

ALTERNATIVE LEARNING OPPORTUNITIES PROGRAM APPLICATION FOR PROGRAM APPROVAL

Program Requirements and Application Instructions

Article 13B of the School Code (105 ILCS 5/Art. 13B) recognizes that in order to achieve high standards, some students will need educational supports and other support services that are not currently provided by their regular school programs. In order to address these needs, Article 13B enables school districts to develop and implement Alternative Learning Opportunities Programs (ALOPs) that offer a broader range of academic, behavioral, and social/emotional interventions designed to increase the academic achievement levels of these students so that they are able meet the Illinois Learning Standards and complete their education in a safe learning environment.

School districts wishing to establish ALOPs must first seek approval from the State Board of Education before enrolling students in such programs. This documents describes the requirements that districts must meet in order to establish ALOPs. Further information about ALOP requirements can be found in the agency's administrative rules for the program (23 Ill. Adm. Code 240), which can be accessed at <http://www.isbe.net/rules/archive/pdfs/240ark.pdf>.

What is the purpose of ALOPs?

ALOPs provide students in grades 4 through 12 who are at risk of academic failure with a broader range of academic, behavioral and social/emotional interventions needed to meet the Illinois Learning Standards and to complete their education in a safe learning environment. ALOPs services should be designed to address individual learning styles, career development, and social services that will enable students to successfully complete their education.

Who may establish ALOPs?

Only school districts may establish ALOPs, either individually or in collaboration with two or more school districts or with one or more Regional Offices of Education, or both, or with Intermediate Service Centers.

A school district may operate its own program or may contract with one or more entities to operate its ALOP. Such entities include health, mental health, or human service organizations; workforce development boards or agencies; juvenile detention programs; programs operated by the Illinois Department of Corrections; and other appropriate agencies or organizations that can serve students whose needs are not being met by the regular school program.

The school board of each school district operating a program jointly or under contract with eligible entities is responsible for establishing the local governance of the ALOP through a cooperative or intergovernmental agreement.

Which students are eligible for enrollment in an ALOP?

Students eligible for enrollment in an ALOP are those who:

- are in grades 4 through 12,
- are considered to be at risk of academic failure, and
- demonstrate a need for educational support or social services beyond those that the regular school program provides.

A student enrolled in the Alternative Learning Opportunities Program who intends to graduate from high school or qualify to participate in the High School Equivalency Testing program may receive services up to the age of 21.

A school district must develop enrollment criteria for students to be served by the program. In determining whether a student is at risk of academic failure, a school district must at least consider the following circumstances.

- The student has demonstrated poor academic performance for more than a semester even though the school has implemented routine interventions.
- The student's poor academic performance on district assessments and on the Illinois Standards Achievement Test or the Prairie State Achievement Examination in the previous school year may be related to factors other than the student's academic ability. Such factors may include social, emotional, or behavioral problems; substance abuse; poor health and/or nutrition; and changes in life circumstances that affect the student's ability to succeed or motivation to participate in the educational program.
- The student's poor academic performance has resulted in failure to meet the district's requirements for promotion in the current school year; however, the student could meet the district's requirements with educational supports and/or other support services currently not available in the regular school program.
- The student's poor academic performance has resulted in the student's lack of sufficient high school credits for his or her grade level and he or she is likely to drop out of high school or otherwise fail to graduate because of these credit deficiencies.

Each district's admission criteria must be nondiscriminatory in purpose and effect and must conform to the following requirements.

- The student recommended for enrollment must be deficient in one or more of the fundamental learning areas and must not have shown improvement with interventions used in the student's school or within the school district.
- The district must document the interventions employed and results of these interventions prior to determining that a student is eligible for the ALOP.
- The district must not be able to provide the educational supports and/or other support services as needed to improve the student's academic performance.
- Indicators other than academic performance should be considered when assessing the student's inability to successfully complete the school work and achieve grade-level learning outcomes.

Can a student with an Individualized Education Program (IEP) be enrolled in an ALOP?

If a student with an IEP meets the eligibility requirements for enrollment in an ALOP, he or she is eligible to enroll provided that the student's IEP identifies enrollment in the ALOP as the least restrictive placement for the student.

The school district of residence must ensure that the student receives all of the special education and related services specified in his or her IEP and that those services are delivered by qualified personnel. The student's district of residence also is responsible for the fulfillment of the IEP while the student is enrolled in an ALOP.

Finally, if a student enrolled in an ALOP is referred for an evaluation to determine eligibility for special education, the evaluation and determination must be conducted in accordance with the State Board's rules for Special Education (23 Ill. Adm. Code 226).

