A QUALITY EDUCATION FOR EVERY CHILD
New Wisconsin Promise

State of Wisconsin
Department of Public Instruction

Elizabeth Burmaster, State Superintendent

ALTERNATIVE EDUCATION PROGRAMS

The large and/or traditional school environment is becoming less effective for increasing numbers of students. Research shows this is especially true for at-risk, vulnerable, and disengaged students. At the same time, some students are finding success in smaller alternative education programs that attempt to integrate learning and meaningful work. These programs create sustained, family-like support systems of peers and caring adults. They develop an "opportunity structure" by setting rigorous standards and high expectations for students. They pay attention to the quality of staff and display an ongoing commitment to staff development. Most importantly, they focus on developing and transforming the whole person by demonstrating respect for individual intelligence and the ability to contribute to the community.

In Wisconsin, school districts are meeting this challenge and developing alternative education programs to address the needs of their students. The programs range from early intervention for at-risk learners that start the student off on the right track to "last-chance" programs. Last-chance programs may be designed to provide educational alternatives for students whose behavior has significantly interfered with the safety, well being, and/or learning of others. Another type of last-chance alternative education program may serve students whose credit deficiency is so severe that he or she will not graduate.

While the short-term goal of alternative education is to meet the needs of some students, the long-term goal must be to identify successful alternative education strategies and use these strategies as a basis for improving learning opportunities for all children.

The purpose of this document is to provide answers to frequently asked questions and guidance to districts as they develop and expand alternative education programs. It is critical that districts consult local policy as they create and administer alternative education programs. The citations in the document are to the Wisconsin Statutes and Administrative Codes and are available at any public library or on the Internet at www.legis.state.wi.us.

1. What is alternative education?

Statutorily, an alternative education program is defined under ß115.28 (7) (e), Wis. Stats., as "an instructional program, approved by the school board, that utilizes successful alternative or adaptive school structures and teaching techniques and that is incorporated into existing, traditional classrooms or regularly scheduled curricular programs or that is offered in place of regularly scheduled curricular programs. Alternative education program does not include a private school or a home-based private educational program."

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For children at risk of not graduating from high school, an alternative school is defined as "a public school that has at least 30 pupils and no more than 250 pupils, has a separate administrator or teacher in charge of the school and offers a nontraditional curriculum" [ß118.153 (5) (a) 1., Stats.].

An alternative education program is often defined by the program's characteristics, such as programs that focus on behavior, interest, or functional level. Behavioral programming might be designed for students who need a structured setting to focus on more appropriate school behaviors to facilitate their learning and the learning of others. Programs designed around student interest might include an environmental program or vocational academies. Functional-level programs might include high school completion, academic, or skill remediation.

2. How are alternative education programs structured?

The district determines the structure of an alternative education program. Some programs are designed as a resource room or resource teacher. In this type of program design, the alternative program consists of a separate room and/or teacher where additional services (study skills, guidance, anger management, small group, and individual instruction) are provided. Student use might range from after-school and homeroom services to multiple hours of instruction. Another type of alternative education program is a school-within-a-school, in which the program is housed within the school building but in a separate area or set of classrooms. A third type of alternative education program is generally referred to as a pullout program, in which the student is removed from the traditional school setting to attend the alternative education program in either an on-site or off-site setting. Some districts operate their programs at an alternative site, such as a storefront, community center, or former school.

3. What is the difference between an alternative program and an alternative school?

Frequently the terms alternative school and alternative education program are used interchangeably without regard for the implications. An alternative program, whether on-site or off-site, is operated by the school district (or consortium of school districts) and students remain connected for purposes of enrollment, testing, school performance reporting, etc., to a specific school with a DPI assigned number.

Example: Curt is enrolled in South High School but he attends the STAR Alternative Education Program. Susan also attends STAR but she is enrolled at East High School. Hans attends STAR from North High School which is located in a different district. All relevant reporting is done by South, East and North High Schools.

An alternative school, whether on-site or off-site, is operated by the school district (or consortium of school districts) as an independent school. The alternative school has a DPI assigned school code and all attendance, testing and enrollment data is reported by that school. The school is subject to all requirements of the Elementary and Secondary Education Act, including potential designation as a school in need of improvement.

Example: Last year Jack attended Memorial High School and this year he is enrolled in EXCEL Alternative School. Last month Peggy attended Spring Middle School, but she is now attending EXCEL. Bret hasn't attended school in over a year; he is now enrolled at EXCEL. All relevant reporting is done by EXCEL School.

