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EDUCATION

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Title 28 EDUCATION

Part CXLIX. Bulletin 131—Alternative Education Schools/Programs Standards

Chapter 1. General Provisions

§101. Mission and Purpose

A. Exemplary alternative education develops a guiding mission and purpose that drives the overall operation of the alternative education site. All stakeholders share in developing, implementing, directing and maintaining the mission and purpose. The mission and purpose include the identification of the target student population, reasons that a student is transitioned to the alternative site, and identified outcomes for students to achieve while at the alternative education site. Each alternative school or program will be organized and staffed to support the identified mission and ensure successful student outcomes.

B. Any student suspended or expelled from school for more than 10 school days will remain under the supervision of the governing authority of the city, parish, or other local public school system taking such action using alternative education programs for suspended and expelled students.

C. Each alternative school or program will develop and maintain a written statement of the mission and the major purposes to be served by the school or program. The statement will reflect the individual vision of the school or program and the characteristics and needs of the students served.

D. The educational school or program will be designed to implement the stated goals and objectives, which are directly related to the unique educational requirements of the student body.

E. The provisions of this Part (Bulletin 131) will not be construed to conflict with any federal or state laws, rules, and regulations affecting special education students as defined in R.S. 17:1943 et seq.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:100.5, and 17.416.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 37:2126 (July 2011), amended LR 45:398 (March 2019).

Chapter 3. Transitional Planning and Support [Formerly Chapter 13]

§301. Transition Processes [Formerly §1301]

A. The school system will ensure that students are transitioned to an alternative education site using a formalized intake process that addresses both behavioral and academic needs. The transition process will include a review

of academic and behavioral records including, but not limited to, individual academic improvement plans, individual graduation plans, or individualized education plans (IEP), as applicable, in order to ensure that appropriate academic supports and opportunities remain available to the student.

1. Each school system with an alternative education site will develop a consistent transition process that includes a checklist of all records produced by a referring school and a fixed timeframe specifying when information will be forwarded to the alternative education school or program.

2. The transition process will:

a. address appropriate behavior interventions and specific goals for behavioral progress;

b. define specific goals for academic progress, including Carnegie credits for grades 9-12;

c. outline a timeframe for updating IEPs for students with disabilities and individual accommodation/section 504 plans (IAP); and

d. provide a plan for students returning to the sending school including, but not limited to, bridge supports such as mentoring or counseling, to assist students in readjusting to a traditional school setting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:100.5.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 37:2127 (July 2011), amended LR 45:399 (March 2019).

Chapter 5. Behavioral Interventions and Supports

§501. Safety and Counseling

A. School systems operating an alternative school or program must address the root cause of the behavioral misconduct while a student is educated at the alternative education school or program site, utilizing evidence based interventions and strategies.

1. An approved alternative education site must:

a. provide clear expectations for learning and student conduct using a multi-tier system of support (MTSS) framework that includes use of any evidence-based behavioral intervention including, but not limited to:

i. positive behavior interventions and supports;

ii. restorative practices; or

iii. trauma-informed response; and

b. detail, through the authorization process and an annual report, the full list of evidence-based interventions used to address student behavior. Each intervention or strategy will be aligned to one of the three tiers within an MTSS.

B. In addition to the required behavioral interventions and supports, alternative sites must prioritize the following:

1. adopt and implement a social-emotional learning curriculum for use that aligns to the selected behavioral intervention and overall behavioral approach selected by the site;

2. maintain a list of identified student growth measures, such as evaluation plans, assessments, and learning outcomes, that measure student behavioral improvement resulting from evidence-based behavioral intervention; and

3. identify annually a set of implementation fidelity measures used to evaluate the efficacy of the selected behavioral intervention and assess interventions needing improvement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:100.5, and 17:252.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 37:2127 (July 2011), amended LR 45:399 (March 2019).

Chapter 7. Workforce Talent

§701. Annual Professional Development Plan

A. Alternative education sites will create an annual professional development plan that will:

1. identify staff training needs;
2. match needs to relevant training;
3. emphasize quality implementation of evidence-based and best practices; and
4. establish performance evaluations aimed at improving program and student outcomes and overall school or program quality.

B. Alternative sites must identify and provide annual staff professional development trainings and tools to that support the target student population as identified in the alternative education site application which includes, but is not limited to:

1. behavioral interventions;
2. classroom management;
3. trauma-informed response;
4. adverse childhood experiences (ACEs); and
5. implementation strategies for selected behavioral interventions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:100.5, and 17:252.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 37:2127 (July 2011), amended LR 45:399 (March 2019).

Chapter 9. Academic Interventions and Supports

§901. Curriculum and Instruction

A. School systems operating alternative education sites must address the root cause of academic challenges while a student is educated at the alternative education school or program, utilizing evidence-based academic interventions and strategies.

1. Alternative education sites must:

a. utilize standards-aligned curriculum comparable to curriculum utilized at the sending school in the school system;

b. provide targeted instructional methods to aid student progress and academic achievement;

c. monitor student academic progress on a regular and frequent basis, including a review of academic work completed, noting any improvements from the time since the student was transferred to the site; and

d. meet targeted credit accumulation goals identified in LAC 28:XI.Chapter 35 (Bulletin 111), for students enrolled at the alternative education site for at least one semester. For high school students, the goals must include specific Carnegie credit goals.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:100.5.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 37:2127 (July 2011), amended LR 45:400 (March 2019).

§903. Access to Post-Secondary Education Pathways

A. Alternative education sites must offer students access to post-secondary education pathways that are comparable to existing options within the school system, including TOPS University and Jump Start TOPS Tech, unless the local superintendent finds that extenuating circumstances make such offerings impossible. Extenuating circumstances must be documented and detailed within the school system annual report, including actions the school system is pursuing to make such pathways accessible in the future.

B. Students pursuing a pathway or credential prior to being referred to alternative education must be permitted to continue pursuit of such credential or pathway, unless the local superintendent determines that there are documented safety concerns based upon demonstrated student behavior or that extenuating circumstances make such offerings impossible. Any changes to the student's pathway or pursuit of a credential will be documented in the student's approved individual graduation plan (IGP).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:100.5.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 45:400 (March 2019).

Chapter 11. School Climate and Culture

§1101. Climate and Culture

A. Alternative education sites must have a plan to address and continually evaluate school climate and culture to ensure academic and behavioral improvement.

1. Alternative schools should utilize an annual climate survey. The survey should seek to assess student, staff and administrative attitudes and perception of the environment and overall culture of the site.

2. Results of the annual climate survey, if administered, should be shared with teachers, staff, administration, parents and students no later than May 15 each academic year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:100.5, and 17:252.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 45:400 (March 2019).

Chapter 13. Transition and Placement Process

§1301. Parent and Legal Custodian Involvement [Formerly §1501]

A. Alternative education sites must actively document efforts to engage parents and legal custodians beyond parent/legal custodian-teacher meetings. A nonjudgmental, solution-focused approach that incorporates parents/guardians as respected partners throughout the student's length of stay must be emphasized.

B. Parents and legal custodians must be engaged in planning developed to support student academic and behavioral progress including, but not limited to:

1. individual academic improvement plan;
2. individual graduation plan;
3. individualized education program (IEP) plan; and
4. individual accommodation plan (IAP)/section 504 plan.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:100.5.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 37:2127 (July 2011), amended LR 45:400 (March 2019).

Chapter 15. Mental Health Supports and Interventions [Formerly Chapter 17]

§1501. Counseling and Community Partnerships [Formerly §1701]

A. Alternative education sites must provide students with academic, behavioral, and social-emotional counseling designed to promote student academic progress and to address the underlying causes of student behavioral misconduct.

B. Counseling provided by the site or per R.S. 17:416.2 may include student access to mental health supports and interventions via a community partnership that includes evidence-based cognitive interventions to support improved student behavior, address childhood trauma, and enhance social skills to increase the likelihood of the student success.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:100.5, and 17:252.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 37:2127 (July 2011), amended LR 45:400 (March 2019).

Chapter 17. Alternative Site Evaluation and Accountability [Formerly Chapter 19]

§1701. Collaboration [Formerly §1901]

A. Alternative education sites will annually conduct systematic program evaluations for compliance and continuous improvement to include submission of an annual report to the LDE that details the following:

1. planned revisions to the site mission, structure, staffing, interventions, partners, or strategies to support student success; and
2. copies of the site climate survey and results, if administered; and
3. summaries of annual staff professional development to support student success.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:100.5, 17.252, and 17.416.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 37:2128 (July 2011), amended LR 45:401 (March 2019).

§1703. Alternative Education Site Accountability

A. Alternative education school and program performance will be measured annually using the indicators established in LAC 28:XI.Chapter 35 (Bulletin 111).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:100.5.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 45:401 (March 2019).

Chapter 19. Dropout Prevention and Recovery Programs [Formerly Chapter 21]

§1901. Dropout Recovery Program [Formerly §2101]

A. Each school district and charter school that provides instruction to high school students may offer a dropout recovery program for eligible students.

B. BESE-prescribed standards and testing requirements will apply to dropout recovery programs.

C. The dropout recovery program will:

1. provide appropriate and sufficient supports for students, including tutoring, career counseling, and college counseling;

2. comply with federal and state laws and BESE policies governing students with disabilities; and

3. meet state requirements for high school graduation.

D. Eligible students enrolled in a dropout recovery program will have an individual graduation plan developed by the student and the academic coach that include the following elements:

1. the start date and anticipated end date of the plan;

2. courses to be completed by the student during the academic year;

3. whether courses will be taken sequentially or concurrently;

4. state exams to be taken, as necessary;

5. expectations for satisfactory monthly progress; and

6. expectations for contact with the designated student's academic coach.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:100.5, 17:221.4, and 17:221.6.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:370 (February 2015), amended LR 45:401 (March 2019).

§1903. Reporting Requirements [Formerly §2103]

A. A student enrolled in a dropout recovery program must be included in the student enrollment count for the school or school system offering the program. Each school and school system will report the following information to the LDE on a monthly basis:

1. newly enrolled students in the dropout recovery program who have an individual graduation plan on file on or before the first school day of the month;

2. students who met the expectations for satisfactory monthly progress for the previous month;

3. students who did not meet the expectations for satisfactory monthly progress for the previous month, but

did meet expectations for one of the two previous months; and

4. students who met expectations for program reentry in the revised individual graduation plan during the previous month.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:100.5, 17:221.4, and 17:221.6.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:370 (February 2015), amended LR 45:401 (March 2019).

§1905. Requirements for Educational Management Organizations [Formerly §2105]

A. School districts and charter schools may contract with an educational management organization to provide a dropout recovery program. If contracting with an educational management organization, the school district or charter school must ensure that all of the following requirements are met:

1. the educational management organization is accredited by a regional accrediting body;

2. teachers provided by the educational management organization hold a current teaching license from any state and teachers of core subjects are highly qualified in the subjects assigned; and

3. the educational management organization has provided one or more dropout recovery programs for at least two years prior to providing a program pursuant to this Section.

B. Entities contracted to provide dropout recovery programs may conduct outreach to encourage students who are not enrolled in a school district or charter school in this state to return to school.

1. Entities will not conduct advertising or marketing campaigns directed at students who are currently enrolled in a school district or charter school nor engage in activity that encourages students who are enrolled to stop attending school in order to qualify for a dropout recovery program.

C. Contracts entered into by an LEA for a student dropout recovery program must include requirements for the protection of personally-identifiable student information that complies with applicable state and federal laws and BESE regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:100.5, 17:221.4, and 17:221.6.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 45:401 (March 2019).

§1907. Definitions [Formerly §2107]

Academic Coach—an adult who assists students in:

1. selecting courses needed to meet graduation requirements;

2. monitoring student pace and progress through the program; and

3. conducting regular pace and progress interventions.

Eligible Student—a student who is not enrolled in a school district or charter school and who has been withdrawn from a school district or charter school for at least 30 days, unless a school administrator determines that the student is unable to participate in other district programs.

Satisfactory Monthly Progress—amount of progress measurable on a monthly basis and that, if continued for 12 full months, will result in the same amount of academic credit awarded to students in traditional education programs completed in a full school year. Satisfactory monthly progress may include a lesser-required amount of progress for the first two months of participation in the program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:100.5, 17:221.4, and 17:221.6.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 45:402 (March 2019).

Chapter 21. Alternative Site Authorization and Approval

§2101. Approval for Alternative Schools or Programs

A. Approval to operate an alternative school or program must be obtained from BESE.

1. A school system choosing to implement an alternative school or program shall notify the LDE on or before the date prescribed by the LDE. School systems cannot change the requested school or program classification after March 15 annually, until the next application period

2. The LDE will submit to BESE an annual:
 - a. list of alternative sites to approve or disapprove by April; and

- b. alternative schools and programs report by January.

3. An approved alternative school or program will be:
 - a. included in the school system pupil progression plan; and
 - b. subject to monitoring by the LDE staff, as needed.

B. Eligibility for authorization of an alternative education site requires local educational authority completion of an application provided by the LDE. Eligibility criteria required include:

1. alternative site type sought (school or program);
2. transitional planning and support;
3. counseling and mental health supports;
4. staff professional development;
5. identified behavioral interventions;
6. identified academic interventions and graduation pathways; and
7. annual climate survey, if conducted.

C. Alternative education sites will be approved if all eligibility criteria are met. Reauthorization of an alternative site will be reviewed every three years and approval, provisional approval, or nonrenewal will be based upon delivery of eligibility criteria.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:100.5.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 45:402 (March 2019), LR 47:355 (March 2021).