Can a student be enrolled in an ALOP and another program at the same time?

Yes. A student may enroll in a program approved under Section 18-8.05 of this Code, as appropriate, or attend both the alternative learning opportunities program and the regular school program to enhance student performance and facilitate on-time graduation.

How are students enrolled in an ALOP?

Once a school district has received approval from the State Board of Education to establish its ALOP, it must provide information about the program to the parents or guardians of all students enrolled in grades 4 through 12 and identify a staff member to serve as a point of contact for parents interested in learning more about the program. A student can only be enrolled in an ALOP after the school district receives written consent from his or her parents or guardians. This consent is obtained only after the parents or guardians participate in a conference with school personnel to learn more about the program and the benefits it may provide for their child. A school district may schedule a conference after it determines that a student would benefit from enrollment in an ALOP or a parent or guardian may request a conference on behalf of their child in cases where a district has not recommended enrollment of a child in an ALOP.

A student may be enrolled both in an ALOP and in the regular school program. An approved ALOP may enroll nonresident students if there is an intergovernmental agreement among the participating school districts and the tuition charged is not less than 100 percent or greater than 110 percent of the per capita rate of the resident district. If an existing alternative education program receives approval to operate as an ALOP, the program still must send written notification to the parent or guardian of each student enrolled about the program's change in status. The notice must inform the parent or guardian:

- about his or her right to attend a conference about the program;
- that consent for the student's continued enrollment in the program will be deemed granted, unless the parent or guardian, within ten school days after receiving the notification, requests that the student be returned to the regular school program; and

- about his or her right to participate in the development of the Student Success Plan.

All rights granted under Article 13B of the School Code to the student's parent or guardian shall become those of the student when the student reaches 18 years of age, subject to the provisions of the Emancipation of Mature Minors Act.

What are the requirements for a parent conference?

Before enrolling a student in an ALOP, the district must notify the student's parent or guardian about the conference to be held about the program. This written notice must outline the rights of the parent or guardian, such as the need for parental consent for enrollment in the program, ability to withdraw consent for enrollment, and the right of the parent or guardian to participate in the development of the Student Success Plan for the student.

The conference can be conducted on-site or by telephone. The conference should be designed to help the parent or guardian decide if the program would benefit the student by providing the following considerations:

- relevant educational resources and information yielded by diagnostic assessments that address academic, behavior, and risk issues; and
- documentation that identifies the interventions available in the school and that demonstrates these were provided to the student.

If the parent or guardian fails to participate in the conference, the student must not be enrolled in the program. If the parent or guardian attends the conference and determines that the program could benefit the student, the parent or guardian may request the student's enrollment by providing written consent.

If a student's parent or guardian submits a written request to the district's contact person to initiate a parent conference to consider enrollment of the student in an ALOP, the district must conduct the conference no later than ten school days after receipt of the written request. The district may limit the frequency with which a parent or guardian can request a conference in a school year, provided the limit imposed does not exceed 45 calendar days.

Are school districts required to provide transportation for students enrolled in an ALOP?

School districts that are required to provide transportation pursuant to Section 29-3 of the School Code must provide transportation for students enrolled in an ALOP. Other school districts must provide transportation to the same extent that they provide transportation to other students. A school district may collaborate with the regional superintendent of schools to establish a cooperative transportation agreement among school districts in the region to reduce the costs of attending an ALOP.

Where can ALOPs be located?

School districts must consider locating the ALOP on-site in the regular school (i.e., a school where the general education curriculum is offered). If the program is offered at

other than a regular school, then the school district shall provide a rationale stating how the proposed site is in the best educational interests of the students to be served (e.g., the regular school has limited space for the program, the site is not accessible to all the students to be served, the proposed site provides a learning environment more conducive to the needs of the students enrolled in the program).

Any student in grade 4 or 5 who is enrolled in an ALOP **must** participate in the program or receive services in his or her own home school. Every effort should be made to ensure that the educational supports and other services are provided to the student as part of his or her activities in the classroom(s) to which he or she is originally assigned unless the nature of the services dictates otherwise.

Do individual education plans have to be developed for each student enrolled in the ALOP?

An individual education plan, called a Student Success Plan, must be developed for each student in all newly established ALOPs and for students enrolled in any existing alternative education program that has been approved as an ALOP. Each Student Success Plan must be based on an assessment of the student's educational and social functioning and skills and must establish goals and objectives for satisfactory performance in the program. Where appropriate, the plan should also take into account the social norms and behaviors specific to the student's cultural and linguistic background.

