

## **Chapter 7: Alternate Education Programs**

### *Rule 7.1 Guidelines*

1. The alternative school program is defined through written board-approved policies and procedures that define and provide appropriate educational opportunities for the categories of students to be served. Further, the program must meet the requirements of Mississippi Code Section 37-13-92.
2. The district has and follows written procedures which meet the federal guidelines outlined in Goss vs Lopez due process requirements for removal of a student from school for disciplinary reasons.
3. The curriculum and instructional methodology address the needs of students through an Individual Instructional Plan which emphasizes academic performance behavior modification, functional skills, and career education.
4. The student/teacher ratio in each classroom is no greater than 15:1 with a process for approving exceptions by the State Department of Education.
5. Adequate instructional staff is assigned to ensure the continuing education of students and classroom supervision at all times.
6. Certified teaching staff and other staff assigned to the alternative program have adequate credentials to achieve the stated mission of the program. Further, students assigned for a grading period or longer and receiving Carnegie unit credits will receive instruction from appropriately certified teachers.
7. When the alternative school program is housed in a free standing facility separate from the regular school program, there is a certified administrator assigned to supervise the program.
8. When the alternative school program is housed in an existing school, the safety of regular staff and students will be insured by appropriate supervision and isolation as necessary. When an alternative program is operated by two or more school districts, pursuant to a contract approved by the State Department of Education, the contract will indicate which school district will house and which district will operate the alternative education program.
9. Rules and regulations which address the unique needs of alternative program students have been developed and disseminated to parents and students.
10. The alternative school facilities are clean, safe and functional, and commensurate with facilities provided to other students by the local school district.
11. The school district is in compliance with applicable laws and State Department of Education guidelines for reporting information relating to the alternative program.
12. Cumulative records on each student placed in an alternative program remain at and are maintained by the sending school.
13. Personnel assigned to an alternative program will report any criminal activity or other unlawful activity committed on school property to the appropriate authority.

14. Students enrolled in alternative programs/schools, including those provided through contractual agreements among multidistrict will participate in the Mississippi Assessment System 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 home school district.**
15. Evaluation of the student's progress will be conducted at regular intervals according to district policy and the appropriate records will be maintained and subject to the State Department of Education review.
16. The Individual Instruction Plan will provide full-day attendance with a rigorous workload and minimal non-instructional time.
17. Districts may select programs from options provided by the local school district, the Mississippi Department of Human Services (Division of Youth Services) or the youth court, and/or transfer to a community-based alternative school.
18. Alternative programs will provide:
  - a. a motivated and culturally diverse staff
  - b. counseling for parents and students
  - c. administrative and community support for the program.
19. The district will complete an annual program review and evaluation as directed by the State Department of Education.
20. No school district is required to place a child returning from out-of-home placement, in the mental health, juvenile justice or foster care system in an alternative school program. Placement of a child in the alternative school shall be done consistently, and for students identified under the Individuals with Disabilities Education Act (IDEA), shall adhere to the requirements of the Individuals with Disabilities Education Improvement Act of 2004. If a school district chooses to place a child in alternative school the district will make an individual assessment and evaluation of that child in the following time periods:
  - a. Five (5) days for a child transitioning from a group home, mental health care system, and/or the custody of the Department of Human Services, Division of Youth and Family Services custody;
  - b. Ten (10) days for a child transitioning from a dispositional placement order by a youth court pursuant to Section 43-21-605; and
  - c. An individualized assessment for youth transitioning from out-of-home placement to the alternative school shall include:
    - i. A strength needs assessment.
    - ii. A determination of the child's academic strengths and deficiencies.
    - iii. A proposed plan for transitioning the child to a regular education placement at the earliest possible date (37-13-92).

21. School districts that enter into a contractual agreement with a private entity to provide services to students placed in an alternative setting must ensure compliance with federal and state laws and State Board Policies governing alternative education.
22. Alternative school placement shall be for, but not limited to, the following categories of compulsory school age students;
  - a. whose presence in the classroom is a disruption to the educational environment of the school or a detriment to the best interest and welfare of the students and teacher;
  - b. who has been suspended for more than ten (10) days or expelled from school, except for any student expelled for possession of a weapon or other felonious acts;
  - c. who are referred by the dispositive order of a chancellor or youth court judge, with the consent of the school district's superintendent; and
  - d. who has been referred by the parent, legal guardian or custodian of such child due to disciplinary problems (37-13-92).
23. The removal of a student to an alternative education program shall include a process of educational review to develop the student's individual instruction plan.
24. Alternative school placement shall be determined individually on a case-by-case basis and applied consistently.
25. School districts are without discretion to establish categories or classes of offenses for which the penalty is total removal from the school setting. Thus, unless a child has been suspended or expelled from school for possession of a weapon or other felonious conduct, the student must be assigned to the alternative school for that school district. The district is cautioned not to have policies that remove students from the traditional school setting to an alternative school setting for minor infractions. If the acts of a student, although not rising to the level of a felony, are such that the student poses a threat to the safety of himself or others or will disrupt the educational process at the alternative school, the school district is not required to admit the student into the alternative school.

