A. PURPOSES

The board is committed to the goal of providing a safe and orderly learning environment in each school. The educational program and the student behavior management plan developed at each school, in addition to numerous other strategies identified in board policy are intended to create such an environment and to help each student be a successful and contributing member of the school community.

Alternative learning programs or schools are provided as an option for those instances in which a student's behavior management or academic performance needs cannot be met in a regular education setting. The purposes of an alternative program are (1) to intervene and address problems that prevent a student from achieving success in the regular educational setting; (2) to reduce the risk that a student will drop out of school by providing resources to help the student resolve issues affecting his or her performance at school; (3) to return a student, if and when it is practicable to the regular educational setting with the skills necessary to succeed in that environment; and (4) to preserve a safe and, orderly learning environment in the regular educational setting.

B. ALTERNATIVE LEARNING PROGRAMS/SCHOOLS

Alternative learning program and schools should serve the purposes described above. Such alternative education programs are expected to meet all board policy and state requirements. In addition, alternative education programs and support services should be designed to the students' transition back to the regular educational setting when appropriate.

All school personnel at alternative learning programs should receive training so that students enrolled in such programs or schools receive appropriate educational services.

Each alternative learning program or school is required to develop a behavior management plan, a school improvement plan and a parental involvement plan in accordance with board policy. In addition, a conflict resolution plan, as provided in board policy 3431, Conflict Resolution, must be included in the school improvement plan. The board encourages the principal and other school personnel, in developing these plans, to review successful alternative education programs and make effective use of the resources provided by the superintendent.

The superintendent and board will review these plans in accordance with board policy. While providing flexibility at the school level to develop the plans, the superintendent and board will not approve any plan that is not reasonably likely to meet the purposes of an alternative school.

Prior to implementing a new alternative learning program or school, the board will develop a program proposal that is consistent with the State Board of Education standards for alternative learning programs. The board then will then submit the proposal to the State Board for its review. After the proposal has been reviewed by the State Board, the board will consider any recommendations from the State Board to modify the proposal before implementing the alternative learning program or school. The board also will review on a regular basis whether the school system's alternative learning programs and schools comply with State Board standards.

C. TRANSFER TO ALTERNATIVE LEARNING PROGRAMS OR SCHOOLS

Students generally are assigned to a school based on attendance area. However, as provided by law, the board may assign any student to a school outside of his or her attendance area in order for the student to attend a specialized school or for any other reason the board, in its sole discretion, deems sufficient.

However, during the time a student is assigned to Montgomery Learning Academy they are not allowed on the premises of their "home school" without prior approval of the principal. Students assigned to Montgomery Learning Academy may not participate in any extracurricular activities, including athletics, clubs, etc.

However, If a student who attends Montgomery Learning Academy wishes to attend a special event at their "home school" they must have ***prior approval*** from the principal of their "home school" and Montgomery Learning Academy at least three (3) days before the event.

Students may be transferred to an alternative school on a voluntary or involuntary basis. The transfer processes is provided below.

1. Responsibilities of Personnel at Referring School

   In addition to any other procedures required by this policy, prior to referring a student to an alternative learning program or school, the principal of the referring school must:

a. document the procedures that were used to identify the student as being at risk of academic failure or as being disruptive or disorderly;

b. provide the reasons for referring the student to an alternative learning program or school; and

c. provide to the alternative learning program or school all relevant student records, including anecdotal information.

2. Responsibilities of School Personnel at the Alternative Learning Program or School

In addition to any other procedures required by this policy, once a student is placed in an alternative learning program or school, the appropriate school personnel of the program or school must meet to review the student's records and any other documentation forwarded by the referring school. Based on these records and any input provided by the parent concerning the student's needs, the personnel at the alternative program or school shall determine the support services and intervention strategies that are recommended for the student.

If a student who is subject to G.S. 14-208-18 is assigned to an alternative school, the student must be supervised by school personnel at all times.

3. Voluntary Referral

The board encourages parental involvement in decisions regarding the child's education and in identifying effective options for addressing concerns regarding the child's behavior or academic performance.

Voluntary transfers are encouraged whenever possible. A voluntary transfer is an agreement by the parent, the principal and the disciplinary review committee that transfer is an appropriate option for the particular student. After agreement has been reached, the principal of the regular educational setting and the principal of the alternative learning program or school shall arrange the process and time for the transfer. The principal of the regular educational setting shall notify the superintendent of the transfer.

4. Involuntary Referral

A student may be required to be transferred from the regular educational setting to an alternative program or school under any of the following circumstances:

a. the student presents a clear threat to the safety of other students or personnel;

b. the student presents a significant disruption to the educational environment at the regular educational setting;

c. the student is at risk of dropping out or not meeting standards for promotion, and resources in addition to or different from those available at the regular educational setting are needed to address the issue;

d. the student has been charged with a felony or a crime that allegedly endangered the safety of others, and it is reasonably foreseeable that the educational environment at the regular educational setting will be significantly disrupted if the student remains; or

e. if the Code of Student Conduct provides for a transfer as a consequence of the student's behavior

Prior to an involuntary transfer in circumstances where a student is experiencing academic or developmental difficulties or chronic social/behavioral problems, the principal or disciplinary committee of the referring school shall document the student's behavior and academic performance and efforts to assist the student in the regular educational environment. School administrators are encouraged to meet with the student's parents to try to reach a consensus on how to address the student's difficulties at school.

