

ALTERNATIVE MIDDLE SCHOOLS

1999 GENERAL SESSION

STATE OF UTAH

Sponsor: Lloyd W. Frandsen

AN ACT RELATING TO PUBLIC EDUCATION; PROVIDING FOR THE ESTABLISHMENT OF AN ALTERNATIVE MIDDLE SCHOOLS PROGRAM; PROVIDING FOR IMPLEMENTATION OF THE PROGRAM; PROVIDING FOR COLLABORATION; PROVIDING FOR AN APPROVAL PROCESS FOR PARTICIPATION; PROVIDING COMPONENTS FOR THE PROGRAM; PROVIDING A \$2,000,000 APPROPRIATION; PROVIDING FOR AN ANNUAL REPORT; AND PROVIDING AN EFFECTIVE DATE.

This act affects sections of Utah Code Annotated 1953 as follows:

ENACTS:

53A-11-909, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53A-11-909** is enacted to read:

53A-11-909. Alternative middle schools -- Purpose -- Implementation of program -- Components -- Report.

(1) There is established an alternative middle schools program to improve the school learning climate and help ensure safety for middle school students in the state's public education system.

(2) For purposes of this section, "middle school students" are students age 11 to 15.

(3) Local school boards shall have overall responsibility for implementation of the program, subject to the following considerations:

(a) that the FACT Council established in Title 63, Chapter 75, and a designated steering committee of persons with expertise in alternative middle school strategies shall be involved in collaborating the program with other state and local agencies that provide services to youth at risk, who are middle school students, and their families under Chapter 75;

(b) collaboration with SHOCAP, Serious Habitual Offender Comprehensive Action Program, established under Title 63, Chapter 92, in those districts where SHOCAP has been

implemented; and

(c) recommendations for placement in the program may be made by:

(i) school administrators, after exhausting regular interventions under Title 53A, Chapter 11, Part 9, School Discipline and Conduct Plans;

(ii) the Juvenile Court;

(iii) state agencies and their local counterparts, such as the Division of Child And Family Services, the Division of Youth Corrections, Mental Health, and local interagency councils charged with implementing prevention and early intervention programs for children and youth at risk; and

(iv) parents of middle school students, subject to their recommendations being channeled through one of the entities listed in Subsections (3)(c)(i), (ii), and (iii).

(4) (a) The local school board or its designee shall have final approval authority over the recommendations for placement in the program made under Subsection (3)(c).

(b) The final approval process shall include a screening and review process of all recommendations and include input from parents, school personnel, and representatives of agencies that are providing collaborative delivery services to the student under programs such as those described in Section 63-75-6.

(5) The alternative middle schools program shall include the following components:

(a) (i) the school's location shall be as geographically close to the student's home as resources for the program allow, with preference given to a school within the student's regular school;

(ii) other options may include separate classrooms within the same building, extended hours or after school hours, or off-site placement if the circumstances dictate and are what is required to meet local needs;

(b) alternative schools must be established on the basis of a transitional setting structure to prepare students to return to their regular classrooms as responsible, productive students;

(c) alternative middle school classrooms shall be small, with an ideal size of between 8-12 students, instructed by specially trained teachers, with particular consideration given to the problems faced by rural schools in attracting and retaining qualified personnel;

(d) each student placed in an alternative school must have an individualized student

education and occupational plan that has been reviewed and approved by the student, the student's parent or guardian, and a representative of the school;

(e) the school shall use an approach in dealing with students that is highly structured and requires substantial parental involvement;

(f) its programs shall include state-approved curriculum, parent and family support services, and sufficient clinical diagnosis, assessment, counseling, and treatment services to meet the individual needs of students at the school;

(g) the school shall collaborate with local law enforcement agencies to be able to utilize and expand upon the availability of resource officers; and

(h) the programs as related to each student must specify the intended outcomes and results and the methods for measuring the accomplishment of results.

(6) (a) The Legislature shall provide an annual appropriation to the State Board of Education to fund the alternative middle schools program established under this section.

(b) (i) School districts shall apply to the state board for participation under an RFP process, developed by the board in consultation with the FACT Council or the steering committee referred to in Subsection (3)(a).

(ii) The RFP process shall address the required components of an alternative middle school, collaboration with other programs and entities dealing with middle school students at risk and their families, and incentives to pool existing resources as a match for new monies appropriated under the alternative middle schools program.

(7) (a) Each local school board that establishes an alternative middle school under this section shall report on the school's success annually to the State Board of Education.

(b) The state board shall monitor each alternative middle school and make an annual summary report of its findings, together with recommendations to modify, continue, or expand the program, to the Legislative Education Interim Committee, the Health and Human Services Interim Committee, and the Judiciary Interim Committee prior to November 30.

Section 2. Appropriation.

(1) There is appropriated from the Uniform School Fund for fiscal year 1999-2000,

\$2,000,000 to the State Board of Education to fund the alternative middle schools program authorized under Section 53A-11-909.

(2) The appropriation is nonlapsing.

Section 3. **Effective date.**

This act takes effect on July 1, 1999.