Each Student Success Plan must have the following elements:

- the curriculum and instructional methods to be used for improving the student's educational performance;
- the support services needed to remove barriers to learning;
- when appropriate, the career development experiences for enhancing career awareness;
- the objectives to ensure a successful transition back to the regular school program or to postsecondary educational options;
- the student's responsibilities under the plan;
- the reason for the student's referral to the program that is consistent with the district's admission criteria for the ALOP;
- a determination of the needs and strengths of the student;
- the expected academic, social, and behavioral outcomes to be achieved;
- assessment procedures for determining the degree to which the student has achieved his or her learning objectives and other specified outcomes;
- the anticipated length of enrollment, which is not to exceed two years. If the time the student is to be enrolled exceeds two years, then the plan must include documentation of need for a longer period of time for the student to meet the academic, social, and/or behavioral outcomes identified in the plan;
- a description of parental commitment to support the student's successful completion of the program;
- for any student whose program provides less than five clock-hours of school work per day, an identification of the objectives that must be achieved so that the

student can resume receiving five clock-hours of school work daily and a description of instructional support that the student will receive to permit a successful transition to the regular school program.

Are parents and guardians required to be involved in the development of the plan?

Yes. The school district must send written notification at least ten days in advance to the student and his or her parent or guardian of the time, date, and place of the meeting to consider the plan. Should the parent or guardian not be able to participate in the meeting, the district must ensure that the student and his or her parent or guardian has an opportunity to comment on the proposed plan and that they receive a copy of the final plan after it is completed.

How often must a Student Success Plan be reviewed and updated?

The Student Success Plan must be reviewed at least twice during the school year. These reviews should consider any changes in the elements of the plan that are necessary based on the student's academic progress since the previous review period or in the previous school year.

If a student remains in the ALOP for more than one school year, his or her Student Success Plan shall be reviewed prior to the start of any subsequent school year in which he or she remains in the program. A review at the start of the next school year is not required if the plan was reviewed at the conclusion of the prior school year.

If any changes are proposed for the Student Success Plan, the school district shall notify the student's parent or guardian of the proposed changes and of their opportunity to review those changes. The plan and its revisions must become part of the individual's Student Temporary Record and must be available to the Illinois State Board of Education upon request when there is a demonstrable educational interest or a necessary state program purpose.

What are the requirements for the instructional program?

The program of instruction offered by an ALOP must be consistent with the Illinois Learning Standards and offer innovative and varied instructional strategies to improve the educational achievement of the students enrolled.

The curriculum should enable a student to receive credit toward completion of required courses or promotion to the next grade level in accordance with criteria established by the student's resident district. School districts also must award academic credit for work completed at an educational provider that is accredited by a regional accrediting body or recognized by the State Board of Education, if the student's performance meets district standards.

If the school district has contracted with a non-profit or for-profit educational entity to provide instruction for its ALOP, the district must verify that the entity meets one of the following conditions:

- is established by the state to provide education-related services or instruction (e.g., Regional Offices of Education, Intermediate Service Centers, public community colleges or universities); or
- is a nonpublic elementary or secondary school recognized by the State Board of Education; or
- is designated for operation through a standardized approval process administered by the State Board of Education (e.g., public university laboratory schools, private business and vocational schools, alternative schools, charter schools, area vocational centers); or
- meets the requirements of a national or regional accrediting body (e.g., private colleges and universities, nonpublic elementary or secondary schools).

How often must an ALOP review student progress?

Progress reports must be provided, at minimum, with the same frequency and in the same manner as progress reports sent to parents and guardians of students enrolled in the regular school program. A student's parent or guardian may request a meeting anytime during the school year to review the student's progress according to the district's procedures, and the school district must respond to the request within seven school days after the parent or guardian submits the request.

What are the types of support services that can be offered in an ALOP?

The support services provided the student in an ALOP must be those that are necessary for the student's academic success and could include the following:

- alcohol and drug rehabilitation;
- individual, group, and family counseling;
- mentoring and tutoring;
- school physicals;
- health and nutrition education;
- classroom aides;
- career counseling;
- child care;
- and any other social, health, or supplemental service approved in the Student Success Plan.

Can an ALOP offer less than five-clock hours of instruction?

An Alternative Learning Opportunities program must provide students with a minimum of 174 days of actual days of pupil attendance (see Section 10-19 of the School Code) and a minimum of five-clock hours of school work each day, except in certain circumstances. A program calendar that varies in the number of days or the length of the instructional day from the requirements of the School Code can be approved if all of the following conditions are met.

