

Alternative Schools for Disruptive Students

Information Clearinghouse

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State	Citation	Voluntary/ Mandatory	Under Whose Jurisdiction	Description	Year Enacted	Notes
AL				None		
AK				None		
AZ	ARIZ. REV. STAT. §15-796	V	District	School board "may contract with any public body or private person for the purpose of providing alternative education programs."	1982	Placement contingent on approval of parent or guardian of named pupil, or of pupil if he is emancipated. "Alternative education" "means the modification of the school course of study and adoption of teaching methods, materials and techniques to provide educationally for those pupils in grades six through twelve who are unable to profit from the regular school course of study and environment."
AR	ARK. CODE ANN. § 6-18- 700	M	District Or Public School Educational Cooperative	"Every school district shall establish an alternative learning environment"	1995	An "alternative learning environment...may be established by more than one school district or may

	508					be operated by a public school educational cooperative."
	ARK. CODE ANN. § 6-18- 509	M	District	Alternative schools or classes in Arkansas should assess students before placing them in classes, and should provide personalized, constructive rather than punitive intervention services to deal with behavioral problems.	1993	Teachers shall be provided with inservice training by the Department of Education.
CA	CAL. EDUC. CODE § 52900- 904; 58550- 58562	V	District	Reauthorizes a school district that participates in school-based program coordination to establish an alternative education and work center for school dropouts at a continuation high school or adult school or to contract with a private non-profit community-based organization. The center would be required to teach basic academic skills, operate on a clinical, client-centered basis, and provide programs that include specified qualities.	1995	

CO	COLO. REV. STAT. §§ 22-38-101 through 22-38-115	V	State Board	Authorizes opening of four pilot schools, each in a different quarter of the state. Two will be residential, two non-residential; courses in year-round format. The schools will target at-risk middle-school students, and must have an enrollment of 2/3 expelled students.	1996	"[A] pilot school may operate free from specified school district policies, state statutes, state regulations, and contract requirements otherwise applicable to schools located in the school district where the pilot school is located...A pilot school shall be responsible for its own operation including, but not limited to, preparation of a budget, compilation of any data required by this article, contracting for services, and personnel matters." Funded by state department of education; "grants, donations, and contributions from public or private sources" also permitted.
	COLO. REV. STAT. § 22-33-203	M	District	Contains a new Expelled Student Program requirement for school districts in addition to the Expulsion Prevention Programs in C.R.S.22-33-201-204. New law requires the school district upon the	1997	

				request of a student or student's parent, to provide services for any student who is expelled from the school district.		
CT				none		
FL	FLA. STAT. ANN. § 230.02	V	District	<p>Authorizes alternative school board policies for assignment of disruptive, violent, and delinquent youth; provides for second chance for youths.</p> <p>Assignment of students to second chance schools is addressed through 230.2316: allows districts to assign students based on any one of several disciplinary criteria.</p>	1995	May be funded by each district or provided through cooperative programs administered by a consortium of districts, private providers, state and local law enforcement agencies, and the Department of Juvenile Justice.
GA	GA. CODE ANN. § 42-2-5.1	V	Board Of Corrections	Authorizes creation of a special school district for incarcerated youth.	1995	Board of Corrections will serve as board of education; the Commissioner of Corrections will serve as superintendent of schools. The Board of Corrections will establish education standards for the special school district.

	GA. CODE ANN. § 20-2- 751.1	V	District	Provides for the establishment of policies by local boards requiring the expulsion of students who bring weapons to school; authorizes placement of such students in alternative programs.	1994	Governor Zell Miller authorizes an alternative education program called Crossroads, targeted for disruptive and nonattending students in grades 6-12. Funds come from state lottery and are given to local school districts.
HI	HAW. REV. STAT. § 298.11	M	District	Superintendent must analyze cases of students who bring firearms to school--if necessary and appropriate, these students to be provided alternative education.	1995	
ID				none		
IL		V	District	Each educational service region except in Chicago may establish one or more alternative schools for disruptive students in grades 6-12 who would otherwise be suspended or expelled. Such schools must be away from regular school grounds. A public school may immediately transfer	1995	

				<p>disruptive students to an alternative school. A meeting will then be held, with a parent invited, to develop the student's education plan, including a date by which the student may return to the regular school. Such a student who fulfills all graduation requirements of a transferring high school will receive a diploma from it. The regional school board will control the alternative school.</p>		
IN	IND. CODE § 20-8.1-5.1-17	V	School	<p>A principal has authority to require students of at least sixteen years of age, who wish to reenroll after an expulsion, to attend an alternative school, evening classes, or classes especially for students who are of at least sixteen years of age.</p>	1996	
IA				none		
KS	KAN. STAT.	V	District	<p>Districts may send students in grades 7+ to alternative</p>	1974	"Courses of instruction and other requirements of statutes

