1	ALTERNATIVE MIDDLE SCHOOLS
2	1999 GENERAL SESSION
3	STATE OF UTAH
4	Sponsor: Lloyd W. Frandsen
5	AN ACT RELATING TO PUBLIC EDUCATION; PROVIDING FOR THE ESTABLISHMENT
6	OF AN ALTERNATIVE MIDDLE SCHOOLS PROGRAM; PROVIDING FOR
7	IMPLEMENTATION OF THE PROGRAM; PROVIDING FOR COLLABORATION;
8	PROVIDING FOR AN APPROVAL PROCESS FOR PARTICIPATION; PROVIDING
9	COMPONENTS FOR THE PROGRAM; PROVIDING A \$2,000,000 APPROPRIATION;
10	PROVIDING FOR AN ANNUAL REPORT; AND PROVIDING AN EFFECTIVE DATE.
11	This act affects sections of Utah Code Annotated 1953 as follows:
12	ENACTS:
13	53A-11-909 , Utah Code Annotated 1953
14	Be it enacted by the Legislature of the state of Utah:
15	Section 1. Section 53A-11-909 is enacted to read:
16	53A-11-909. Alternative middle schools Purpose Implementation of program
17	Components Report.
18	(1) There is established an alternative middle schools program to improve the school
19	learning climate and help ensure safety for middle school students in the state's public education
20	<u>system.</u>
21	(2) For purposes of this section, "middle school students" are students age 11 to 15.
22	(3) Local school boards shall have overall responsibility for implementation of the
23	program, subject to the following considerations:
24	(a) that the FACT council established in Title 63, Chapter 75, and a designated steering
25	committee of persons with expertise in alternative middle school strategies shall be involved in
26	collaborating the program with other state and local agencies that provide services to youth at risk,
27	who are middle school students, and their families under Chapter 75;

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28	(b) collaboration with SHOCAP, Serious Habitual Offender Comprehensive Action
29	Program, established under Title 63, Chapter 92 in those districts where SHOCAP has been
30	implemented; and
31	(c) recommendations for placement in the program may be made by:
32	(i) school administrators, after exhausting regular interventions under Title 53A, Chapter
33	11, Part 9, School Discipline and Conduct Plans;
34	(ii) the Juvenile Court;
35	(iii) state agencies and their local counterparts, such as the Division of Child And Family
36	Services, the Division of Youth Corrections, Mental Health, and local interagency councils
37	charged with implementing prevention and early intervention programs for children and youth at
38	risk; and
39	(iv) parents of middle school students, subject to their recommendations being channeled
40	through one of the entities listed in Subsections (3)(c)(i), (ii), and (iii).
41	(4) (a) The local school board or its designee shall have final approval authority over the
42	recommendations for placement in the program made under Subsection (3)(c).
43	(b) The final approval process shall include a screening and review process of all
44	recommendations and include input from parents, school personnel, and representatives of
45	agencies that are providing collaborative delivery services to the student under programs such as
46	those described in Section 63-75-6.
47	(5) The alternative middle schools program shall include the following components:
48	(a) (i) the school's location shall be as geographically close to the student's home as
49	resources for the program allow, with preference given to a school within the student's regular
50	school;
51	(ii) other options may include separate classrooms within the same building, extended
52	hours or after school hours, or off-site placement if the circumstances dictate and are what is
53	required to meet local needs;
54	(b) alternative schools must be established on the basis of a transitional setting structure
55	to prepare students to return to their regular classrooms as responsible, productive students;
56	(c) alternative middle school classrooms shall be small, with an ideal size of between 8-12
57	students, instructed by specially trained teachers, with particular consideration given to the
58	problems faced by rural schools in attracting and retaining qualified personnel;

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59	(d) each student placed in an alternative school must have an individualized student
60	education and occupational plan that has been reviewed and approved by the student, the student's
61	parent or guardian, and a representative of the school;
62	(e) the school shall use an approach in dealing with students that is highly structured and
63	requires substantial parental involvement;
64	(f) its programs shall include state-approved curriculum, parent and family support
65	services, and sufficient clinical diagnosis, assessment, counseling, and treatment services to meet
66	the individual needs of students at the school;
67	(g) the school shall collaborate with local law enforcement agencies to be able to utilize
68	and expand upon the availability of resource officers; and
69	(h) the programs as related to each student must specify the intended outcomes and results
70	and the methods for measuring the accomplishment of results.
71	(6) (a) The Legislature shall provide an annual appropriation to the State Board of
72	Education to fund the alternative middle schools program established under this section.
73	(b) (i) School districts shall apply to the state board for participation under an RFP process
74	developed by the board in consultation with the FACT Council or the steering committee referred
75	to in Subsection (3)(a).
76	(ii) The RFP process shall address the required components of an alternative middle
77	school, collaboration with other programs and entities dealing with middle school students at risk
78	and their families, and incentives to pool existing resources as a match for new monies
79	appropriated under the alternative middle schools program.
80	(7) (a) Each local school board that establishes an alternative middle school under this
81	section shall report on the school's success annually to the State Board of Education.
82	(b) The state board shall monitor each alternative middle school and make an annual
83	summary report of its findings, together with recommendations to modify, continue, or expand the
84	program, to the Legislative Education Interim Committee, the Health and Human Services Interim
85	Committee, and the Judiciary Interim Committee prior to November 30.
86	Section 2. Appropriation.
87	(1) Except as provided in H.B. 4, Appropriations Coordination Act, there is appropriated
88	from the Uniform School Fund for fiscal year 1999-2000, \$2,000,000 to the State Board of
89	Education to fund the alternative middle schools program authorized under Section 53A-11-909.

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- 90 (2) The appropriation is nonlapsing.
- 91 Section 3. **Effective date.**
- This act takes effect on July 1, 1999.

Legislative Review Note as of 2-8-99 5:29 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel