

ALTERNATIVE EDUCATIONAL PROGRAMS

The board endeavors to provide an educational program adjusted to the needs of the individual child within a fiscally responsible environment. 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.

When the needs of special individuals or groups cannot be met through adaptation or independent study, the superintendent shall investigate and propose to the board for approval alternative programs and facilities. 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:

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

Home Schooling

The board acknowledges the right of parents/guardians to educate their children at home. At the board's request, parents/guardians who choose this option can be asked to submit adequate evidence that they are providing a curriculum that is equivalent to that provided by this district. Upon registration in the school district, the board reserves the right to test the student to ascertain and place the student at the appropriate grade level.

Disruptive/Disaffected 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 because he/she is either disruptive or disaffected, then the educational goals of the district for that child will not be realized and the efforts of other pupils may be impeded.

In an effort to optimize the educational experience for each child, the superintendent shall develop procedures to identify and work with disruptive/disaffected pupils.

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When it is determined by the child study team that a disruptive/disaffected pupil is not classifiable, the board shall consider some other program as an alternative to regular classroom attendance. When the district does not have a suitable alternative program available, the superintendent shall recommend to the board placement in a program of another district, or home instruction.

In accordance with state law and board policy, disruptive pupils whose continuing attendance interrupts the educational program and/or threatens harm to themselves and others may be suspended and considered for expulsion (see policy 5114).

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:

- 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 superintendent 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 superintendent shall determine when the child shall return to the regular education program.

Date: Reviewed: December 17, 2008

Legal References: Use legal reference sheet.

Cross References: List your appropriate policies. See legal reference sheet for possibilities.

Key Words

Alternative Educational Programs, Home Schooling, Dropouts, Disruptive Pupils, Disruptive Students, Disaffected Pupils, Disaffected Students, At-risk Pupils

Legal References

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Monitored:

Indicators 5.1, 5.2

Other Reasons:

N.J.S.A. 18A:37-2.2 requires that any student removed from the regular education program for weapons offenses as described in the statutes must be provided with an alternative educational program.

N.J.A.C. 6A:8-5.1 and 5.2 describe board options for high school graduation requirements and awarding of diplomas and list graduation statistics that the chief school administrator must report to the board and the Commissioner.

N.J.A.C 6A:16-9.1 requires that the alternative education program be board approved and any alternative education program shall be approved by the Commissioner of Education.

N.J.A.C 6A:16-9.2 lists the required program criteria for high school and middle school alternative education programs.

N.J.A.C 6A:16-9.3(a) 3 requires student placement in an alternative educational program when he/she has been removed for a firearms offense or assault with weapons offenses.

N.J.A.C. 6A:32-13.2 requires each school with a three-year average dropout rate exceeding 10 percent to develop performance objectives to reduce the dropout rate.

Recommendation:

A policy addressing the district's obligation to provide, when necessary, an alternative educational program for all eligible children. Identification and provision of educational programs and services for the disaffected and disruptive, and for potential dropouts, should be addressed here. Reference should be made to related policy topics having a bearing on 6172. The policy should also address home schooling by parents/guardians.

Abbott districts will probably want to include language that ensures the establishment of department of education approved alternative educational programs in the middle and high schools for students who have not been successful in traditional learning environments.

ALTERNATIVE EDUCATIONAL PROGRAMS (continued)

Legal References:	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:37-1 <u>et seq.</u>	Discipline of pupils
	<u>See particularly:</u>	
	<u>N.J.S.A.</u> 18A:37-2.2	
	<u>N.J.S.A.</u> 18A:38-1, -25	Attendance at school free of charge ...
	<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
	<u>N.J.A.C.</u> 6A:8-5.1	Graduation requirements
	<u>N.J.A.C.</u> 6A:8-5.2	High school diplomas
	<u>N.J.A.C.</u> 6A:10A-3.1 <u>et seq</u>	<i>School district-led standards-based instruction</i>
	<u>N.J.A.C.</u> 6A:10A-4.1 <u>et seq</u>	<i>Role of Abbott district board of education</i>
	<u>N.J.A.C.</u> 6A:14-1.1 <u>et seq.</u>	Special Education
	<u>N.J.A.C.</u> 6A:16-5.5	Removal of students from general education for firearms offense
	<u>N.J.A.C.</u> 6A:16-5.6	Removal of students from general education for assaults with weapons
	<u>N.J.A.C.</u> 6A:16-9.1 <u>et seq.</u>	Alternative Education Programs
	<u>N.J.A.C.</u> 6A:16-10.1 <u>et seq.</u>	Home or Out-of-School Instruction for General Education Students
	<u>N.J.A.C.</u> 6A:30-1.4	Evaluation process for the annual review
	<u>N.J.A.C.</u> 6A:32-13.1 <u>et seq.</u>	Student Behavior
	<u>See particularly:</u>	
	<u>N.J.A.C.</u> 6A:32-13.2	
	<u>State v. Vaughn</u> , 44 <u>N.J.</u> 142, 1965	
	<u>State v. Massa</u> , 95 <u>N.J. Super.</u> 382, 1967	
	20 <u>USCA</u> Section 8921 Gun Free Schools Act	
	<u>Manual for the Evaluation of Local School Districts</u>	

Possible

Cross References:	*5113	Absences and excuses
	*5114	Suspension and expulsion
	5119	Transfers
	*5131	Conduct/discipline
	*5131.7	Weapons and dangerous instruments
	*5134	Married/pregnant pupils
	*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.