	ANN. § 72-9201			schools. Students must be "determined by board...to be unable to benefit from other schools of the school district."		and rules and regulations shall apply to any such schools to the extent that the same are not obstructive to programs of learning and instruction in such schools."
KY	Ky. Rev. Stat. § 158.150	M	District	Local boards required to provide (or assure the provision of) educational services to expelled students in appropriate settings	1998	If board has made a determination on the record, supported by clear and convincing evidence, that the expelled student poses a threat to safety of other students or school staff and cannot be placed in a state-funded program, then requirement does not apply.
LA	LA. REV. STAT. ANN. § 17: 416.2	M	District	Requires suspended and expelled pupils to take part in an alternative education program approved by the State Board of Elementary and Secondary Education.	1994	
ME				none		
MD	MD. CODE ANN., EDUC. § 7-204	V	County	County superintendent, upon reviewing case of student who brings firearm to school. may choose to send	1995	

				him to alternative educational setting if these have been approved by the county board.		
	MD. CODE ANN., EDUC. § 7-303	V	District	Establishes the Baltimore City Alternative Learning Center in the Baltimore City Public School System. Programs within the center must include elementary and secondary education programs, special education programs that fulfill the social and emotional needs of students and require the participation of the parents or guardians of the students, and vocational and rehabilitative training programs. The purpose of the bill is to provide disruptive students with the services they need and protect school staff and students.	1995	A student may be transferred to the Center if he/she: 1. assaults a teacher, teacher's aide, student teacher, a professional or paraprofessional school employee, or a student; 2. carries a deadly weapon onto school property; or 3. commits any other act that would be a crime if committed by an adult.
	MD. CODE ANN., EDUC. § 7-303	M		Requires a continuum model of prevention and intervention programs for disruptive students.	1996	Authorizes some and requires some disciplinary actions; requires the State Board of Education to adopt

	§§ 7-303 through 7-307					regulations and provide assistance; sets criteria for funding programs
MA				none		
MI				none		
MN	MINN. STAT. § 10A-126.2	V	District	If they meet certain criteria (chemically dependent, have mental health problems, etc.) students may enroll full time (or part-time if age 16+) "in any nonprofit, nonpublic, nonsectarian school that has contracted with the serving school district to provide educational services."		
	MINN. STAT. § 412.4.31	V		Establishes grant programs to be awarded to "school site, a school district, a charter school, or a provider of an alternative education program" applicants who work with students removed from their regular classes and place them in alternative settings." Applicants must follow constructive		

				guidelines in establishing alternative program.		
MS	MISS. CODE ANN. § 37-13-92	M	District	Provides standards for removal of students to alternative school programs. Districts must provide program for expelled students.	1995	
MO	MO. REV. STAT. § 160.26	M	District	School districts are not prohibited from offering alternative education programs to suspended students.	1995	Public schools required to suspend for at least one year any student who brings a firearm to school
MT				none		
NE	NEB. REV. STAT. § 79-266	V [M after 1-1-97]	District	Expelled student may be assigned to a "school, class, or alternative education program." Beginning January 1, 1997, school districts must have "an alternative school, class, or educational program available or in operation for all students expelled..."		These "schools, classes, or programs" may be provided by a cooperative of two or more school boards.
NV	NEV. REV. STAT.	V	District	A student suspended or expelled for weapon possession, drug sale or		

	§ 392.4675			distribution, or assault of school employee may be allowed to enroll in "[a]n alternative program for the education of pupils at risk of dropping out of high school." "		
NH	N.H. REV. STAT. ANN. § 15- 193:13	V	District	Expelled students may be provided "educational services...in an alternative setting."	1995	Any student who, "without written authorization from the superintendent or designee" brings a firearm onto school property, receives a 12-month minimum expulsion.
NJ	N.J. STAT. ANN. § 18 A:37-8	M	District	Any student who is found in possession of a firearm on school property is to be expelled from his regular school system and placed in an alternative education program. When such a program is unavailable, he shall receive home instruction "or other suitable facilities and programs, until placement is available."	1995	About half of the alternative programs have been established at community colleges; others will operate out of vocational technical centers, separate schools, or, at a minimum, school wings that segregate the potentially dangerous students from others.
NM				none		
NY				none		

