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QTA – A brief analysis of a critical issue in special education

Alternative Schools and Students with Disabilities: Current Status and Emerging Issues

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Introduction and Purpose

Alternative schools are increasing in number across the United States. Though they have existed within the educational landscape for several decades, there are still few research findings that can document their effectiveness or pinpoint the actual number of students being served through these schools and programs. There are even fewer studies that reference the experiences of students with disabilities within these educational settings. The University of Minnesota's Alternative Schools Research Project is a federally-funded study designed to examine alternative schools across the country, particularly in relation to students with disabilities.¹ The project's activities included a review of current state legislation relevant to alternative schools and a survey of state directors of special education on many aspects of students with disabilities and alternative programs.

This QTA provides a synthesis of publications from the Minnesota project and explores some additional emerging issues for alternative schools related to the requirements of the No Child Left Behind Act (NCLB). The specific documents issued by the

Minnesota project that were synthesized include: *Alternative Schools and Students with Disabilities: Perceptions of State Directors of Special Education* and *Alternative Schools: Policy and Legislation Across the United States*. The purpose of this QTA is to identify areas for possible state policy development. This document was produced by Project Forum at the National Association of State Directors of Special Education (NASDSE) as part of its cooperative agreement with the U.S. Department of Education's Office of Special Education Programs (OSEP).

Background on Alternative Schools

Alternative education is not a new concept—it has been an active player in the American public school system for over 40 years. Alternative education has evolved over the course of its history with little agreement on its definition. However, at this point, it is generally accepted that alternative schools tend to serve students who are at-risk for school failure within the traditional educational system. The U.S. Department of Education defines an alternative education school as "...a public elementary/secondary school that addresses the needs of students which typically cannot be met in a regular school and provides nontraditional education which is not categorized solely as regular education, special education, vocational

¹ The research was funded by the U. S. Department of Education's Office of Special Education Programs (OSEP) and carried out at the Institute on Community Integration at the University of Minnesota. The project website address is:

<http://www.ici.umn.edu/alternativeschools/>.

education, gifted and talented or magnet school programs” (U.S. Department of Education, 2002, p.55). However, the way in which the definition is operationalized within states and communities varies greatly.

Alternative schools gained popularity in the late 1960s and 1970s and largely originated from a drive to create more innovative schools with a progressive orientation (Young, 1990). The number of alternative schools grew significantly during the 1970s. Both Raywid (1981) and Young (1990) suggest that alternative schools became more conservative and remedial in the 1980s and began serving more students who were disruptive or failing in their home schools. During the 1990s, there was an increase in public attention focused on school violence, dropout rates and behavior problems in our nation’s public schools. This, in part, may have been influenced by highly publicized school violence incidents such as those experienced at Columbine High School in Colorado and Thurston High School in Oregon that occurred in the late 1990s. There appears to be a renewed interest in alternative settings that focus on chronically disruptive, suspended and expelled students. The late 1990s were witness to a growth in state-level activity and legislation/policy on alternative schools.

Findings from a recent national survey estimate that there were 10,900 public alternative schools and programs for at-risk students in the United States in 2000-2001 (Kleiner, Porch, & Farris, 2002). Results from this survey also indicate that about 12 percent of all students in alternative schools and programs for at-risk students were receiving special education services and had individualized education programs (IEPs). Although this percentage is not significantly different from the overall percentage of students with IEPs enrolled in all public

schools during the 2000-2001 school year, the percentage varied widely among districts, ranging from three to 20 percent. It is clear that students with disabilities are attending alternative schools and programs, yet questions remain about the extent of their participation and how they are being served in these settings.

Alternative School Research Project Findings: Policy and Legislation

The Minnesota study’s review of state legislation entailed a Web-based search and a survey related to alternative education legislation and policy in each of the 50 states and the District of Columbia. The data gathered revealed that 48 states have some type of laws addressing one or more of the following areas:

- enrollment criteria for students in alternative schools;
- definition of alternative schools/programs;
- funding sources for alternative education;
- curriculum and/or teaching methods used in alternative schools;
- staffing requirements including credentials, ratios and selection of teachers; and
- special education provisions, including the use of IEPs in alternative schools.

Enrollment

The area that almost all state laws include is enrollment criteria. States vary a great deal in the specifics of their laws and policies, but generally alternative programs are designed for students who are not progressing in, or adjusting adequately to, the programs in traditional schools. The analysis revealed that legislation addresses

four major types of students who are admitted to, or placed into, alternative programs: those who have been suspended or expelled; those at risk of failure; those who have behavior problems; and those who have been academically unsuccessful and are in need of a non-traditional setting.

Alternative School Definition

Study results revealed that 34 states with formal legislation include a definition of alternative education (sometimes referred to as alternative program or school). The alternative school is usually defined in terms of the characteristics or circumstances of the student population targeted for service. The researchers identified four themes:

- Alternative education includes schools or programs in non-traditional settings separate from the general education classroom.
- Alternative schools/programs serve students who are at risk of school failure.
- Alternative schools/programs serve students who are disruptive or have behavior problems.
- Alternative schools/programs serve students who have been suspended or expelled.

Funding Sources

Legislative language concerning funding sources in state laws and policies varies from very general to detailed. The sources of funding fall into four areas: federal funds, state funds, local funds and grant money. Oftentimes, legislative or policy language indicates that alternative schools could receive funds from more than one of these sources.

Curriculum/Educational Program

State laws that include language about curriculum vary in the level of detail provided. The research team identified themes after analyzing the data on this topic. The most common theme was attention to basic academic skills and a core curriculum. Some states mention that social services should be provided while others emphasize community-based learning. Some states require individual instruction and a few refer to having a written individual plan for each student.

