

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 180

Short Title: Alternative Learning Programs.

(Public)

Sponsors: Representatives Black, Preston; Warner, Cunningham, and Robinson.

Referred to: Education.

February 15, 1995

A BILL TO BE ENTITLED

**AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE ALTERNATIVE
SCHOOLS COMMITTEE OF THE LEGISLATIVE RESEARCH COMMISSION.**

Whereas, the Alternative Schools Committee of the Legislative Research Commission of the 1993 General Assembly has studied the issue of alternative schools and has reported to the Legislative Research Commission that it supports earmarking funds to continue or create alternative learning programs in all school systems; and

Whereas, the Alternative Schools Committee of the Legislative Research Commission of the 1993 General Assembly suggested that these programs should serve at-risk students at all levels; have a well-defined mission; use multiple strategies including serving children in the standard classroom and in separate facilities and programs; have strong community involvement; have high expectations for staff and students; and have a strong program evaluation component; and

Whereas, the 1994 Extra Session of the General Assembly created and funded the Intervention/Prevention Grant Program to target at-risk students in areas where there is a high incidence of juvenile crime; and

Whereas, the Intervention/Prevention Grant Program allows counties to apply to use funds under the Program to create alternative learning programs but does not especially earmark funds for alternative learning programs only; Now, therefore,

The General Assembly of North Carolina enacts:

- 1 Section 1. G.S. 115C-238.41(c) reads as rewritten:
2 "(c) The application shall include the following information:
- 3 (1) Data on the incidence of juvenile crime in the geographical area to be
4 served by the grant. Sources of data may include the chief juvenile
5 court counselor in the judicial district, the clerk of superior court, and
6 local law enforcement officials.
 - 7 (2) An assessment of local resources from all sources for, and local
8 deficiencies with regard to, responding to the needs of children who live
9 in conditions that place them at risk of school failure. This assessment
10 shall be prepared by the local task force.
 - 11 (3) A detailed plan for removing barriers to success in school that exist for
12 these children and for minimizing disruptive and violent behavior
13 among all students. This plan shall include proposed goals and
14 anticipated outcomes, prepared after consultation with the task force.
15 This plan shall provide for the establishment or expansion of programs
16 that have components based on one or more of the following models or
17 other collaborative models:
 - 18 a. School-based Resource Center Model. – A School-based
19 Resource Center is a school-based center that coordinates the
20 delivery of comprehensive and integrated services in or near a
21 school to children from kindergarten through the eighth grade
22 and their families. Services are provided through broad-based
23 collaboration among governmental and nongovernmental
24 agencies and persons reflective of the racial and socioeconomic
25 diversity in a community. Services are designed to (i) prepare
26 children to attain academic and social success, (ii) enhance the
27 ability of families to become advocates for and supporters of
28 education for the children in their families, (iii) provide parenting
29 classes to the parents of children who are at risk of school failure,
30 and (iv) otherwise enhance the ability of families to function as
31 nurturing and effective family units.
 - 32 b. After School Program Model. – An After School Program is a
33 program that provides high quality educationally appropriate and
34 recreational activities to students after the regular school day.
35 The program may be targeted toward providing academic support
36 for students who perform significantly below their age-level
37 peers or for students with learning disabilities. Local boards of
38 education may permit teachers to adjust their work schedules so
39 they can work in the program.
 - 40 c. Cities in Schools Program Model. – A Cities in Schools Program
41 is a community partnership among public agencies, private
42 nonprofit agencies, volunteer organizations, and local businesses
43 that delivers services to students who are at risk of dropping out

1 of school or who display discipline problems. Services offered
2 are based on an assessment of local needs and resources.

- 3 d. Alternative Learning Program Model. – An Alternative Learning
4 Program is a program that ~~provides~~ may be designed: (i) to serve
5 students at any level; (ii) for suspended or expelled students; (iii)
6 for students whose learning styles are better served in an
7 alternative program; (iv) to use multiple strategies including
8 serving students in the standard classroom, or by providing
9 individualized programs outside of a standard classroom setting
10 in a caring atmosphere in which students learn the skills
11 necessary to redirect their lives and return to a standard
12 classroom setting. The

13 A program should maintain State standards and may include
14 smaller classes and lower student/teacher ratios, school-to-work
15 transition activities, modification of curriculum and instruction to
16 meet individual needs, flexible scheduling, and necessary
17 academic, vocational, and support services for students and their
18 families. Services may also include appropriate measures to
19 correct disruptive behavior, teach responsibility, good
20 citizenship, and respect for rules and authority.

21 An alternative learning program should have a well-defined
22 mission and high expectations for staff and students. The goals of
23 the program should target ~~The goals of the alternative school~~
24 ~~programs should be to (i) reduce the school dropout rate~~ reducing
25 school dropout rates through improved student attendance,
26 behavior, and educational achievement; —achievement.
27 nappropriate, programs should increase successful school-to-
28 work transitions for students through educationally linked job
29 internships, mentored job shadowing experiences, and the
30 development of personalized education and career plans for
31 participating students.

- 32 e. Safe Schools Program Model. – A Safe Schools Program is a
33 locally designed program for making schools safe for students
34 and school employees. The program may involve peer mediation
35 and conflict resolution activities.

- 36 (4) A statement of whether and to what extent the local board of education
37 intends to contract with local, private, nonprofit 501(c)(3) corporations
38 to staff, operate, or otherwise provide services for one or more elements
39 of the plan. Local boards are encouraged to contract for services, when
40 appropriate.

- 41 (5) A statement of (i) how the grant funds would be used to address these
42 local problems, (ii) what other resources, including Safe Schools Grants,
43 Chapter 1 funds, Chapter 2 block grant funds, dropout prevention funds,

1 Basic Education Program funds, remediation funds, small school system
2 supplemental funds, and low-wealth counties supplemental funds,
3 would be used to address the problems, and (iii) how all available
4 community resources and the components of the proposed plan would
5 be coordinated to enhance the effectiveness of existing services and of
6 services proposed in the plan.

7 (6) A statement of how the proposed plan would assist a local school
8 administrative unit in implementing the local school improvement plan.

9 (7) A process for assessing on an annual basis the success of the local plan
10 in addressing problems.

11 (8) A process for placement and referral of students into alternative learning
12 programs: If the proposal would create an alternative learning program
13 which could include involuntary placement of students or placement in
14 connection with suspension or expulsion, the proposal shall include a
15 placement and referral process based on a model developed by the State
16 Board of Education to be used by the alternative learning programs."

17 Sec. 2. G.S. 115C-238.47 reads as rewritten:

18 **"§ 115C-238.47. Program evaluation; reporting requirements.**

19 (a) The Department of Public Instruction shall develop and implement an
20 evaluation system, under the direction of the State Board of Education, that will assess
21 the efficiency and effectiveness of the Intervention/Prevention Grant Program. The
22 Department shall design this system to:

23 (1) Provide information to local program administrators and teachers, the
24 Department and to the General Assembly on how to improve and refine
25 the programs;

26 (2) Enable local program administrators and teachers, the Department and
27 the General Assembly to assess the overall quality, efficiency, and
28 impact of the existing programs;

29 (3) Enable the Department and the General Assembly to determine whether
30 to modify the Intervention/Prevention Grant Program; and

31 (4) Provide a detailed fiscal analysis of how State funds for these programs
32 were used.

33 (b) The State Board of Education shall report to the General Assembly and the
34 Joint Legislative Education Oversight Committee by May 15, 1994, on its progress in
35 developing the evaluation system and in developing and implementing the program. It
36 shall report prior to February 1, 1995, on the evaluation system developed by the
37 Department and on program implementation. The State Board of Education shall present
38 an annual report on October 1, 1995, and annually thereafter to the General Assembly
39 and to the Joint Legislative Education Oversight Committee on (i) the implementation of
40 the program, (ii) the results of the program evaluation, (iii) how the funds appropriated by
41 the General Assembly for the program are being used, (iv) additional funds required to
42 implement the program, ~~and~~ (v) any necessary modifications to the ~~program~~ program, and
43 (vi) comments received from local program administrators, and particularly alternative

1 learning program administrators and educators concerning the evaluation system and the
2 program generally.

3 Prior to the annual report on October 1, 1995, and annually thereafter the Board shall
4 provide an opportunity for local program administrators, and particularly alternative
5 learning program administrators and educators to comment on the evaluation system.
6 The comments of the local program administrators, and particularly the alternative
7 learning program administrators and educators shall be considered by the Board in any
8 proposed modification to the system."

9 Sec. 3. Article 16 of Chapter 115C of the General Statutes is amended by
10 adding a new Part to read:

11 **"PART 9. ALTERNATIVE LEARNING PROGRAMS.**

12 **"§ 115C-238.50. Definition and evaluation.**

13 (a) An alternative learning program is a program defined in G.S. 115C-
14 238.41(c)(3)d. Beginning with the 1995-96 school year, alternative learning programs in
15 the public schools, whether funded with local, State or federal monies, whether
16 administered under Part 8 of Article 16 of Chapter 115C of the General Statutes or some
17 other program, shall be evaluated using the method for evaluation of alternative learning
18 programs designed under G.S. 115C-238.47.

