

A. PURPOSES

The board is committed to the goal of providing a safe and orderly learning environment at each school. The educational program and the behavior management plan developed at each school, as well as numerous other strategies identified in board policies, are intended to create such an environment and 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 of the student will drop out of school by providing resources to help the student resolve issues affecting performance at school; (3) to return the 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 at the regular educational setting.

B. ALTERNATIVE LEARNING PROGRAMS/SCHOOLS

An alternative learning program or school should reflect the purposes described above. The educational program is expected to meet all board policy and state requirements. In addition, the educational programs and support services should be designed to facilitate the student's transition back to the regular educational setting when appropriate.

All school personnel at an alternative learning program should receive training so that students enrolled in the alternative program or school receives 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 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 plans that are not reasonably likely to meet the purpose of the 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 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 State Board recommendations 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 upon attendance area. However, as provided by law, the board may assign any student to a school outside his or her attendance area in order for the student to attend a specialized school or for any 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 may be transferred to the alternative school on a voluntary or involuntary basis or as an alternative to out-of-school suspension or expulsion. The processes for transfer are provided below.

1. Responsibilities of Personnel from the Referring School

In addition to any other procedures required by this policy, prior to referring a student to the alternative 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, appropriate school personnel of the program or school must meet to review the records and other documentation forwarded by the referring school. Based upon the student's records and any input provided by the parent(s) concerning the student's needs, the personnel at the alternative program or school shall determine what support services and intervention strategies are recommended for the students.

If a student is assigned to an alternative school in lieu of expulsion under G.S. 115C-391(d)(2), the student must be under the supervision of 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 or guardian, the principal and the disciplinary review committee that the transfer is an appropriate option for the particular student. After agreement has been reached, the principals of the regular educational setting and 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. Referral or Assignment as Alternative to Long-Term Suspensions, 365 Days Suspensions or Expulsion

A student may be given the option or may be required to attend an alternative learning program or school for violation of board policies, school standards or school rules that could result in a long-term suspension, 365 days suspension or expulsion.

Board policies must be followed for any student who may have engaged in behavior that could result in long-term suspension, 365 days suspension or expulsion. In accordance with policy 4331, Assaults, Threats, and Harassment, students who have committed certain types of assaults on school personnel will be assigned to an alternative educational setting. For other students, if approved by the superintendent, placement at an alternative learning program or school may be considered as an option for a portion or the full duration of a period of suspension or expulsion. In order to consider the alternative program or school in place of expulsion, the superintendent must make a recommendation and the board must choose to approve the alternative school as a modification to the expulsion.

At any stage in the proceedings, a parent may request that an alternative learning program or school be considered in place of suspension or expulsion. The superintendent shall maintain records as required by policy 4345, Student Discipline Records.

Once approved, the student may be transferred to the alternative learning program or school. If the alternative program or school does not have the capacity to accept the student immediately, the student may be suspended from school until the alternative school can accept the student.

5. Involuntary Referral

A student may be required to be transferred from the regular educational setting to the 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 is subject to policy 4260, Student Sex Offenders:
- c. the student is a significant disruption to the educational environment at the regular educational setting;
- d. 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;

- e. 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
- f. The student is at least 13 years of age and has committed an assault on school personnel or others as provided in policy 4331, Assaults, Threats, and Harassment.

Prior to an involuntary transfer, the principal or disciplinary committee of the referring school shall document efforts to assist the student in the regular educational environment. The principal or disciplinary committee must also document the student's behavior and academic performance. A voluntary transfer is preferable to an involuntary transfer. Therefore, a school administrator should meet with the parents to try to reach consensus on how to address the student's difficulties at school.

If an agreement is not reached and a basis for involuntary transfer exists, the principal may recommend transfer to the alternative school to the superintendent. 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; and (3) documentation of 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 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. The board 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.

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 as soon as practicable with the skills necessary to succeed in that environment. School personnel in the alternative learning program or school and 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 transition of the student to other educational settings, including other programs offered by the school system or a community colleges 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 individual being assigned to the school. As school system resources allow, the superintendent will strive to avoid assigning to the alternative school less experienced professional personnel or professional staff who have received an evaluation rating of "less than above standard" 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, an alternative learning program or school must report the following information annually to the board:

- a. referral patterns from the schools, including age, race, gender and method of transfer (voluntary, alternative to suspension or expulsion, or involuntary);
- b. drop-out rates;
- c. how long students stay at the 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. 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 measures the superintendent requires.