Staffing

Twenty-nine states include legislative or policy language on staffing at alternative schools. Most often, this refers to teacher certification or compliance with state teaching standards. The language of these provisions calls for a “valid certificate,” but there was no mention of specific subject area or grade-level certification. Other policy issues related to staffing that were identified in some state documents include student-teacher ratios and references to teacher selection criteria.

Students with Disabilities

The researchers found that specific language concerning students with disabilities in alternative programs was the least represented of the categories. Only 14 states refer to this population specifically, and such provisions most often state that alternative schools must comply with all state and federal laws regarding students with disabilities. Some state laws contain additional specifics such as the process to be used when a student with a disability applies to an alternative school, or issues related to federal law requirements such as

discipline, due process and serving students in the least restrictive environment.

Perceptions of State Directors of Special Education

The survey of state directors of special education conducted by the University of Minnesota's Alternative Schools Research Project consisted of five main questions with follow-up items. A total of 48 state directors or their designees responded. The main questions and a brief summary of the findings for each follow.

1) Describe alternative schools in your state.

In the majority of states, students access alternative schools either through district placement procedures or by their own choice. However, very few students enter such schools simply as a choice. Most alternative schools have conditions for acceptance ranging from matching specific student interests to a team decision to confirm appropriate referrals. Respondents indicated some alternative schools are located in separate buildings, while others are located within and/or are a part of a traditional public school. Most of them feature small class size and much flexibility in delivery of the educational program. Most alternative schools are governed at the local level, but some involve regional or cooperative agreements. Most students in alternative schools are of high school age, although some state directors of special education noted growing numbers of students at the middle school level and some at the elementary level.

2) What are major issues for alternative schools in your state?

The major issues identified by the state special education directors were funding, staffing and accountability. Other concerns

expressed less frequently included lack of adequate facilities, transportation problems, transition and the use of alternative settings as a means to avoid addressing systemic issues related to serving all students effectively.

3) What are major issues for state education agencies in relation to alternative schools?

Monitoring and compliance of the alternative programs or schools were the areas mentioned most often by state special education directors as issues of concern for state agencies (SEAs). Many also described limited or inconsistent policies regarding alternative schools, especially citing the ambiguity and lack of comprehensiveness.

4) What are major issues for students with disabilities in relation to alternative schools?

The major concern about students with disabilities noted by state special education directors was the lack of data they had on the number of students with disabilities being served in alternative schools and the disability category of those students. While in the past, most students with disabilities attending alternative schools were identified as having learning disabilities, respondents believe that students with Tourette's Syndrome, autism, mental health problems and conduct disorders are now attending alternative schools. Respondents were concerned that students may be pushed out of traditional schools into alternatives in lieu of placement in a more restrictive and more costly setting. The degree of implementation of student IEPs was unclear in most cases and the lack of certified special educators was

cited as a barrier to serving students with disabilities.

5) *How have major educational reforms impacted alternative schools in your state?*

In many states, alternative programs are seen as one way to keep students in school, thereby addressing the pressure to lower the dropout rate that is a major component of education reforms. Although respondents were not sure about the extent to which alternative schools were being used as “interim alternative educational settings,”² they noted that such schools may be used to meet the requirements of federal law, and that they also help students with disabilities who are suspended or expelled remain in school.

Emerging Issues Related to the No Child Left Behind Act for Alternative Schools

The University of Minnesota’s Alternative Schools Research Project gathered its data before implementation of the reauthorized Elementary and Secondary Education Act by the No Child Left Behind Act of 2001 (NCLB). The law’s purposes, as stated in the executive summary provided by the U. S. Department of Education’s website (www.ed.gov/nclb/overview/intro/execsumm.html), are: “an increased accountability for states, school districts, and schools; greater choice for parents and students, particularly those attending low-performing schools; more flexibility for States and local educational agencies (LEAs) in the use of Federal education dollars; and a stronger emphasis on reading, especially for our youngest children.”

² An interim alternative educational setting (IAES) is the placement to which a student with a disability is sent as a result of disciplinary action taken pursuant to IDEA regulations (34 CFR §§300.520 to 300.526).

Most of the issues addressed in the NCLB law have direct implications for alternative schools. A new Minnesota organization named Education/Evolving includes in its first set of publications a review of alternative education in which they pose the question, “...will districts increase pressure to make alternative programs more traditional?” (Farris-Berg, Schroeder, Kolderie, & Graba, J., 2003, p. 9). For example, alternative programs tend to evaluate student progress by more than test scores, but schools and districts now face consequences if student test scores do not increase in accordance with the state’s plan to achieve proficiency by the year 2014. Since the NCLB requirements include measurement of progress by subgroups of students, one of which is students with disabilities, there are implications for students with disabilities who attend alternative schools. Due to increased educational accountability, tension may develop over how much autonomy alternative programs should be given in regard to content and instruction.

Conclusions

The Minnesota Alternative School Research Project is providing data on students with disabilities who attend alternative schools/programs and filling a void in the research available on this topic. Their findings have identified a wide diversity in policy and practices, and confirmed that there is very little written policy concerning students with disabilities who attend alternative settings. The research carried out by this project documented for the first time aspects of alternative education related to the participation of students with disabilities. For example, it identified a need for increased oversight by state agencies of the progress and outcomes for students with

disabilities who attend alternative schools and the need for more information about all aspects of special education in these settings (e.g., the number of students with disabilities being served, the preparation and certification of teachers). The Project's reports synthesized in this QTA identify areas for possible state policy development. For instance, the NCLB requirement that all students be included in the state accountability system has many

implications for assessing and collecting other data on students in alternative schools. Improved data collection specific to special education in alternative schools could assist states in their special education monitoring responsibility and in identifying areas for direction or assistance that might contribute to improved results for this population of students.

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