

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 180
Committee Substitute Favorable 4/4/95

Short Title: Alternative Learning Programs.

(Public)

Sponsors:

Referred to:

February 15, 1995

1 A BILL TO BE ENTITLED
2 AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE ALTERNATIVE
3 SCHOOLS COMMITTEE OF THE LEGISLATIVE RESEARCH COMMISSION.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 115C-238.41(c)(3)d. reads as rewritten:

6 "d. Alternative Learning Program Model. – An Alternative Learning
7 Program is a program that ~~provides~~serves students at any level,
8 serves suspended or expelled students, serves students whose
9 learning styles are better served in an alternative program, or is
10 designed to use multiple strategies, which serve students in the
11 standard classroom or provide individualized programs outside of
12 a standard classroom setting in a caring atmosphere in which
13 students learn the skills necessary to redirect their lives and
14 return to a standard classroom setting. ~~The~~A program should
15 maintain State standards and may include smaller classes and
16 lower student/teacher ratios, school-to-work transition activities,
17 modification of curriculum and instruction to meet individual
18 needs, flexible scheduling, and necessary academic, vocational,
19 and support services for students and their families. A program

1 also may be provided under contract with a local, private,
2 nonprofit 501(c)(3) corporation. Services ~~may~~ also may include
3 appropriate measures to correct disruptive behavior, teach
4 responsibility, good citizenship, and respect for rules and
5 authority.

6 An alternative learning program should have a well-defined
7 mission, offer appropriate educational opportunities, and hold
8 high expectations for staff and students. The goals of the program
9 should target ~~The goals of the alternative school programs should be~~
10 ~~to (i) reduce the school dropout rate~~ reducing school dropout rates
11 through improved student attendance, behavior, and educational
12 ~~achievement; and (ii) achievement.~~ When appropriate, programs
13 should increase successful school-to-work transitions for students
14 through educationally linked job internships, mentored job
15 shadowing experiences, and the development of personalized
16 education and career plans for participating students."

17 Sec. 2. G.S. 115C-238.41(c) is amended by adding a new subdivision to read:

18 "(8) The process to be followed if students may be referred and
19 placed on an involuntary basis into alternative learning programs
20 in connection with suspension or expulsion. This process shall
21 be based on model guidelines developed by the State Board of
22 Education."

23 Sec. 3. G.S. 115C-238.43 reads as rewritten:

24 **"§ 115C-238.43. Award of grants.**

25 (a) In selecting grant recipients, the State Board shall consider (i) the
26 recommendations of the Superintendent, (ii) the geographic location of the applicants,
27 and (iii) the demographic profile of the applicants. After considering these factors, the
28 State Board shall give priority to grant applications that will serve areas that have a high
29 incidence of juvenile crime and that propose different approaches that can serve as
30 models for other communities.

31 The State Board shall select the grant recipients prior to July 15, 1994, for local
32 programs that will be in operation at the beginning of the 1994-95 school year. The State
33 Board shall select the grant recipients prior to October 1, 1994, for local programs that
34 will be in operation after the beginning of the 1994-95 school year.

35 (b) Notwithstanding subsection (a) of this section, beginning with grant recipients
36 selected for the 1995-96 school year, in awarding grants for alternative learning
37 programs, the State Board shall give priority to applications for high quality programs,
38 which may or may not serve areas with high incidences of juvenile crime. Furthermore,
39 the State Board may award grants under this section to expand existing alternative
40 learning programs or to establish new alternative learning programs."

41 Sec. 4. G.S. 115C-238.47 reads as rewritten:

42 **"§ 115C-238.47. Program evaluation; reporting requirements.**

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

- 5 (1) Provide information to local program administrators and teachers, the
6 Department and to the General Assembly on how to improve and refine
7 the programs;
- 8 (2) Enable local program administrators and teachers, the Department and
9 the General Assembly to assess the overall quality, efficiency, and
10 impact of the existing programs;
- 11 (3) Enable the Department and the General Assembly to determine whether
12 to modify the Intervention/Prevention Grant Program; ~~and~~
- 13 (4) Provide a detailed fiscal analysis of how State funds for these programs
14 were ~~used~~-used; and
- 15 (5) Evaluate over a five-year period, beginning with the 1995-96 school
16 year, the success of, the quality of educational opportunities that are
17 offered in, and the effectiveness of alternative learning programs in the
18 public schools.

