

Policy Information

Series 10000 - Students

10500 Student Discipline Alternative Education

Policy # 10520

Purpose:

The Board recognizes that a limited number of students may exhibit extreme behavior difficulties that require additional supports in an alternative placement. Alternative education placements should be considered **only** when all other avenues have been exhausted and the student needs to be removed temporarily due to severe or persistent behavioral problems that require more intensive intervention services. The goal of alternative education is to continue providing education services along with behavioral interventions to overcome the disruptive behavior and return students to the regular school environment.

The district may implement its own alternative education programs or contract with other entities for such programs.

Definition of "Disruptive Student" for Purposes of this Policy:

A student who poses a clear threat to the safety and welfare of other students or the school staff, who creates an unsafe school environment or whose behavior materially interferes with the learning of other students or disrupts the overall education process. The disruptive student exhibits to a marked degree any or all of the following conditions:

- (a) Disregard for school authority, including persistent violation of school policy and rules.
- (b) Display or use of controlled substances on school property or during school-affiliated activities.
- (c) Violent or threatening behavior on school property or during school-affiliated activities.
- (d) Possession of a weapon on school property.
- (e) Commission of a criminal act on school property or during school-affiliated activities.
- (f) Misconduct that would merit suspension or expulsion under school policy.
- (g) Habitual truancy.

No student who is eligible for special education services pursuant to the Individuals with Disabilities Education Act shall be deemed a disruptive student, except as provided for by law.

Guidelines:

1. Alternative education programs shall only be utilized for middle and high school students. Alternative education programs shall comply with state and federal laws and regulations. Student

progress in alternative education programs shall be periodically reviewed and evaluated, minimally at the end of each semester, to determine the appropriateness of returning to the regular classroom.

2. Disruptive students shall be considered for placement in an alternative education program on a case by case basis and may be placed in an alternative education program only after the student and parents have been given an opportunity for an informal hearing or, in those cases when expulsion is a potential disciplinary action, after a formal expulsion hearing.

3. ~~A student returning from a placement, who is on probation resulting from being adjudicated delinquent, or who has been convicted of committing a crime in an adult criminal proceeding shall be considered for placement in alternative education programs on case by case bases upon return to the district. Factors considered by the district, may include, but are not limited to, whether the incident causing the adjudication occurred at school or a school sponsored event, the student's behavior in placement, and the recommendations of teachers and other adults, such as the juvenile probation officer and residential treatment staff, who have worked with the student. The student and parents shall be given an opportunity for an informal hearing prior to being placed in an alternative education program.~~

4. When a student transfers from a public or private school during a period of expulsion for an act or an offense involving a weapon, the district may place that student in an alternative education program, provided the assignment does not exceed the period of expulsion **45 days**. The student and parents shall be given an opportunity for an informal hearing prior to being placed in an alternative education program.

5. Students who are expelled by the district and who are required to be provided with a free and appropriate public education by the district may be placed in an alternative education program following the formal expulsion hearing. In such instances, the Hearing Officer's Adjudication Report relative the expulsion shall specify the alternative education program as the mechanism through which a free and appropriate public education will be provided, and a separate informal hearing shall not be required prior to placement in an alternative education program.

6. Placement of a special education student into an alternative education program shall be in compliance with the Individuals with Disabilities Education Act and all other federal and state laws and regulations.

7. In those instances when the student and parents are required to be given an opportunity for an informal hearing prior to being placed in an alternative education program:

(A) The informal hearing shall be held to bring forth all relevant information regarding the event **or series of events** for which the student may be assigned to an alternative education program and for the student, her/his parents or guardians, and school officials to discuss concrete strategies for avoiding future offenses.

(B) Notification of the reason for the recommendation of assignment shall be given in writing to the student and her/his parents or guardians.

(C) Sufficient notice of the time and place of the informal hearing shall be given. If a suspension is also involved, the district shall offer to hold the informal hearing within the first 5 days of the suspension

Comment [WMD1]: double jeopardy – cannot be placed in an alt ed program coming out of a placement; if a student comes out of a placement then treatment was finished or they already served their time, cannot be continually punished for the same offense

Comment [WMD2]: As stated from PDE: Re-enrollment of Students Returning from Delinquency Placements

When a student returns to a school district from a delinquency placement, the school district cannot automatically place a child in an alternative education program for disruptive youth merely because the child had been adjudicated delinquent. Like any other student being transferred to an alternative school, students returning from delinquency placement are entitled to an informal hearing prior to being placed in an alternative education program. The purpose of the hearing is to determine whether the student is currently fit to return to the regular classroom or meets the definition of a disruptive student. Factors a school should consider include: whether the incident causing the adjudication occurred at school or at a school-sponsored event, the child's behavior in placement, and the recommendations of teachers and other adults (such as juvenile probation officers) who have worked with the youth.

Comment [WMD3]: AEDY placements are contingent on 45 day reviews, cannot place someone there longer if they cannot be transitioned back if goals are met

Comment [WMD4]: State Referral packet must be completed and reviewed by alt ed team

Comment [WMD5]: AEDY is not meant to house expelled students but to work with disruptive youth through behavior modification, counseling, and academics; Students have to have the ability to return to their home school setting if goals are being met, which cannot be done if they are expelled for a period of time longer than 45 days

(D) The student has the right to question any witnesses present at the hearing and the student has the right to speak and produce witnesses on his/her own behalf.

8. If the student's presence in the regular classroom poses a danger to persons or property or provides a disruption of academic progress, immediate placement in an alternative education program may occur with the informal hearing to follow as soon as practicable.

Comment [WMD6]: State Referral Packet and review needed prior to placement

9. The alternative education program shall be utilized only when other established methods of discipline and interventions have been utilized and have failed or when the seriousness of the student's behavior warrants immediate placement.

Comment [WMD7]: State Referral Packet and review needed prior to placement

10. Students that continually do not meet success within the AEDY program then a hearing request can be done for possible expulsion from the program and district.

Policy References:

School Code - 24 P.S. Sections 511,1317.2, 2901-C et. seq., 2010-E et. seq.

22 Pa. Code - Section 12.8, Ch. 14 & 15

20 U.S. C. Section 1400 Et. Seq.

34 CFR Section 300.530-300.536

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