*Source: Miss. Code Ann. § 37-1-3 (Revised 11/2012)*

### *Rule 7.2 GED Standards*

#### **Introduction.**

Section 37-13-92 of The Mississippi Code of 1972 Annotated authorized school districts in Mississippi to provide a program of General Education Development (GED) preparatory instruction as a part of the Alternative Education Program. Section 37-35-3 mandates that students who are enrolled in an approved GED program shall not be classified as dropouts and that the school district will continue to receive State funding for the students while they are enrolled in the GED Program. Students placed in the GED Program shall not be eligible to participate in regular academic courses or other programmatic activities within the school district, including athletics, choir, band, or any other extracurricular activities, except that a GED student may participate in existing job and skill development programs or in programs developed

in conjunction with the GED Program and the Vocational Education Director. Local school districts are also authorized to contract with a Community College for the purpose of preparing students for the GED testing process. If a school district contracts with a Community College to provide a GED Program, the students placed in the program will be reported on the monthly attendance report of the public school district of origin and counted in the average daily attendance.

#### Minimum Guidelines for Implementing a GED Program in Mississippi School Districts

1. The GED Program is defined through written policies approved by the local school board. Approved policies and procedures for the GED Program are published and available to the public for review. All policies and procedures for the operation of the GED Program must meet minimum requirements specified in Section 37-13-92. Further, the program must meet the requirements and applicable policies of the State Board for Community and Junior Colleges as stated in Section 37-35-1.
2. Selection procedures shall ensure that students who enroll in the GED Option will not graduate with their class because of credit deficiency and are otherwise capable of completing graduation requirements. Recommendation for student participation in the GED Program will be made by a committee of school staff consisting of campus administrators, counselors, classroom teachers, and support staff. Written documentation of the committee recommendation shall be maintained for each student. The criteria for student participation in the GED Option Program as outlined in Section 37-35-3 will consist of the following:
  - a. The student must be at least 16 years of age;
  - b. The student must be at least one (1) full grade level behind his or her ninth grade cohort or must have acquired less than four (4) Carnegie units;
  - c. The student must have taken every opportunity to continue to participate in course work leading to a regular diploma; and
  - d. The student must be certified to be eligible to participate in the GED course by the school district superintendent, based on the developed criteria.

Additionally, according to the American Council on Education (ACE), students that have been referred to the Alternative Education Program for disciplinary reasons shall not be eligible for placement in the GED Option Program until behavioral modification goals for exiting the Alternative Education Program have been attained.

3. The recommendation for placement in the GED Program must be approved by the superintendent of the school district. Students shall not be placed in a GED Program prior to obtaining written parental or guardian consent for placement. Documentation of parental consent for placement in the program will be maintained for each student. {MS Code {37-13-92 and 37-35-3}(1972) (ACE Guidelines)
4. American Council on Education recommends that students demonstrate the ability to perform on the Test of Adult Basic Education (TABE) at an eighth grade level.

5. Counseling is required prior to enrollment in GED Option and must be available on a regular basis throughout participation in the program. Student motivation and individual needs are critical factors to consider when determining the quantity of counseling services Students should have access to certified counselors. {MS Code 37-13-92} (1972) (ACE Guidelines)
6. The GED component will remain under the supervision of the Alternative Education Administrator. {MS Code 37-13-92}(1972)
7. GED Option should offer a full range of instruction that aligns with the core content measured by GED Tests. Content will align with high school mathematics, writing, social studies, reading and science. {ACE Guidelines}
8. To ensure effective instructional delivery, sufficient instructional resources and qualified instructional staff must be assigned to instruct and supervise GED classes. According to ACE guidelines students should participate in the GED academic instructional program for a minimum of 15 hours each week. Individualized instruction should be outlined in the student's Individual Education and Career Plan (IECP) and based solely on the individual needs of the student.

Content should include instructor-prepared material, standardized GED- instructional material from publishers, instructional materials from secondary publishers and developers. Workforce development instruction and activities should focus knowledge, skills, and abilities required for securing and maintaining employment. GED Option instructional time and workforce development shall be determined by the district based on the individualized needs of students. GED TESTING IS SET WHEN A STUDENT HAS STUDIED SUFFICIENTLY TO PASS.