The preceding steps are encouraged, but not required in the case of an involuntary transfer arising from a disciplinary reassignment or when the student's behavior immediately endangers other students or personnel.

If an agreement for voluntary transfer is not reached and a basis for involuntary transfer exists, the principal may recommend to the superintendent that the student be transferred to an alternative school. The principal must provide in writing (1) an explanation of the student's behavior or academic performance that is at issue, (2) documentation or a summary of the documentation of the efforts to assist the student in the

student's regular educational setting if applicable; and (3) documentation of the circumstances that support an involuntary transfer.

A copy of the recommendation and other documentation must be provided to the parents by certified mail or in person.

If the superintendent approves the transfer, the principals of the regular educational setting and the principal of the alternative school shall make all necessary arrangements.

The parent may appeal the superintendent's decision to the board. The board will hear the appeal in closed session and will follow its procedures as provided in policy 2500, Hearings Before the Board. During the period of the appeal, the student may be transferred to the alternative school.

5. Assignment During a Long-Term or 365-Day Suspension

A student who receives a long-term or 365-day suspension may be offered services in the alternative learning program or school for a portion or the full duration of the suspension. See policy 4353, Long-Term Suspension, 365-Day Suspension, Expulsion. Any student who receives a long-term or 365-day suspension must be offered alternative education services unless the superintendent provides a significant or important reason for declining to offer such services. Alternative education services include, but are not limited to, the alternative programs or schools established in this policy in accordance with G.S. 115C-105.47A.

6. Assignment of Student Sex Offenders

The board may decide, pursuant to G.S. 115C-390.11(a)(2), to assign a student who is subject to G.S. 14-208.18 to an alternative learning program or school.

D. TRANSITION FROM ALTERNATIVE LEARNING PROGRAMS OR SCHOOLS

In most instances, the goal of the alternative school program is to return the student to the regular educational setting with the skills necessary to succeed in that environment as soon as practicable. The personnel of the alternative learning program or school and those of the regular educational setting shall work together to help create a successful transition for the student.

If the student is not or will not be returned to the regular educational setting, the

alternative learning program or school will assist in the student's transition to other educational settings, including other programs offered by the school system or a community college~~s~~ or vocational school.

E. ASSIGNMENT OF PROFESSIONAL PERSONNEL TO ALTERNATIVE LEARNING PROGRAMS OR SCHOOLS

When assigning professional personnel to an alternative learning program or school, the superintendent shall consider the experience and evaluation ratings of the professional employee who may be assigned to the program or school. As school system resources allow, the superintendent will strive to avoid assigning to an alternative school or program less experienced professional personnel or professional personnel who have received an evaluation rating of "less than "accomplished" within the last three years.

F. EVALUATION OF ALTERNATIVE LEARNING PROGRAMS OR SCHOOLS

1. Information to be Reported

   Each year, the board will evaluate each alternative learning program or school based upon reports provided by the superintendent and any other information the board wishes to consider. In addition to data required by policy 3430, School Improvement Plans, each alternative learning program or school must report the following information annually to the board:

   a. referral patterns from the regular educational setting, including age, race, gender and method of transfer (voluntary, as an alternative to suspension or expulsion, or involuntary);

   b. drop-out rates;

   ~~c.~~ how long students stay at the alternative learning program or school and where they go (including the regular educational setting, community college/technical schools or dropping out) when they leave the alternative program or school;

   d. the training and development of professional employees assigned to the alternative school;

   e. a list of services or programs that the alternative learning program or school coordinates with other governmental agencies; and

f. any other information the superintendent requires.

To assist the board in evaluating an alternative learning program or school, each alternative school or program's system safe schools plan must include measures of the effectiveness of the alternative program or school.

2. Items to be Considered

In addition to any other outcomes the board deems important, the board will determine whether:

a. a diverse group of students is referred to the alternative learning program or school;

b. the alternative learning program or school complies with the State Board standards,

c. the alternative learning program or school incorporates best practices for improving student academic performance and reducing disruptive behavior;

d. school personnel at the alternative learning program or school are well trained and are provided with appropriate professional development;

e. the alternative learning program or school is organized to provide coordinated services;

f. students at the alternative learning program or school receive high quality and rigorous academic instruction; and

g. the alternative learning program or school assists students in transitioning back to the regular educational setting or to other educational settings.

