

GENERAL ASSEMBLY OF NORTH CAROLINA

EXTRA SESSION 1994

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SENATE BILL 172

Short Title: Alternative Schools Required.

(Public)

Sponsors: Senator Gunter.

Referred to: Juveniles/Prevention.

February 15, 1994

A BILL TO BE ENTITLED

1 AN ACT TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO
2 ESTABLISH ALTERNATIVE SCHOOL PROGRAMS AND TO APPROPRIATE
3 FUNDS FOR THOSE PROGRAMS.
4

5 Whereas, an escalating number of students are engaging in violent behavior,
6 are unable to make successful transitions from school-to-school and school-to-work,
7 and are dropping out of school; and

8 Whereas, national high school dropout statistics paint a grim picture for the
9 dropouts themselves and for the State; fewer than 50% of dropouts find jobs after
10 leaving school, they earn \$500,000 less than high school graduates over their lifetimes,
11 four out of five dropouts use drugs on a regular basis, 80% of prison inmates are high
12 school dropouts, and 60% of adults on welfare are dropouts; and

13 Whereas, poor attendance, behavior, and achievement among students, the
14 lack of community schools and safe havens for students, the absence of parental
15 involvement, the lack of training and preparation for students entering the work force,
16 minimal support and guidance for students when they make transitions between schools,
17 and the lack of community and family empowerment support all contribute to the
18 inability of young people to succeed in school and lead productive lives; and

19 Whereas, communities can best identify the needs of children within that
20 community and develop strategies to meet those needs; and

21 Whereas, communities recognize the necessity of collaborating within their
22 communities to develop and implement solutions that include the active participation by
23 schools, business leaders, and the community; and

1 Whereas, communities and schools must work together to develop and
2 operate a sustained infrastructure that will address the long-term needs of students and
3 the community; and

4 Whereas, social services resources do exist in communities, but there is
5 limited coordination at the school site to leverage available resources, develop relations
6 with service agencies, assist with the implementation of services, target services and
7 improvement strategies directly to students; Now, therefore,

8 The General Assembly of North Carolina enacts:

9 Section 1. Chapter 115C of the General Statutes is amended by adding a new
10 Article to read:

11 **"ARTICLE 9A.**

12 **"ALTERNATIVE SCHOOLS.**

13 **"§ 115C-148.1. Purpose; goals.**

14 (a) The purpose of this Article is to ensure that all students are equipped with the
15 resources, skills, knowledge, and motivation necessary to avoid violent behavior, to stay
16 in school, and to make successful transitions from school-to-school and school-to-work,
17 through the establishment of alternative school programs at the middle- and high-school
18 levels in each local school administrative unit. These alternative schools shall be
19 community and school collaboration projects designed to meet the needs of students
20 who are at risk of academic failure in a standard classroom setting and of students with
21 behavioral disabilities.

22 (b) The goals of the alternative school programs shall be to:

- 23 (1) Reduce violent behavior by retraining and resocializing the students;
- 24 (2) Reduce the school dropout rate through improved student attendance,
25 behavior, and educational achievement;
- 26 (3) Maximize collaboration between schools and social service agencies;
- 27 (4) Expand the use of schools as community centers and safe havens open
28 outside of normal school hours; and
- 29 (5) Increase successful school-to-work transitions for students through
30 educationally linked job internships, mentored job shadowing
31 experiences, and the development of personalized education and career
32 plans for participating students.

33 **"§ 115C-148.2. Coordination of services to alternative school programs at the**
34 **State level.**

35 (a) There is created the State Community Partnership Council to monitor the
36 implementation of alternative school programs by local school administrative units and
37 to award grants of State funds for alternative school programs. The State Community
38 Partnership Council shall be located administratively within the Department of Public
39 Instruction but shall exercise its statutory powers and duties independently of the
40 Department.

41 The Council shall consist of the following 24 members and shall be generally
42 reflective of the racial and socioeconomic diversity of the State's population:

- 43 (1) Eight members to be appointed by the Governor, one of whom shall
44 represent each of the following:

- 1 a. The Governor's Office;
2 b. The Division of Social Services, Department of Human
3 Resources;
4 c. The Health Division, Department of Environment, Health, and
5 Natural Resources;
6 d. The Employment Security Commission;
7 e. A parent who reflects the population of children and families
8 eligible to receive services under this Part;
9 f. The juvenile justice system;
10 g. The Department of Community Colleges; and
11 h. A school social worker or school counselor;
12 (2) Seven members to be appointed by the General Assembly, upon the
13 recommendation of the President Pro Tempore of the Senate, one of
14 whom shall represent each of the following:
15 a. A university school of social work;
16 b. A parent who reflects the population of children and families
17 eligible to receive services under this Part;
18 c. Local school administrators;
19 d. Local public health departments;
20 e. Local departments of social services;
21 f. The business community; and
22 g. A nongovernmental agency involved in the delivery of services
23 to children and their families;
24 (3) Seven members to be appointed by the General Assembly, upon the
25 recommendation of the Speaker of the House of Representatives, one
26 of whom shall represent each of the following:
27 a. A university school of education;
28 b. A parent who reflects the population of children and families
29 eligible to receive services under this Part;
30 c. Public school teachers;
31 d. Local boards of education;
32 e. Local community mental health - developmental disabilities
33 programs;
34 f. The business community;
35 g. A nongovernmental agency involved in the delivery of services
36 to children and their families;
37 (4) The Superintendent of Public Instruction or the Superintendent's
38 designee; and
39 (5) The Secretary of Human Resources or the Secretary's designee.
40 Initial appointments shall be made no later than April 15, 1994. Appointments by
41 the General Assembly shall be made in accordance with G.S. 120-121, and vacancies in
42 those appointments shall be filled in accordance with G.S. 120-122. The Governor shall
43 fill any vacancies in his appointments. A member shall serve at the pleasure of the
44 member's appointing authority.

1 The Governor shall appoint the chair and vice-chair from the membership of the
2 Council; the chair or the vice-chair shall be the Superintendent of Public Instruction or
3 the Superintendent's designee. The chair shall call the first meeting of the Council.

4 Council members shall receive per diem, travel, and subsistence allowances in
5 accordance with G.S. 138-5 and G.S. 138-6, as appropriate.

6 A majority of the Council shall constitute a quorum for the transaction of business.

7 All clerical and other services required by the Council shall be supplied by the
8 Superintendent of Public Instruction.

9 (b) The Department of Public Instruction, the Department of Human Resources,
10 the North Carolina Community College System, the constituent institutions of The
11 University of North Carolina, Cities In Schools, and other public and private agencies
12 shall collaborate to offer technical assistance and other services to alternative school
13 programs in local school administrative units.

14 (c) The Department of Public Instruction shall coordinate the efforts of its
15 specialists in the areas of dropout prevention, drug abuse prevention, in-school
16 suspension, and children with special needs so it can provide coordinated assistance to
17 the alternative school programs in local school administrative units.

18 **"§ 115C-148.3. Establishment of alternative school programs in each local school**
19 **administrative unit.**

20 (a) Each local board of education shall establish an alternative school program to
21 meet the needs of students who are at risk of academic failure in a standard classroom
22 setting, students with learning and behavioral disabilities, and students with violent
23 behavior. In establishing the program each local board shall collaborate with
24 community-based projects so as to develop comprehensive community improvement
25 activities at schools to meet the needs of students. Each local board shall also establish
26 a local community partnership advisory council or use an existing entity to advise it on
27 the implementation of the alternative schools program. The local community
28 partnership board should include representatives of the local community including the
29 superintendent of schools; top business leaders; a PIC representative; a United Way
30 executive; a member of the county board of commissioners; a school principal,
31 preferably from the alternative school site; a public school teacher; a mayor; a county
32 manager; a juvenile court judge; top officials in social services, health, and mental
33 health services; an academic leader from a local college or university; a representative
34 of a local community college; a representative of the local religious community; and
35 leaders from the major community volunteer organizations. The partnership board
36 should be generally reflective of the racial and socioeconomic diversity of the local
37 community.

38 The projects shall integrate the community support services, leveraging and
39 coordinating community resources in a nonduplicative, cost-effective, and accountable
40 manner at the program site, and mobilizing public and private resources to support
41 participating students and their families.

42 (b) Each alternative school program shall:

43 (1) Provide personalization, caring, cooperation, and acceptance to each
44 student;

- 1 (2) Emphasize to each student that attendance in the alternative school
- 2 program is a privilege and that an atmosphere in which all students can
- 3 learn must be maintained at all times;
- 4 (3) Emphasize a holistic approach with individualized instruction;
- 5 (4) Attempt to adhere to a recommended student/teacher ratio of 12 to 1;
- 6 (5) Have worker/volunteers to provide community-based services to
- 7 students and their families;
- 8 (6) Have no more than 150 students in an alternative school program;
- 9 (7) Permit flexible scheduling;
- 10 (8) Operate under rules and regulations developed by teachers and
- 11 students;
- 12 (9) Increase student and parent involvement in decision making;
- 13 (10) Place increased emphasis on developing self-esteem through personal
- 14 achievement;
- 15 (11) Provide training in parenting to the parents of students in the program
- 16 and to students who have children;
- 17 (12) Emphasize citizenship skill training, community service work,
- 18 responsible decision making, respect for cultural diversity, listening
- 19 and communication skills, nonviolent methods for resolving conflict,
- 20 including peer mediation;
- 21 (13) Have staff who volunteered to work at the alternative school and who
- 22 have participated in staff development activities on children with
- 23 different learning styles and on training in positive discipline
- 24 techniques;
- 25 (14) Work with local law enforcement officials to involve law enforcement
- 26 officers in teaching classes and in participating in a positive way with
- 27 students;
- 28 (15) Enter into agreements with existing youth service organizations to
- 29 carry out alternative school activities; and
- 30 (16) Establish Family Advisory Councils for each school setting that is
- 31 representative of the race, gender, and disabilities of the students in the
- 32 program.
- 33 (c) Programs offered by alternative schools shall be based on one or more of the
- 34 following models:
- 35 (1) School After School. – School After School is a program offered after
- 36 regular school hours on or near the school campus or in a community-
- 37 based program near the students' homes. It may consist of an after-
- 38 school tutoring program offered at school or elsewhere, community
- 39 activities offered by local organizations such as Boys Clubs, 4-H
- 40 Clubs, Girls Clubs, and the YMCA, or other activities offered at
- 41 school.
- 42 (2) Project Care. – Project Care is a partnership program with local
- 43 organizations, juvenile justice agencies, and the business community
- 44 to provide intensive services to address the needs of students who are

1 suspended for 10 days or less. The program should be designed to (i)
2 keep students in a safe environment and well supervised while out of
3 school, (ii) help students stay caught up with academic work missed
4 during suspension, and (iii) give students the social skills needed to
5 change the inappropriate behavior that resulted in suspension. Every
6 effort should be made to involve parents and to communicate with
7 students while the students are in the program.

8 (3) Second Chance School. – A Second Chance School is a school
9 designed for long-term or expelled students who have violated school
10 rules. The school is designed to give students the social skills they
11 need to reenter either an alternative program or the regular school
12 program. The school should attempt to determine whether an
13 underlying problem is causing each student's inappropriate behavior
14 and should develop a plan to help the student set goals and work
15 towards exiting the program. The school should have heavy
16 involvement with mental health, justice, and other community
17 agencies. The curriculum should reflect the students' academic needs
18 but should deal heavily with the development of appropriate social
19 skills.

20 (4) School of Choice. – A School of Choice is a school that allows and
21 celebrates students with learning differences who need a creative
22 option to the traditional classroom environment. Students should be
23 selected to attend on an application process with careful screening to
24 ensure that the services needed by the students are available. Students
25 should sign a contract with the school that they are there to complete
26 the schooling process and that they have responsibility for their own
27 learning with the help and support of an academic team and social
28 services team. The school should offer life skills, apprenticeships,
29 social skills curriculum, remediation and acceleration, and on-site day
30 care and parenting classes. An on-site GED program and computer
31 assisted learning should be available.

32 (5) Opportunity School. – An Opportunity School is a school within a
33 school that offers the same options as the off-site School of Choice.
34 Students should be grouped for block teaching. Both remediation and
35 acceleration should be offered. Waivers should be considered based
36 on a case by case basis. Class sizes should be small and social services
37 should be available. All students should have individual education
38 progress plans developed to monitor their academic and social
39 progress. As much as feasible, technology should be integrated into
40 the curriculum especially computer-assisted instruction.