ND	N.D. CENT. CODE § 15-49- 13	V	District	"A school board that expels a student [for possession of a firearm on school property and/or at a school function] may provide educational services to the student in an alternative setting."		
OH	OHIO REV. CODE ANN. § 3313.533	V	District	Authorizes district boards to create alternative disciplinary middle and high schools that may operate in a certain deregulated manner and to adopt certain policies related to student conduct, dress and discipline.	1996	
OK	OKLA. STAT. tit. 70, § 1210.561	V	District Or Other Organization	Districts or nonprofit organizations whose students include a high percentage of at-risk youth, and which have programs for such youth which meet state criteria, will be eligible to receive Alternative Approaches grants from the State Board of Education.	1992	
	OKLA. STAT. tit.	V	District Or Other	Districts or nonprofit organizations or entities		

	70, § 1210.563.		Organization	"formed in an interlocal cooperative agreement," in counties with "a high number of dropouts...and a high number of referrals to the juvenile justice system" are eligible for Alternative Education Academy Grants. Guidelines for programs eligible for A.E.A. grants are named; i.e., the programs should be for students grades 6-12		
OR	OR. REV. STAT. §§ 336.615 through 336.665	M	District	Schools or separate class groups must be established; they must "maintain learning situations that are flexible with regard to environment, time, structure, and pedagogy." Open to all students. Districts must pay for schools' costs.	1995	336.655 states, "The Superintendent of Public Instruction shall find a school district to be deficient...if the district fails to cause the proposal of alternative programs to be made."
PA	PA. STAT. ANN. tit. 13, § 1317.2	V	School	"[S]chool or area vocational school" may "make an alternative assignment or provide alternative educational services" while a student is under a one-year expulsion for possession of	1995	

				a weapon on school property.		
RI				none		
SC	S.C. CODE ANN. § 59-63-235	V	District	Students who are expelled for one year or more for possession of a firearm on school property "are not precluded from receiving educational services in an alternative setting."	1995	
SD	S.D. CODIFIED LAWS § 13-32-4	V	District	School district may provide "educational services to an expelled student in an alternative setting."	1995	
TN	TENN. CODE ANN. §§ 49-2-203; 49-2-303; 49-6-3402	V	District	Local boards may establish alternative schools for students who have been suspended or expelled.	1996	All alternative school classrooms must have "working two-way communication systems making it possible for teachers or other employees to notify a principal, supervisor or other administrator that there is an emergency."
TX	TEX. EDUC. CODE	V	District	Students who are expelled for one year or more for possession of a firearm on	1995	

	ANN. § 37.007 through 37.019			school property are not precluded from receiving educational services in an alternative setting.		
UT	UTAH CODE ANN. § 62A-2- 108.1	V		Provides for the coordination of educational services with human service programs subject to licensure.	1995	requires the program to provide satisfactory evidence that children served will receive appropriate educational services.
VT				none		
VA	VA. CODE ANN. § 22.1- 277.1	V	District	Authorizes local school boards to determine the appropriate alternative education placement of students who have been placed in alternative education by court order.	1995	Applies to students charged with an offense or found guilty or not innocent of a crime for which the court disposition must be disclosed to the division superintendent.
WA	WASH. REV. CODE § 28A.320. 140	V	District	School districts may establish schools and programs with stringent dress and discipline and parental participation standards. School boards may require students who would otherwise be suspended or expelled to attend these schools and	1994	The bill also appropriates money for afternoon and evening school-to-work programs for dropouts and at-risk students; for the Youthbuild program, which offers training in the building and construction trades; and for the Learning and Life Skills Centers--cooperative

				parents may choose to have their children attend.		efforts between local school districts and the state juvenile rehabilitation program to improve education and employment outcomes for court-involved youth.
WV	W. VA. CODE § 18-5-19	V	County Boards	Schools have authority to work with county and state officials to design alternative settings for students who are expelled.	1996	Students expelled for one year for weapon possession and for selling or possessing illegal drugs. County boards may use state-appropriated school funds to maintain alternative schools (18-9A-21).
WI	WIS. STAT. ANN. § 118.53	M/V [depending on district dropout rate]	District	Every district must identify the children at risk under its jurisdiction and develop a plan annually by August 15 stating "how the school board will meet their needs." Names dropout figures under which districts must or may apply to the state superintendent for aid. Every board that applies for such state monies must provide program for children at risk, which named children may attend	1993	

				only if they or parents/guardian request. Programs to enroll 40-200 students each; "[e]ach school board shall identify appropriate private, nonprofit, nonsectarian agencies located in the school district or within 5 miles of the boundaries of the school district to meet the requirements...for the children at risk enrolled in the school district."		
WY	WYO. STAT. ANN. § 21-4-305	V	District	District may provide alternative education services to students expelled for weapons possession on school property.		

Compiled by Frank Blair, ECS.

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