

Policy

ALTERNATIVE EDUCATION PROGRAMS

The board endeavors to provide an education program adjusted to the needs of the individual child within the financial means of the district. Grouping enables a more efficient use of staff in meeting these needs. Program adaptations provide another means of using staff efficiently and effectively to meet the needs of many children.

The board of education recognizes that the active engagement of each pupil is a primary requisite for sound teaching and learning to take place. When a child is unable to benefit from the educational program the board shall make a determination of the student's risk for school failure and a decision regarding the student's placement in an alternative education program. For general education students the determination shall be based on the following, including but not limited to:

- A. The student's academic, health and behavioral records, including the student's IPP, if one has been developed and the results of available testing, assessment or evaluation of the student;
- B. Consultation with and notice to the student's parent/guardian; and
- C. Information provided by the school-based multidisciplinary team responsible to provide intervention and referral services (see board policy 6164.1 Intervention and Referral Services),

Decisions regarding the placement of a student with a disability in an alternative education program, shall be based on the recommendation of the child study team and consistent with the student's individualized education program (IEP).

Alternative Education Programs

Alternative education programs shall be approved by the Commissioner of Education. Each alternative education program shall fulfill the program criteria that are specified in N.J.A.C. 6A:16-9.2 including but not limited to:

- A. A maximum student-teacher ratio of 12:1 for high school programs;
- B. A maximum student-teacher ratio of 10:1 for middle school programs;
- C. An Individualized Program Plan (IPP) shall be developed for each general education student enrolled in the program; and
- D. For students with disabilities the alternate education program shall be consistent with the student's Individualized Education Program (IEP).

Individualized Program Plan (IPP)

The IPP shall be developed in consultation with the student's parent and the receiving school district, or an alternative education program within a State agency, public college operated program or department-approved school approved by the Commissioner of Education. as appropriate. The IPP shall:

- A. Be developed by a multidisciplinary team of professionals with knowledge of the student's educational, behavioral, emotional, social and health needs;
- B. Identify the appropriate instructional and support services for addressing the student's identified needs;

ALTERNATIVE EDUCATION PROGRAMS (continued)

- C. Be developed in accordance with the format prescribed by the Commissioner of Education and implemented within 30 calendar days of the student's placement in the alternative education program but need not, be developed prior to the student's placement.

The multidisciplinary team that reviews the IPP shall include district staff and staff from the alternative education program who have knowledge of the student's educational, behavioral, emotional, social and health needs.

The multidisciplinary team shall review and, as appropriate, revise the IPP prior to the completion of the student's anticipated enrollment in the alternative education program or prior to the end of the school year, whichever occurs first. Additionally the multidisciplinary team may review and revise the IPP, as needed, at any time during the student's enrollment in the alternative education program.

The student's parent shall be advised of revisions to the IPP.

Home Schooling

The board acknowledges the right of parents/guardians to educate their children at home. The board is not required by law to allow a resident child educated elsewhere than at school to participate in the regular school curriculum or in extracurricular or sports activities. The board may:

- A. Allow a child educated elsewhere than at school to participate in curricular and extracurricular activities or sports activities;
- B. Loan books or materials to a child educated elsewhere than at school.

Required Services to Home Schooled Students

When a student of this district is home schooled, the district shall:

- A. Provide payment for tuition when a student is enrolled in a shared-time vocational school program. Once a resident student is enrolled in a shared-time vocational school program the student becomes a public school student;

Note: The board may consider taking a position to permit or prohibit home schooled students' participation in extracurricular activities and/or the district athletic program. For sample discretionary policy language contact Policy Services at policy@njsba.org.

- B. Review any written request for a special education evaluation and if warranted conduct an evaluation as described in board policy 6171.4 Special Education and in accordance with the federal special education law, Individuals with Disabilities Education Act (P.L. 108-446 §612).

If the child is eligible for special education and related services, the district shall make a free, appropriate public education available only if the child enrolls in the district. If the child does not enroll in the district, but the district chooses to provide services, the district will develop a plan for the services to be provided.

Removal for Weapons Offenses or Assault

Any pupil who is convicted or found to be delinquent for the following offenses shall be immediately removed by the principal from the district's regular education program for a period of not less than one calendar year and placed in an alternative education school or program pending a hearing before the board of education to remove the pupil:

ALTERNATIVE EDUCATION PROGRAMS (continued)

- A. Possessing a firearm on any school property, on a school bus, or at a school-sponsored function; or
- B. Committing a crime while possessing a firearm.

The chief school administrator shall determine at the end of the year whether the pupil is to return to the district's regular education program, in accordance with procedures established by the Commissioner of Education.

Any pupil who assaults a pupil, teacher, administrator, board member, or other district employee with a weapon other than a firearm on school property, on a school bus, or at a school-sponsored function must be immediately removed from the school's regular education program and placed in an alternative school or program, pending a hearing before the board. The chief school administrator shall determine when the child shall return to the regular education program.

Adopted: October 13, 2004, November 10, 2004, January 20, 2005

Revised: February 13, 2013

NJSBA Review/Update: June, 2015

Readopted: August 12, 2015

Revised: September 7, 2016

Key Words

Alternative Educational Programs, Home Schooling, At-Risk Students

<u>Legal References:</u>	<u>N.J.S.A. 18A:11-1</u>	General mandatory powers and duties
	<u>N.J.S.A. 18A:37-1 et seq.</u>	Discipline of pupils
	<u>See particularly:</u>	
	<u>N.J.S.A. 18A:37-2.2</u>	
	<u>N.J.S.A. 18A:38-1, -25, -31</u>	Attendance at school free of charge
	<u>N.J.S.A. 18A:54-20</u>	Powers of board (county vocational schools)
	<u>N.J.A.C. 6A:8-5.1</u>	Graduation requirements
	<u>N.J.A.C. 6A:8-5.2</u>	High school diplomas
	<u>N.J.A.C. 6A:14-1.1 et seq.</u>	Special Education
	<u>N.J.A.C. 6A:16-1.3</u>	Alternative education programs
	<u>N.J.A.C. 6A:16-5.5</u>	Removal of students from general education for firearms offense
	<u>N.J.A.C. 6A:16-5.6</u>	Removal of students from general education for assaults with weapons
	<u>N.J.A.C. 6A:16-9.1 et seq.</u>	Alternative education programs
	<u>N.J.A.C. 6A:16-10.1 et seq.</u>	Home or out-of-school instruction for general education students
	<u>N.J.A.C. 6A:30-3.2</u>	District performance review
	<u>N.J.A.C. 6A:32-12.1 et seq.</u>	Student Behavior
	<u>See particularly:</u>	
	<u>N.J.A.C. 6A:32-12.2</u>	
	20 <u>U.S.C.A. 1400 et seq.</u> - <u>1990 Individuals With Disabilities Education Act</u> , P.L. 108-446 §612	
	<u>State v. Vaughn</u> , 44 N.J. 142, 1965	
	<u>State v. Massa</u> , 95 N.J. Super. 382, 1967	

ALTERNATIVE EDUCATION PROGRAMS (continued)20 USCA Section 8921 Gun Free Schools Act**Possible**

<u>Cross References:</u>	*5113	Absences and excuses
	*5114	Suspension and expulsion
	5119	Transfers
	*5131	Conduct/discipline
	*5131.7	Weapons and dangerous instruments
	*5134	Married/pregnant students
	*6142.2	English as a second language; bilingual programs
	*6142.12	Career education
	*6164.2	Guidance services
	*6164.4	Child study team
	*6171.4	Special education
	*6173	Home instruction

*Indicates policy is included in the Critical Policy Reference Manual.