41 (6) Success Seminar. – A Success Seminar is a one period a day class
42 program designed for those students who need a set-aside time of the
43 day to work in a small, caring environment with support from
44 nonacademic resources. This class should focus on providing and

1 accessing needed services for students and should have a heavy
2 curriculum emphasis on work readiness and social skill development.
3 Students who have serious academic difficulties should not be
4 referred to this program with the intent that it will remediate them
5 unless other strictly academic components are in place through a
6 combination of other programs. This class should be viewed as a
7 chance to access students who need community services to meet their
8 needs. This program should be viewed as an on-site integration of
9 human services into the schools.

10 (7) Family Resource Centers. – Family Resource Centers are centers
11 located on or near the middle- or high-school site that offer services to
12 both children and their parents. Several models exist using facilities
13 on the school site. These resource centers bring resources from the
14 community to the school site. The center may offer parenting classes,
15 opportunity for further education, counseling and connection to other
16 service agencies, and guidance and support for the family. Resource
17 centers may be operated by professional staff or by parents.

18 **"§ 115C-148.4. Funding for alternative schools.**

19 (a) The allocations of dollar allotments and position allotments for students who
20 participate in alternative schools and the allocations of funds for exceptional children
21 for students who participate in alternative schools shall be used to provide the
22 alternative school program for those children.

23 Local school administrative units shall also use additional funds within their budgets
24 for alternative school programs so that the total funding for the alternative school
25 program in each local school administrative unit equals at least one percent (1%) of the
26 operating budget for the local school administrative unit.

27 (b) State funds allocated for drug prevention and dropout prevention may be used
28 to provide the alternative school program.

29 (c) Local boards of education shall collaborate with local governmental and
30 nongovernmental agencies that provide services to school-age children, including at a
31 minimum, schools, law enforcement, local government, youth services agencies and
32 organizations, job training organizations, mental health, and health care providers, so as
33 to avoid duplication and effort and expenditure of unnecessary funds. Local boards of
34 education shall also identify community matching funds that may be committed to
35 alternative schools.

36 (d) Local boards of education or other agencies may apply for grants from the
37 State Community Partnership Council for the implementation of alternative school
38 programs. The Council shall establish requirements for grant applications. In awarding
39 grants the Council shall consider the local need for State funds for an alternative school
40 program and the likelihood that the locally designed plan will deal with local needs
41 successfully. The Council shall also attempt to give grants to applicants that are located
42 geographically throughout the State, that have different demographic profiles, and that
43 propose different approaches to implementing alternative school programs.

44 **"§ 115C-148.5. Evaluation of alternative schools.**

1 (a) Local boards of education shall collect baseline data initially and on an
2 annual basis that will be used to evaluate the success of alternative schools in achieving
3 performance standards over a five-year period. The baseline data shall include student
4 attendance rates, dropout rates, student test scores, incidences of disruptive behavior in
5 schools, incidences of juvenile crime, and the rate of successful transition from school
6 to school and to employment or college.

7 (b) The State Community Partnership Advisory Council, in collaboration with
8 the Department of Public Instruction, shall evaluate alternative schools on an annual
9 basis and shall report the results of the evaluation to the Joint Legislative Education
10 Oversight Committee."

11 Sec. 2. There is appropriated from the General Fund to the Department of
12 Public Instruction, State Community Partnership Advisory Council, the sum of twenty-
13 five million (\$25,000,000) for the 1994-95 fiscal year. The State Community
14 Partnership Advisory Council shall allocate these funds to local school administrative
15 units on a competitive grant basis, as provided in Section 1 of this act. The maximum
16 amount of each grant for the 1994-95 fiscal year shall be one hundred thousand dollars
17 (\$100,000)

18 Sec. 3. G.S. 120-123 is amended by adding a new subdivision to read:

19 "(63) The State Community Partnership Advisory Council as established by
20 G.S. 115C-148.2..

21 Sec. 4. Section 2 of this act becomes effective July 1, 1994. The remainder of
22 this act is effective upon ratification.