

# TENNESSEE STATE BOARD OF EDUCATION

## ALTERNATIVE EDUCATION PROGRAMS

2.302

Pursuant to T.C.A. § 49-6-3402, local boards of education may establish alternative schools for students in grades one (1) through six (6) who have been suspended or expelled from the regular school program. Alternative education shall be available for students in grades seven (7) through twelve (12) who have been suspended or expelled. Alternative education may function within a single school, be a school affiliated with one or more districts, or be a program affiliated with one or more schools or districts.

### I. GENERAL REQUIREMENTS

- a. Each LEA shall adopt local policies and procedures that define and provide appropriate educational opportunities for all students assigned to an alternative education program. LEAs shall utilize the *Model Standards for Alternative Education Programs* developed by the Department of Education.
- b. Each alternative education program shall comply with class size requirements established in T.C.A. § 49-1-104 and instructional and planning time requirements established by the State Board.
- c. Each teacher in an alternative education program shall be licensed to teach in Tennessee and shall meet the qualifications to teach in compliance with the rules and regulations of the State Board of Education.
- d. If the alternative education program is located in a facility separate from the regular school program, there shall be an appropriately licensed administrator assigned to supervise the program.
- e. Alternative education programs shall comply with all applicable state and federal laws and rules and regulations for health and safety.
- f. The minimum length of the school day for alternative education programs shall be six and one-half (6½) hours.

### 2. ASSIGNMENT OF STUDENTS TO ALTERNATIVE EDUCATION PROGRAMS

- a. Assignment to an alternative education program shall be determined on a case-by-case basis.
- b. LEAs must have a clear written policy regarding student placement in an alternative education setting. The policy shall recognize the impact of exclusionary discipline practices on students, and placement in an alternative education setting should be reserved for infractions that significantly disrupt the educational process.

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- c. Students in pre-kindergarten or kindergarten shall not be assigned to an alternative education program.
- d. Prior to the assignment of a student to an alternative school or alternative education program, the referring school or district shall provide written notice, which includes the reason for the student's placement in an alternative setting, to the student's parent or guardian.
- e. Attendance in an alternative school or program shall be voluntary unless the local board of education adopts a policy mandating attendance.
- f. If a student has an active Individualized Education Program (IEP), a 504 plan, or is suspected of having a disability, all state and federal laws and rules relating to special education shall be followed.
- g. Prior to the assignment of a student with a disability to an alternative school or program, the IEP team shall review the student's IEP to ensure the alternative education program is able to provide the services the student needs in the least restrictive environment. The IEP team shall make all decisions regarding change of placement and delivery of services for students with disabilities.
- h. If the IEP team determines that an alternative education program is the appropriate placement for a student, the LEA is responsible for ensuring the IEP is properly implemented.
- i. No student with a disability shall be arbitrarily placed in an alternative education program.
- j. Any student attending an alternative education program shall continue to earn state education funds in the district the student was enrolled in prior to assignment to the alternative education program and shall be counted present for all school funding purposes by that district.
- k. Students shall be subject to all rules and codes of conduct for an alternative education program. A violation of the rules by a student may result in the student's removal from the program for the duration of the original suspension or expulsion, but shall not constitute grounds for any extension of the original suspension or expulsion. The final decision on removal shall be made by the chief administrator of the alternative program.

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**3. CURRICULUM AND INSTRUCTION**

- a. Instruction in alternative education programs shall proceed as nearly as practicable in accordance with the instructional programs at the student's zoned school.
- b. Each alternative education program shall provide instruction based on the academic standards adopted by the State Board of Education.
- c. Students enrolled in alternative education programs shall participate in all required state assessment at sites determined by school officials and in accordance with established guidelines regarding student grade levels and eligibility. Test results for these students will be reported in the school district where the student was enrolled prior to his or her placement in the alternative education program.
- d. Alternative schools and programs shall offer alternative learning environments in which students are offered a variety of educational opportunities, such as nontraditional hours or utilizing different learning strategies, techniques, and tools that are effective for the students.
- e. All course work completed and credits earned in an alternative schools shall be transferred to and recorded in the student's home school, which shall grant credit earned and progress thereon as if earned in the home school.
- f. LEAs shall monitor and regularly evaluate the academic progress of each student enrolled in an alternative education program.
- g. LEAs shall submit an annual alternative education survey to the Department of Education that provides the following information:
  - i. Alternative school(s) or program(s) currently in operation in the district;
  - ii. Number and grade level of students served in an alternative education program;
  - iii. Primary reason for student assignment to an alternative education program; and
  - iv. Number of faculty and staff serving each alternative education program.

**4. TRANSITION PLANS**

- a. Each LEA shall develop and implement formal transition plans for the integration of students from a traditional school to an alternative education program and from an alternative education program back to traditional school.
- b. Transition plans shall be targeted to improve communication between traditional and alternative school staff and should address any barriers that would prohibit students from

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successfully transitioning. Transition plans should include aligning of curricula, educational and behavioral supports, follow-up for students returning to traditional school, and the development of graduation and postsecondary goals.