Legal Reference: G.S. 14-208.18, 115C-47(32a), -105.247; 105.48, -276(r), -288, -367, -369. -390.7, -390.9, -390.10, -390.11; State Board of Education Policy GCS-Q-002

Cross Reference: Parental Involvement (policy 1310/4002), Hearings Before the Board (policy 2500), School Improvement Plans (policy 3430), Conflict Resolution (policy

3431), Student Sex Offenders (policy 4260),

School Plan for Management of Student Behavior (policy 4302), Student Discipline Records (policy 4345), Long-Term Suspension, 365 Days Suspension, Expulsion (policy 4353), Assignments/Reassignments/ Transfers (policy 7440)

Adopted: March 6, 2000
Revised: January 12, 2009
Updated: April 13, 2010
Updated: November 3, 2010
Updated: September 14, 2011
Updated: December 6, 2011

A short-term suspension is the disciplinary exclusion of a student from attending his or her assigned school for up to 10 school days. A short-term suspension does not include (1) the removal of a student from class by the classroom teacher, the principal or other authorized school personnel for the remainder of the subject period or for less than one-half of the school day or (2) the changing of student's location to another room or place on the school premises. A student who is placed on a short-term suspension will not be permitted to be on the school property or to take part in any school function during the period of suspension without prior approval of the principal.

The principal or designee has the authority to determine when a short-term suspension is an appropriate consequence and to impose the suspension, so long as all relevant board policies are followed.

In accordance with G.S. 115C-390.6(e) and 115C-45(c)(1), a student is not entitled to appeal the principal's decision to impose a short-term suspension to either the superintendent or the board unless it is appealable on some other basis.

A. PRE-SUSPENSION RIGHTS OF THE STUDENT

Except in the circumstances described below, a student must be provided with an opportunity for an informal hearing with the principal before a short-term suspension is imposed. The principal may hold the hearing immediately after giving the student oral or written notice of the charges against him or her. At the informal hearing, the student has the right to be present, to be informed of the charges and the basis for the accusations against him or her, and to make statements in defense or mitigation of the charges.

The principal may impose a short-term suspension without first providing the student with an opportunity for a hearing if the presence of the student (1) creates a direct and immediate threat to the safety of other students or staff or (2) substantially disrupts or interferes with the education of other students or the maintenance of discipline at the school. In such cases, the principal shall give the student notice of the charges and an opportunity for an informal hearing as soon as practicable.

After the above procedures have been fulfilled, the principal may then suspend the student for 10 days or less. Any student suspended who is later found to be free of any fault will be permitted to make up any missed school work and will not be penalized in any way because of absence during his or her suspension.

B. A student under a short-term suspension must be provided with the following:

1. The opportunity to take textbooks home for the duration of the suspension;

2. Upon request, the right to receive all missed assignments and, to the extent practicable, the materials distributed to students in connection with such assignments; and

3. The opportunity to take any quarterly, semester or grading period examinations missed during the suspension period.

C. The principal has the authority to recommend the student be placed at Montgomery Learning Academy on a temporary basis during the time the student is placed on a short term, out of school suspension. The placement at Montgomery Learning Academy is in lieu or out of school suspension.

If a parent refuses to allow the student to attend Montgomery Learning Academy the days missed will be unexcused absences.

While attending Montgomery Learning Academy during a short term suspension the student will adhere to the attendance policy in place for their grade level.

~~C.~~ D. NOTICE TO PARENT OR GUARDIAN

When imposing a short-term suspension, the principal or designee shall provide the student's parent or guardian with notice that includes the reason for the suspension and a description of the student conduct upon which the suspension is based. The principal or designee must give this notice by the end of the workday during which the suspension is imposed when reasonably possible, but in no even more than two days after the suspension is imposed. If English is the second language of the parent, the notice must be provided in English and in the parent's primary language, when the appropriate foreign language resources are readily available. Both versions must be in plain language and easily understandable.

School officials also shall maintain a copy of the written notice in the student's educational record.

Multiple short-term suspensions for students with disabilities will be addressed in accordance with the *Policies Governing Services for Children with Disabilities* and other

applicable state and federal law.

Legal References: Americans with Disabilities At, 42 U.S.C. 12131 *et seq.* **4**, 28 C.F.R. pt. 35; Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et. seq*., 34 C.F.R. pt. 300; Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104; G.S. 115C, art. 9; 115C-45(c); 115C-47, -276(r), -288, -307, -390.; -390.2, -390.5, -390.6; *Policies Governing Services Disabilities*, State Board of Education Policy HSP-D-000.

Cross References: School Safety (policy 1510/4200/7270), School Plan for Management of Student Behavior (policy 4302), School Level Investigations (policy 4340), Parental Involvement in Student Behavior Issues (policy 4341), Removal of Student During the Day (policy 4352)

Adopted: April 10, 2000
Updated: May 4, 2009
Updated: September 14, 2011
Updated:

Beginning July 1, 2012 the fee for Driver's Education Instruction will be $45.00 per student. This charge is due to the reduction in state funding.

A fee of $5.00 will be charged for each transcript. Students will be allowed two free transcripts after graduation. Fee waivers will be determined on a case by case basis by the Assistant Superintendent of Operations.

The board will continue to attempt to hold student fees to a minimum.

Legal References: N.C. Const. art. IX, §2(1); G.S. 115C-47(6), -384

Cross References: Parental Involvement (policy 1310/4002)

Adopted: April 10, 2000
Updated: May 7, 2012
Updated: