

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;

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.

90 (2) The appropriation is nonlapsing.
91 Section 3. **Effective date.**
92 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