

<b>WARREN COUNTY SCHOOL DISTRICT</b>	<b>SECTION 10000</b>
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**10500 Student Discipline**10520 Alternative EducationPurpose:

The Board recognizes that a limited number of students tend to create disruption within the school system and interfere with other students' learning experiences. Alternative education programs are necessary to assist such students in developing skills to improve their ability to remain within the school program and to create positive attitudes regarding completion of their education.

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 programs 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. Temporary placement of a student in an Alternative Education for Disruptive Youth Program for up to 10 days is permitted, without holding an informal hearing, if both the parent and student agree with the recommendation and the requirement for an informal hearing is waived.
4. 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.
5. 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. The student and parents shall be given an opportunity for an informal hearing prior to being placed in an alternative education program.
6. A student need not be expelled to be placed in an alternative education program. 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.

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

(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.

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.

10. An Alternative Education for Disruptive Youth (AEDY) State Referral will be needed prior to placement.

11. A student placed in the AEDY program may be referred to the Hearing Officer for further discipline if necessary.

Adoption Date - June 28, 2012

Revision Date - June 10, 2013, \_\_\_\_\_, 2017

Review Date -

Legal Reference - School Code - 24 P.S. §511, § 1317.2, §1901-C et. seq, §1901-E et.seq.

- 22 Pa. Code - §12.8, Ch. 14 & 15

- 20 U.S. C. §1400 Et. Seq.

1		-	34 CFR§300.530-300.536
2	Cross Reference	-	
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