4. What is the difference between an alternative school/program and a charter school?

Operating an alternative school/program as a charter school requires compliance with ß118.40, Stats., which includes sponsorship and compliance with state and federal laws (including being nonsectarian and nondiscriminatory), except where exemptions are permissible.

While some alternative schools or programs convert to charter school status, few of these programs actually require a charter because most of the modifications that occur in alternative education charter schools are permissible under existing alternative education law. Please refer to subsequent questions in this document for ways in which standards may be modified.

5. What types of students are served in alternative education programs?

Alternative education programs could serve many types of students. However, virtually all Wisconsin alternative education programs focus on students who meet the statutory definition of being at-risk. The students' characteristics range from truancy, delinquency, behavioral problems, AODA use, family problems, and academic failure to expellable offenses. A typical list of selection criteria includes:

- Poor attendance
- Failing grades (D/F)
- Family crisis
- Referred to but did not qualify for special education services
- Social/emotional/medical issues
- Free/reduced lunch
- Below-average performance on assessments
- Discipline problems
- Drug and alcohol issues
- Criminal behavior
- Poor peer relationships
- Rated "high" on teacher-generated at-risk profile
- Retained or considered for retention
- Significant deficiencies in credits

6. How are students selected?

The most effective programs use a team selection and student interview process. Generally, a referral form is developed that can be completed by an educational staff person, the student,

and/or the student's parent(s). Referrals are screened for appropriateness, and a team meets to determine the appropriateness of the referral. An interview is held with the student and parent(s), at which time the rules and expectations of the program are explained. This meeting offers an opportunity to make sure the student understands the program and that he or she and the parent(s) are making an informed educational choice.

7. What steps should a school district take to set up an alternative education program?

Creating an alternative education program is a very involved process. Time invested in each step of the process will benefit the school, the program, the students, and the community. Steps might include:

- Establish a district wide alternative education study committee that includes teachers, administrators, parents, and community members (social services, law enforcement, business leaders).
- Gather district data and assess the need for a program.
  - Academic reports
  - Discipline referrals
  - Guidance reports
  - Attendance records
  - Juvenile court notices
- Map existing resources and identify service gaps.
- Create a shared vision.
- Study and visit similar programs in other school districts.
- Develop the plan for an alternative education program.
  - Location (on site or off site)
  - Size
  - Style and structure
  - Age range
  - Type of pupil to be served
  - Student selection process
  - Resources (staff, funding, space needs, services)
  - Partners (higher education, law enforcement, mental health, social services, business)
- Establish measurable goals and objectives that are student-outcome driven.
- Create a timetable with benchmarks.
- Establish district policy (including school board approval) for the program.
- Consider funding sources.
- Recognize that the district's high school graduation policy must also include students served by the alternative education program [ß118.33 (1) (d), Stats.].
- Develop or acquire an alternative education curriculum consistent with the district's academic standards and other learning objectives.
- Start small and add students and staff as appropriate.
- Establish baseline data at the start of the program.
- Evaluate the program on a yearly basis.

8. Who can teach in an alternative education program?

Wisconsin statutes [ß115.28 (7) (a), 118.19, and 118.21, Stats.] and administrative code [PI 8.01 (2) (a)] require school districts to employ appropriately licensed and certified staff. Specific requirements for alternative education teacher licensure are specified under PI 3.03 (11):

> (a) . . . any person employed in an alternative education program shall hold an appropriate license issued by the department or an alternative education program license.
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> (b) An appropriate license held by a person employed in an alternative education program shall be in the grade level or subject which he or she is teaching except as follows:
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> 1. A person holding a regular elementary education license may teach the basic skills of reading, language arts, and mathematics to secondary students for high school credit if the grade level of the curriculum taught does not exceed the grade level of the teacher's license.
>
> 2. A person holding a regular license to teach may teach outside his or her area of licensing if the instruction is in collaboration with a properly licensed teacher. Under this paragraph, a properly licensed teacher shall be licensed at the grade level and in the subject area being taught and shall diagnose the pupils' educational needs, prescribe teaching and learning procedures, and evaluate the effects of the instruction.
>
> (c) 1. Except as specified in sub d. 2., an applicant for an alternative education program license shall possess a license to teach and shall receive an endorsement from a Wisconsin approved program verifying the applicant has met the competencies specified in PI 4.155. An alternative education program license may be issued for a period of 5 years and allows the holder to teach any subject specified under PI 8.01 (2) (L) 3 and 18.03 in grades 6-12 if the holder volunteers for that assignment.