- The district plan submitted establishes that a program requiring the required minimum number of days of attendance or daily hours of school work would not serve the needs of the program's students.
- Each day of attendance provides no fewer than three-clock hours of school work.

- Each day of attendance with fewer than five-clock hours of school work must include supplementary services for a sufficient time so that the daily program for the student is five clock-hours. Supplementary services include student assistance programs, counseling, case management, health and fitness programs, life skills, or conflict resolution training.
- An evening program may offer less than 174 days of actual pupil attendance during the school year if it meets all of the conditions outlined above.

A program may claim General State Aid for up to two hours of the time each day that a student is receiving supplemental services. Allowable supplemental, non-instructional services must be:

- directly related to the student's Student Success Plan,
- provided by qualified personnel with experience and skills appropriate to the services being provided, and
- monitored by the ALOP staff to ensure services provided are effective in improving the student's academic achievement so the student can be returned to the regular school program.

Activities that are instructional in nature (e.g., work-based learning, service learning, physical fitness and health programs) are not considered to be supplemental services and will be counted as part of the required five-clock hours of school work when all the following conditions are met:

- the activity is an integral and regular part of the academic instruction the student is receiving and is tied to one or more of the fundamental learning areas,
- the student receives academic credit in accordance with his or her district's policies for awarding such credit upon successful completion of the activity, and
- the activity is under the direction of a certified teacher.

Who may teach or provide services in an ALOP?

Each ALOP must employ staff that are appropriately certified. Teachers must hold a valid and active elementary, secondary, special K-12 or special preschool - age 21 Illinois teaching certificate required for the grade level to which they are assigned.

Professional personnel who provide other services for students enrolled in the program shall hold the certificates appropriate to their roles pursuant to State Board of Education rules for Certification (23 Ill. Adm. Code 25), except that:

- personnel providing professional nursing services shall meet the requirements of Section 10-22.23 of the School Code [105 ILCS 5/10-22.23],
- personnel providing school counseling services shall meet the requirements of Section 10-22.24b of the School Code [105 ILCS 5/10-22.24b],
- personnel providing non-instructional services shall meet the requirements of Section 10-22.34 of the School Code [105 ILCS 5/10-22.34],
- personnel providing school psychological services shall meet the requirements of Section 14-1.09.1 of the School Code [105 ILCS 5/14-1.09.1], and
- personnel providing school social work services shall meet the requirements of Section 14-1.09.2 of the School Code [105 ILCS 5/14-1.09.2].

What are the requirements for returning students to the regular school program?

The goal of the Alternative Learning Opportunities Program is to assist students in completing their education, which includes returning to the regular school program, to a postsecondary program, or an adult education program, as appropriate. School districts must establish procedures for the transition of students that include the following:

- an assessment prior to the student's leaving the program to determine what educational and support services are needed for the student's successful progress in the regular school curriculum, and
- the assignment of a staff member to monitor the student's progress in the regular school program for not less than two semesters after the student leaves the ALOP.

The procedures developed for the transition process must apply to all students leaving an ALOP, including those who have successfully completed the objectives in their Student Success Plan and those whose parents or guardians remove them before completion of the program.

Can a student be removed from the ALOP and returned to the regular school program?

A parent or guardian must request in writing to have his or her child returned to the regular school program. A district must do so no later than ten school days after the district receives the written request to that effect, unless the notification is received within two weeks before the end of a grading period. In that case, the student must remain in the ALOP until the start of the next grading period.

What funding is available to assist school districts that establish ALOPs?

A local school district that operates an ALOP approved by the State Board of Education is eligible to receive General State Aid, provided that it:

- meets the requirements for claiming state aid specified in Section 18-8.05 of the School Code,
- meets the criteria regarding programs providing less than five-clock hours of school work,
- maintains teacher professional development plans that address the instruction of at-risk students,
- meets all health, life, and safety requirements required under the School Code, and
- complies with all other state and federal law applicable to education providers.

If two or more school districts operate a program under a cooperative agreement, the attendance shall be reported to the resident district of each student enrolled in the program and used by that district for the purpose of claiming General State Aid.

In the case where a regional office of education operates an ALOP, the regional office of education is entitled to claim General State Aid at the foundation level of support (per an intergovernmental agreement between the regional office of education and the district(s) establishing the ALOP). If the per capita tuition charge of the school district that

established the ALOP exceeds the foundation level of support provided to the regional office of education, the school district must provide the difference between the foundation level received by the regional office and the district's per capita tuition charge for its students enrolled in the program.