9. The student/teacher ratio in the GED Program shall not exceed 15:1 with an exception of 20:1 when an aide is employed full time to assist the teacher. {ACE Guidelines}
10. The curriculum and instructional methodology must address the individual needs of each student as specified in an Individual Education and Career Plan (IECP) developed at the time of placement. The IECP committee (the committee should include an academic counselor, academic teacher, principal, and vocational personnel) will emphasize academic/instructional needs of the student, job readiness skills, and work experience options. {MS Code 37-35-3}
11. Under normal circumstances, students cannot circumvent the State's Compulsory School Attendance Law or receive a GED certificate/diploma prior to their age equivalent peers. However, students in GED Option may be eligible to receive a GED equivalency diploma prior to their age equivalent peers and/or prior to reaching mandatory compulsory school age, as outlined in Mississippi Code Section 37-13-91, provided the district in which the student resides is in compliance with the minimum guidelines for implementing a GED Program in Mississippi School Districts. Any abuse of this policy (i.e. habitually exiting students early will result in a review of the district's GED Option program for future authorization. {ACE Guidelines}

12. School districts must comply with GED Option testing guidelines provided by the State Board for Community and Junior Colleges.
13. Evaluation of the student's progress shall be conducted at regular intervals according to GED policy and the appropriate records shall be maintained and subject to the Mississippi Department of Education review. {MS Code §37-13-92} (1972)
14. The facility housing the GED Program shall be commensurate with facilities provided to other students by the local school district and shall meet minimum accreditation standards for public school buildings as required in the current edition of the Public School Accountability Standards. The GED Program shall not be housed in a vocational facility unless a request for waiver has been granted by the State Board of Education. {MS Code §37-13-92 and §37-35-3}(1972)
15. Two or more local school districts may form a consortium to provide a GED Program for eligible students. {MS Code §39-13-92}(1972)
  - a. The consortium formed to provide a GED Program shall be bound by a Mississippi Board of Education approved contract;
  - b. The district designated as the lead district will be responsible for the operation and governance of the program; and
  - c. Transportation services shall be the responsibility of each student's school district of origin.
16. The cumulative folder and permanent record of each eligible student placed in an approved GED Program shall remain at and be maintained by the school district of origin. {MS Code §37-13-92}(1972)
17. Evaluation of the student's progress shall be conducted at regular intervals according to GED policy and the appropriate records shall be maintained and subject to the Mississippi Department of Education's review. {MS Code §37-13-92}(1972) (ACE Guidelines)
18. Appropriate assessment and evaluation of each student's educational progress shall be conducted at regular intervals according to established policy approved by the local school board. Assessment and evaluation records will be appropriately maintained to ensure individual student confidentiality. {MS Code §37-13-92}(1972)
19. Data will be collected by the Office of Compulsory School Attendance annually and reported to the State Board of Education. {37-13-92} (ACE Guidelines)
  - a. The total number of students enrolled in the GED Program;
  - b. The age range of students enrolled in the GED Program;

- c. The reading level of students entering and exiting the GED Program;
  - d. The total number of students successfully completing the GED Program each school year; and
  - e. All school districts will complete an annual report provided by GED Testing Services beginning with the end of the 2009-2010 school year. Reports should be completed and submitted after the end of each school year but no later than July 31.
20. Students participating in an approved GED Option program, who are enrolled in subject area courses through January 31 in a school with a traditional class schedule or who are enrolled in subject area courses through October 31 or through March 31 in a school on a block schedule, shall be required to take the end-of-course subject area tests for those courses in which they are enrolled {MS Code §37-35-3 (1972)}
21. GED Option graduates should receive official school recognition of their achievement. The student who fails to meet the graduation requirements is not permitted to participate in the graduation exercises (Accountability Standard 20.4). A separate graduation ceremony should be held near the same time as the high school graduation ceremony for their peers. The following students are eligible to participate in graduation ceremonies:
- a. Student receiving a standard high school diploma. (SB Policies 2902 and 2903)
  - b. Student receiving a special diploma or certificate of completion, which states: "This student has successfully completed an Individualized Education Program." {MS Code §37-16-11(1)}
  - c. Student with disabilities receiving a Mississippi Occupational Diploma. {MS Code §37-16-11(2)}(1972) (See Appendix G)
22. Local school districts that fail to comply with the above requirements will risk future approval for providing a GED® Option Program in their district.

Source: *Miss Code Ann. 37-13-92*