Effective July 1, 2004, PI 3.03 (11), will be replaced by PI 34.33 (2), which varies only slightly from the existing PI 3.03 (11).

Administrative code section PI 8.01 (2) (L) 3, pertains to licensure in grades 5 to 8 for reading, language arts, social studies, mathematics, science, physical education, health, art and music. PI 8.03 pertains to high school English, social

studies, mathematics, science, physical education, and health. Teacher aides in alternative education programs must be supervised by appropriately licensed staff.

9. What are the requirements for the length of the school day for an alternative education program?

Wisconsin's compulsory school attendance laws, ß118.15, Stats., require students to attend school on all days and hours in which school is in session. Additionally, ß121.02 (1) (f) 2., Stats. and PI 8.01 (2) (f), establish the minimum number of hours of direct pupil instruction required annually (437 hours in kindergarten, 1,050 hours in grades 1-6, and 1,137 hours in grades 7-12). Wisconsin law details exceptions to compulsory school attendance:

> ß118.15 (1) (c): Upon the child's request and with the written approval of the child's parent or guardian, any child who is 16 years of age may be excused by the school board from regular school attendance if the child and his or her parent or guardian agree, in writing, that the child will participate in a program or curriculum modification under par. (d) leading to the child's high school graduation.
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> §118.15 (1) (d): Any child's parent or guardian, or the child if the parent or guardian is notified, may request the school board, in writing, to provide the child with program or curriculum modifications, including but not limited to:
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> 1. Modifications within the child's current academic program.
> 2. A school work training or work study program.
> 3. Enrollment in any alternative public school or program located in the school district in which the child resides.
> 4. Enrollment in any nonsectarian private school or program located in the school district.
> 5. Home-bound study, including nonsectarian correspondence courses or other courses of study approved by the school board or nonsectarian tutoring provided by the school in which the child is enrolled.
> 6. Enrollment in any public educational program located outside the district.

In addition, ß118.33 (1) (b), Stats., indicates a school board may not grant a high school diploma to any pupil unless, during the high school grades, the pupil has been enrolled in a class or has participated in an activity approved by the school board during each class period of each school day, or the pupil has been enrolled in an alternative education program as defined in ß115.28 (7) (e) 1., Stats.

While the law does not require a full day of attendance for students in an alternative education program, it is important that pupils enrolled in alternative education programs be provided education and related experiences of sufficient duration to be given the opportunity to learn the information to be assessed.

10. Can an alternative education program be located at a site separate from the school district?

Yes, an alternative education program can be operated at a site separate from the school district. Standard I of the Wisconsin Administrative Code [PI 8.01 (2) (i)] requires that the facility housing an alternative program be operated in a manner assuring the safety and health of students and staff. The school board/governing agency is required to comply with all regulations, state codes, and orders of the Department of Commerce and the Department of Health and Family Services as well as all applicable local safety and health codes and regulations.

In addition, it is important that school districts offering programs located outside the traditional school grounds carefully evaluate and document any exemptions from school policies and codes of conduct issued for these programs. The parameters of the school district's property should be clearly identified. Issues that might arise include programs that are located in a storefront and share a public parking lot, student smoking and/or possession of tobacco products, and boundaries for prohibited behavior.

11. If the program is off-site, what about services such as nursing, guidance, and library?

State statute and administrative code require school districts to provide nursing, guidance, and library and media services. Access to these services should be made available to students in an alternative education program in a manner appropriate to the needs of the students.

12. What curriculum do students in an alternative education program use?

The district's curriculum plan developed under ß121.02 (1) (k), Stats., and PI 8.01 (2) (k), should address any variations that may be necessary for students being served by an alternative education program. Variations should focus on the strategies and methods used to deliver the content, rather than focusing on changing the content of the curriculum as set forth in the Wisconsin Model Academic Standards or the district-adopted standards.

13. Must students in an alternative education program take the state achievement tests?

Yes. Alternative education programs must comply with the achievement tests required by the state and by district policy. While exemptions exist for pupils enrolled in special education and pupils with limited English proficiency, no exemption exists for pupils in alternative education programs. Required examinations of knowledge and concepts include the fourth-, eighth-, and tenth-grade exams [ß118.30, Stats.]. Parents of all students (including students enrolled in an alternative education program) have the right to excuse their child(ren) from the state tests consistent with ß118.30 (2) (b) 3 and 4., Stats.

14. How does an alternative education program comply with the high school graduation standards?

Currently, there are two ways in which students in an alternative education program may comply with the high school graduation standards: by earning the required credits or by demonstrating a level of proficiency equivalent to the credit requirements.

Wisconsin statute, ß118.33 (1) (a), indicates a school board may not grant a high school diploma to any pupil unless the pupil has earned a minimum of 12.5 credits in grades 9-12 in the following designated areas: English, 4 credits; social studies, 3 credits; mathematics, 2 credits; science, 2 credits; and physical education, 1.5 credits. In addition, every student must earn at least 0.5 credit of health education in grades 7-12. The state superintendent encourages boards to require a minimum of 8.5 additional credits in vocational education, foreign languages, fine arts, and other courses.

A school board may also grant a high school diploma to a pupil who has not completed the required credits if all of the following applies:

- The pupil was enrolled in an alternative education program, as defined in ß115.28 (7) (e) 1., and
- The school board determines the pupil has demonstrated a level of proficiency in the subjects listed above equivalent to that which he or she would have attained if he or she had satisfied the credit requirements.

The process by which the school board will determine student proficiency should be documented in the policies developed by the school board under ß118.33 (1) (f), Stats.

15. What type of diploma is awarded to students who attend an alternative education program?

The type of diploma awarded to a student who meets the graduation requirements through demonstration of proficiency is a decision to be made by the local school district and documented in written policy. The Department of Public Instruction encourages districts to award the same diploma to all students.

16. Can students who attend an alternative education program participate in extracurricular activities?

Students in an alternative education program have a right to participate in extracurricular activities. For students who attend a consortium program away from their home district, WIAA and/or school district policy may impact the location of extracurricular activities.

17. Can an alternative education program lead to a high school equivalency diploma (HSED)?

No, however, local school districts that have applied to the Department of Public Instruction and received approval to offer the GED Option #2 (GEDO #2) program may prepare students who are at least 17 years of age to take the GED tests at the local technical college. See Questions 18, 19, and 20.

18. What is the GED Option #2 Program?

The GED Option #2 (GEDO #2) Program allows authorized school districts to use the GED test battery to measure proficiency in lieu of high school credit for students enrolled in an alternative education program. A student who passes the GED tests and completes the other requirements for graduation is entitled to the traditional high school diploma. Wisconsin received approval to offer this opportunity to local school districts as part of its waiver application to GED Testing Service. The approval was contingent on very specific requirements that are outlined in Question 20.

19. How is it possible to use the GED/HSED to measure proficiency in lieu of high school credits?

Wisconsin law allows a school district to issue a high school diploma to a student who has attained the required credits, or if all of the following apply:

a) the student is enrolled in an alternative education program, as defined in ß115.28 (7)(e)1., and
b) the school board determines that the pupil has demonstrated a level of proficiency in the subjects for which credit is required equivalent to that which he or she would have attained if he or she had satisfied the credit requirements. ß118.33(1)(d), Stats.

The GED tests are a nationally normed, standards-based means of measuring high school competency. GED Testing Service has granted Wisconsin permission to use the GED test battery as a means to demonstrate proficiency provided that the program leads to a traditional high school diploma.

20. How does a school district become authorized to offer GED Option #2?

A school district seeking to offer GEDO #2 must apply to the Department of Public Instruction using PI-8201. In addition to submitting the narrative describing the district's proposed program, the district must also make the following assurances:

a) Students served will be at least 17 years of age.
b) Students will be at least one year behind their (9th grade) class in credits earned.
c) Students served should be able to demonstrate an ability to read at or above the 9th grade level.