It is the intent of the ALOP legislation that students in ALOPs not be provided services that are less than comparable to all students in the school districts and that the districts should provide ALOPs the same level of funding as the per capita expenditure for students in those districts. Therefore, a school district or consortium must ensure that an approved program receives supplemental State aid, transportation reimbursement, and special education resources, if appropriate, for students enrolled in the program.

What are the standards for approving an application to establish an ALOP?

Each application for approval is initially reviewed to make sure it is complete and complies with the requirements for an ALOP as stipulated in Article 13B and the agency's rules for the program.

If an application is incomplete, the State Board of Education will return the application to the school district, specifying the information needed and allowing the district 15 calendar days to submit the requested information.

All complete applications will be evaluated to determine the extent to which they meet the Program Approval Criteria listed below. If the application does not meet the criteria, it will be returned to the applicant, specifying the reason(s) why the application was not acceptable.

1. The proposed eligibility criteria will ensure that students shall not be recommended for the program based solely on their membership in a particular group or on family or individual characteristics (e.g., minority, low income, disability) and will include procedures and indicators that have a high likelihood of identifying children who, without educational supports and/or other support services not currently offered in the regular school program, may be at risk of academic failure.
2. The proposed program is structured to meet the individual needs of the students anticipated to be served, includes successful research-based approaches for serving students who are at risk of academic failure, and will be located at a site that is educationally beneficial for the students to be served.
3. The applicant has documented the current intervention strategies it employs before considering a student for enrollment in the Alternative Learning Opportunities Program, including evidence that the district would be unable to provide within the regular school program the proposed educational supports and/or support services necessary for that student to improve his or her academic achievement.
4. The curriculum is tied to Illinois Learning Standards and district standards, its pace and sequence will likely lead to improvement of achievement in a timely way, and the specific education goals and accompanying procedures for assessing student progress are clearly defined and measurable.

5. Support services are appropriate and necessary for students to improve their academic achievement and will not unduly interrupt the ability of the students to progress academically.
6. Procedures for returning students to the regular school program are likely to ensure that such transition will be successful, and the students will be afforded access to educational supports and/or other support services necessary to ensure success in the regular school program.
7. Evidence is present that the staff to be employed meet the requirements for certification and/or licensure and that any not-for-profit or for-profit entity proposed to provide instructional services is recognized by the State Board of Education.
8. The financial plan to support the program is cost-effective, as evidenced by the numbers to be served and services to be provided, and includes evidence that local, state, or federal funds and other sources of revenue will be coordinated to ensure the efficient and effective delivery of program services and activities.

How often does a school district have to apply for program approval?

After the initial approval is granted, a school district must annually submit to the State Board of Education an Application for Program Continuation. Forms for this purpose will be sent to all approved programs in sufficient time to be completed and returned to ISBE. An ALOP will be approved for continuation based on submitted evidence that it:

- is meeting the educational outcomes stated in the district plan, including those for individual students served;
- continues to comply with all applicable state and federal laws;
- maintains financial records in accordance with procedures specified in the Program Accounting Manual (23 Ill. Adm. Code 110).

In the continuation application, a school district must describe:

- proposed changes in any of the elements of the district plan for the ALOP that it plans to implement in the continuation period;
- the results of the evaluation of the previous year's program, including the educational outcomes achieved by the students;
- the activities proposed for the continuation period that reflect the results of the previous year's evaluation, including the identification of any unmet objectives and the rationale for their inclusion or deletion from the program;
- an expenditure report for the previous school year to be completed on a form provided by the State Board of Education; and
- updated information concerning any contracts, subcontracts, or cooperative or intergovernmental agreements, including any changes to the entities involved or their roles.

What are the conditions of approval for ALOPs?

Approved ALOPs must meet all of the following conditions.

1. All contracts, subcontracts, and cooperative or intergovernmental agreements necessary for the operation of the program must be approved by the board of education of each school district participating in the Alternative Learning

Opportunities Program and must specify the roles of and amount to be paid to each entity subject to the contract or agreement.

2. Student records for each student enrolled in the Alternative Learning Opportunities Program must be maintained by the student's resident district in accordance with the requirements of the Illinois School Student Records Act and the State Board of Education rules governing Students Records.

3. Pursuant to Section 13B-15.10(3) of the School Code, programs established and operated in accordance with Article 13B of the School Code must comply with all state and federal laws applicable to education providers. The programs are further subject to all State Board of Education rules that govern school districts (found in 23 Ill. Adm. Code, Subtitle A, Chapter I) provided that those rules are not contrary to the requirements of Article 13B.

4. The Alternative Learning Opportunities Program is responsible for the maintenance of the attendance records for the students enrolled in the program in accordance with the procedures established by the resident district.