in the early detection of reading difficulties. Professional development in the area of math instruction has been provided through Math Foundations for K-12 general and special education teachers. Jones County Public Schools has submitted a SIP III grant proposal to assist the LEA address identified math needs.
5. School-community collaborations/service learning with areas businesses, along with faith-based and civic organizations. Jones County Public Schools and its community members play a vital role in the educational, social and emotional benefit of all students. Area businesses (e.g., North Carolina State Employees Credit Union, Lenoir Community College, etc.) provide tutorial services in academic areas of need along with the offerings of a "virtual high school" within our school environment. Local faith-based and civic organizations in addition to parent volunteer groups provide nutritional offerings through our "Blessing in a Backpack" program and through the offering of a stable adult figure in a student's life.
6. The Response to Intervention (RtI) and the Positive Behavior Intervention Support (PBIS) initiatives K-12.
7. A departmental reform of the Career and Technical Education program. Jones County Public Schools has recognized that not all students are destined to attend a four year college or university.
8. Educational technology. Our students benefit from technology through an interactive approach to instruction that reaches beyond the home and school. All teachers have been trained and are implementing instructional technology such as Smart Boards or Table use, Wikis, and screen casts.

to assure that we continue to meet their needs and provide them the best opportunity for success.

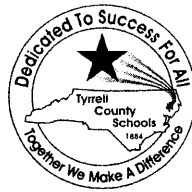
Thank you for your assistance and support in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael J. Dunsmore', written over the word 'Sincerely,'.

Michael J. Dunsmore, Ed.D.
Superintendent

Superintendent
Dr. Michael Dunsmore



Board of Education
Robin Dunbar, *Chairman*
Beverly Swain, *Vice-Chairman*
Lloyd Armstrong
Vi Crowder
Janie Spencer

Assistant Superintendent
Pearl J. Sutton

Tyrrell County Public Schools

P.O. Box 328 - Columbia, N.C. 27925

November 11, 2010

Dr. Ken Gattis, Coordinator
Support Services Section
6350 Mail Service Center
NC Department of Public Instruction
Raleigh, NC 27699-6350

Dear Dr. Gattis,

Tyrrell County Schools is requesting a waiver of State Statute 115C-105.26(c), *Waivers of State Laws, Rules, or Policies* requiring that each local school administrative unit provide at least one alternative school or at least one alternative learning program.

Due to our small size we do not have the numbers to operate an alternative learning program. Our size also allows us to keep all of our students in the general education classes, providing additional support where needed. We utilize support classes and a PBIS program to assure that students are receiving the needed support and supervision needed to be successful.

We also offer an extensive after school program for additional support and tutoring. After school support is available for all grades. Also, our middle school operates a transition classroom designed for students that would be alternative education. This classroom is run as a support class in the middle school so students can maintain their general education classes. The teacher provides support to the students and general education teachers. The goal of this class is to assist students that are struggling and/or falling behind to address the issues and needs to get them back 'on track'.

At present Tyrrell County Schools feel our present model best addresses the needs of our students and assures that they maintain a presence in the general education curriculum. We are closely monitoring our students academically and behaviorally