19 (b) Beginning with the 1995-96 school year, the Department of Public Instruction
20 shall collect baseline data initially and on an annual basis that will be used to evaluate the
21 success of alternative learning programs over a five-year period. The baseline data shall
22 include student attendance rates, dropout rates, student test scores, incidences of
23 disruptive behavior in schools, incidences of juvenile crime, and the rate of successful
24 transition from school to school and to employment or college.

25 **"§ 115C-238.51. Alternative educators assistance.**

26 The Department of Public Instruction shall coordinate the efforts of its specialists,
27 and, to the extent possible, specialists in other private and public agencies, in the areas of
28 dropout prevention, drug abuse prevention, in-school suspension, and children with
29 special needs so it can provide coordinated assistance to the alternative learning programs
30 in local school administrative units.

31 **"§ 115C-238.52. Placement and referral of students into alternative learning**
32 **programs.**

33 If an alternative learning program, as that term is defined under G.S. 115C-
34 238.41(c)(3)d., whether funded with local, State, or federal monies, whether administered
35 under Part 8 of Article 16 of Chapter 115C of the General Statutes or some other
36 program, could include involuntary placement of students or placement in connection
37 with suspension or expulsion, the program shall include a placement and referral process
38 based on a model developed by the State Board of Education."

39 Sec. 4. The Superintendent of Public Instruction shall convene an Alternative
40 Educators Planning Group of up to 15 outstanding practicing alternative school educators
41 so that they may define the needs for technical assistance and training for alternative
42 school educators and determine how to best meet those needs. The educators shall
43 represent the geographic, racial, and gender diversity of the State and shall include

1 administrators, teachers, and counselors. The Superintendent shall solicit the
2 recommendations of alternative school educators to determine the membership of the
3 group. The educators shall elect a chairperson from among the group and shall determine
4 a meeting schedule to suit their needs. The Superintendent shall provide meeting space
5 and clerical assistance. The Planning Group shall report the plan for service to the State
6 Board of Education and the Joint Legislative Education Oversight Committee no later
7 than February 1, 1996, at which time the Planning Group shall terminate, though nothing
8 in this act shall prevent the group from continuing to meet on a voluntary basis.
9 Members of the Alternative Educators Planning Group shall receive per diem,
10 subsistence, and travel allowances in accordance with G.S. 120-138-5 or G.S. 138-6, as
11 appropriate.

12 Sec. 5. The State Board of Education shall study the issue of referral and
13 placement of students into alternative learning programs and shall develop model
14 procedures for the referral and placement of students into alternative learning programs.
15 In accordance with G.S. 115C-238.52, these model procedures may be used by local
16 school administrative units. In developing these procedures, the Board shall consider that
17 students may be recommended for referral to these programs in a number of ways
18 including administrator, teacher, parent, and self-referral; that participation may be
19 voluntary or mandatory depending on the type of student and program; and any due
20 process requirements which may apply. In developing these guidelines, the Board shall
21 consult with the Alternative Educators Planning Group created in Section 3 of this act
22 and solicit comments from other alternative school educators in the State; and may
23 consult with representatives of the North Carolina School Boards Association, and
24 professional education organizations. The Board shall develop the model procedures and
25 shall disseminate them to local school boards and alternative learning programs no later
26 than February 1, 1996.

27 Sec. 6. There is appropriated from the General Fund to State Aid for Local
28 School Administrative Units the sum of eight million dollars (\$8,000,000) to be used for
29 each year of the 1995-97 fiscal biennium to implement only alternative learning programs
30 under the Intervention/Prevention Grant Program, Part 8 of Article 16 of Chapter 115C of
31 the General Statutes, as amended by this act. Of the funds appropriated in this section, up
32 to two hundred thousand dollars (\$200,000) may be used by the Department of Public
33 Instruction to implement this act including the evaluation of alternative learning
34 programs.

35 Sec. 7. In awarding grants for alternative learning programs under this act, the
36 State Board of Education shall give first consideration to high quality applications for
37 alternative learning programs not selected for funding previously under the
38 Intervention/Prevention Grant Program because the area to be served by the applicant
39 presented a lower incidence of juvenile crime than other applications. New applications
40 for high quality alternative learning programs serving areas with varying incidences of
41 juvenile crime may also be selected for funding under this act.

42 Sec. 8. This act becomes effective July 1, 1995.