To assist the board with evaluating an alternative learning program or school, the school system safe schools plan must include measures as to the effectiveness of an 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 of Education 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 appropriate staff 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 with transition back to the regular education setting or to other educational settings.

Legal Reference: G.S. 14-208.18, 115C-47(32a), 105.48, -276(r), -288, -367, -391

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), Theft, Trespass and Damage to Property (policy 4330), Assaults, Threats and Harassment (policy 4331), Weapons, Bomb Threats and Clear Threats to Safety (policy 4333), Student Discipline Records (policy 4345), Long-Term Suspension, 365 Days Suspension, Expulsion (policy 4353), Assignments/Reassignments/Transfers (policy 7440)

Adopted: March 6, 2000

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DISCRETIONARY ADMISSION

(Assignment and Transfer of Students)

Policy Code: **DRAFT** 4130-R

The Montgomery County Board of Education shall provide for the assignment to a public school of each child residing within the administration unit who is qualified under state law for admission to a public school. Except as otherwise provided by the law, the authority of the Montgomery County Board of Education in the matter of assignment of children to the public schools shall be full and complete, and its decision as to the assignment of any child to any school shall be final.

The Montgomery County Board of Education requires students living in the school district to attend the schools zoned for their legal residence. The Principal of each school must determine that each child presented for enrollment resides within the attendance boundaries of the school. The parent or guardian must provide two (2) proofs of residency and an official copy of the custody agreement if the child does not reside with both parents, before the child may be enrolled. It is the responsibility of the Principal to monitor and act upon students improperly enrolled.

It shall be the policy of the Board to permit certain administrative transfers to students who have special curriculum needs, physical or mental handicaps, or special adjustment problems. An administrative transfer may be approved by the Superintendent if a transfer is in the best interest of the student. Initial request for transfer within the system must be submitted for approval directly to the office of the Executive Director of Human Resources/Auxiliary Services. Transfer requests will be processed **once** a year. All requests for transfer must be received by June 1. Parents will be notified by mail of the decision.

Requests for transfers will only be approved when classroom space is available. request for transfer must be filed for each child regardless of previous family member school assignments.

Students must register at the school in their attendance area until the transfer is acted upon by the Board of Education. No kindergarten student will be considered for transfer without first registering at the school to which he/she is assigned.

Once a student is approved to attend school out of district, he/she is approved for continuous enrollment throughout the highest grade in that school. Students must reapply at middle and high school if the school is not in their attendance district.

Montgomery County School Employees will be allowed to take their child to the school where they are employed.

At the completion of this school, the child will be required to complete a request for reassignment if they choose to remain in that district. Employees must submit a request for transfer for their child by June 1.

Students, whose legal residence may change from one school assignment area to another within the school district during the same school year, may choose to finish out that school year in the same school, or attend school in the area to which they have moved. If they elect to remain in the first school in order to complete that year, they will be assigned to the school according to the area in which they live at the beginning of the next school year. Students whose legal residence has changed but who choose to complete the school year at their first school will be responsible for their own transportation to school. When a student's legal residence changes parents must provide the school with the physical address of the student and two (2) proofs of residency..

If the parent is dissatisfied with the results of the selection process, the parent may request a review by the Administrative Review Panel. Review Requests must be made in writing and submitted to the Superintendent no later than ten (10) calendar days following notification by the Administrative Review Panel

Procedure for Requesting Special Assignment

Transfer and release requests must include the following information:

1. Student;s complete name
2. Date of birth
3. Physical address
4. School assignment and grade level
5. Reason for request
6. Signature and phone number of custodial parent or legal guardian

In cases where attendance lines are adjusted by Board action, or where school facilities are closed (likewise by Board action), The Board and Administration will devise plans which minimize, the extent practical, the movement of students from one school to another.

If transfer is granted the following conditions apply:

There will be no transportation provided by Montgomery County Schools and If absences, tardiness or behavior becomes a problem the child will be returned to their assigned school.

This policy does not supersede the transfer of student as required by federal guidelines.

Adopted: May 5, 2008

Updated: April 13, 2010