19 (a1) Before its annual report on October 1, 1995, and annually thereafter, the Board
20 shall provide an opportunity for local program administrators, and particularly alternative
21 learning program administrators and educators, to comment on the evaluation system.
22 The Board shall consider these comments in any proposed modification to the system.

23 (b) The State Board of Education shall report to the General Assembly and the
24 Joint Legislative Education Oversight Committee by May 15, 1994, on its progress in
25 developing the evaluation system and in developing and implementing the program. It
26 shall report prior to February 1, 1995, on the evaluation system developed by the
27 Department and on program implementation. The State Board of Education shall present
28 an annual report on October 1, 1995, and annually thereafter to the General Assembly
29 and to the Joint Legislative Education Oversight Committee on (i) the implementation of
30 the program, (ii) the results of the program evaluation, (iii) how the funds appropriated by
31 the General Assembly for the program are being used, (iv) additional funds required to
32 implement the program, ~~and~~(v) any necessary modifications to the ~~program~~-program, and
33 (vi) comments received from local program administrators, and particularly alternative
34 learning program administrators and educators, concerning the evaluation system and the
35 program generally."

36 Sec. 5. (a) The State Board of Education shall convene an Alternative
37 Educators Planning Group of up to 15 outstanding practicing alternative school educators
38 so that they may define the needs for technical assistance and training for alternative
39 school educators and determine how to best meet those needs. The educators shall
40 represent the geographic, racial, and gender diversity of the State and shall include
41 administrators, teachers, and counselors. The State Board shall solicit the
42 recommendations of alternative school educators to determine the membership of the
43 group. The educators shall elect a chairperson from among the group and shall determine

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

9 (b) Based on the technical assistance and training needs identified by the
10 Alternative Educators Planning Group, the Department of Public Instruction, under the
11 direction of the State Board of Education, shall coordinate the efforts of its specialists
12 and, to the extent possible, of specialists in other public and private agencies to provide
13 coordinated assistance to alternative learning programs in local school administrative
14 units. The specialists should include, but are not limited to, those in the areas of dropout
15 prevention, drug abuse prevention, in-school suspension, and children with special needs.

16 Sec. 6. The State Board of Education shall study the issue of referral and
17 placement of students into alternative learning programs and shall develop model
18 guidelines that local school administrative units may use for the referral and placement of
19 students into alternative learning programs. In developing these guidelines, the Board
20 shall consider the different methods of referral, whether placement in the programs is
21 voluntary or mandatory, and any due process or other legal issues that may apply. In
22 developing these guidelines, the Board shall consult with the Alternative Educators
23 Planning Group created in Section 5 of this act, shall solicit comments from other
24 alternative school educators in the State, and may consult with representatives of the
25 North Carolina School Boards Association and other professional education
26 organizations. The Board shall develop and disseminate the model guidelines to local
27 school boards no later than February 1, 1996. The local school boards shall then
28 disseminate these guidelines to their alternative learning programs.

29 Sec. 7. There is appropriated from the General Fund to State Aid for Local
30 School Administrative Units the sum of eight million dollars (\$8,000,000) to be used for
31 each year of the 1995-97 fiscal biennium to implement only alternative learning programs
32 under the Intervention/Prevention Grant Program, Part 8 of Article 16 of Chapter 115C of
33 the General Statutes, as amended by this act. Of the funds appropriated in this section, up
34 to two hundred thousand dollars (\$200,000) may be used by the State Board of Education
35 to implement this act including the evaluation of alternative learning programs.

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