d) A formal meeting(s) will be held before a student is allowed to begin a GEDO #2 program. This meeting will include a discussion of the educational options available to the student; the academic, attendance and behavioral expectations of the student once in the program; and the anticipated goal of the program (traditional high school diploma). Educational options should also be discussed if a student completes academic preparation before they are eligible to take the final GED test. The student, his or her parent or guardian, the student's guidance counselor, principal, and at least one teacher (or their designees) must participate in the meeting(s).
e) Students must volunteer for the program *after* participating in the meeting described in (d) above.
f) A contract with the student, the student's parent/guardian(s), the school, and the GEDO program's coordinator outlining the hours of attendance, academic and behavioral expectations, and services to be provided by the school district will be signed.
g) A student/teacher ratio of no more than 15:1 will be maintained in the GEDO #2 program.
h) At least 15 hours of instruction are required each week. The student will be required to participate in at least 10 hours of math, science, social studies, language arts, or health instruction each week until his/her instructors certify that he or she is academically prepared to take the final GED test. At this point a larger portion of the student's 15 hours per week can be devoted to experiential training (e.g., vocational/technical education, art, music, foreign language, or work experience). All students must be *continuously enrolled and attending* the program until they are eligible to take the final GED test.
i) Students with disabilities will not be excluded from the program, but must have a current IEP recommending participation in GEDO #2. The IEP must document any related aids and services necessary for successful completion of the program.
j) Eighty percent (80%) or more of the students accepted for GEDO #2 must successfully complete the program and graduate with their class as a condition of program approval for the following year.
k) Students participating in the GEDO #2 program will be required to meet the high school graduation requirements under §118.33, Stats. or district policy.
l) Students who successfully complete GEDO #2 requirements will be entitled to a traditional high school diploma issued by their school district and to participate in the same graduation ceremony as other high school graduates.
m) Program data required by GED Testing Service will be collected and submitted to the Department of Public Instruction each year.

21. Who provides transportation to an alternative education program?

If a school district approves an alternative program, the district must provide transportation consistent with ß121.54, Stats.

22. Can special education students participate in an alternative education program?

Students with disabilities may not be excluded from placement in an alternative education program. However, the child's Individualized Education Program (IEP) team is responsible for determining the child's needs, the special education and related services required to meet those needs, and where those services will be provided. Local educational agencies must provide special education and related services for children with disabilities in accordance with a child's IEP. Special education and related services must be provided by qualified individuals holding appropriate DPI special education certification. Children with disabilities must be educated and participate with nondisabled children to the extent appropriate for each child. In addition, children with disabilities must be allowed to be involved and progress in the general curriculum and participate in extracurricular and other nonacademic activities. As long as these requirements are met, participation in an alternative education program is permissible. Questions about children with disabilities should be referred to the DPI Special Education Team.

23. Is a school-age parent program considered an alternative education program?

A school-age parent program may be one form of alternative education program. A program designed specifically for school-age parents must meet the requirements under ß115.92, Stats., and PI 19. School-age parents may not be denied participation in or the benefits of a school district's alternative education program because of pregnancy, marital, or parental status. In addition, school-age parents cannot be required to attend an alternative education program merely because of pregnancy, marital, or parental status [ß118.13. Stats.].

24. Must an alternative education program comply with the 20 Standards in Wisconsin law and administrative code?

Yes, school districts operating alternative education programs must comply with ß121.02 (1) (a)-(t), Stats., and PI 8.01 (2) (a)–(t), which address the school district standards and rules. There are 20 standards that school districts must meet. Standards C (remedial reading), D (kindergarten), and R (third-grade reading tests) are applicable to alternative education programs serving elementary-age students.

25. What is the relationship between children-at-risk programs and alternative education programs?

Wisconsin school districts are required to identify students who are at risk of not graduating from high school under §118.153, Stats., and develop plans to meet the needs of these students. Annually by August 15, school boards are required to approve the district plan to meet the needs of at-risk students. Alternative education programs represent one of the array of services available to meet the needs of at-risk students.

Children at risk of not graduating from high school are defined as pupils in grades 5 to 12 who are dropouts, or are two or more of the following:

- One or more years behind their age group in the number of credits attained
- Two or more years behind their age group in basic skill levels
- Habitual truants, as defined in §118.16 (1) (a)
- Parents
- Adjudicated delinquents
- Eighth-grade pupils whose score in each subject area on the examination administered under §118.30 (1m) (am) 1., was below the basic level; eighth-grade pupils who failed the examination under §118.30 (1m) (am) 2.; and eighth-grade pupils who failed to be promoted to the ninth grade.

26. How should performance of students in alternative education programs be reported?

Performance of students in alternative education programs should be included in all school performance reporting completed by the district. In evaluating the alternative education program, districts are encouraged and permitted to compare the performance of alternative education students with the general population.

27. Does the state have funding available for alternative education programs?

1999 Wisconsin Act 9 created a state competitive grant program to fund alternative education programs beginning with the 2000-01 school year. During the first three years, funded programs will receive 100 percent of the awarded amount. In the fourth and fifth years, the programs will receive 60 percent and 40 percent, respectively.

28. Who should I contact for additional information about alternative education programs?

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