

**2009 Report on Act 154. Section 37**

**An Act Relating to Agriculture, Forestry, and  
Horticultural Education: Alternative  
Education Programs; Study**

**Report/Recommendations to the House and Senate Committees on  
Education**

**January 15, 2009**

**Submitted by:**



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The commissioner of education was asked to conduct a study of alternative methods by which school districts can support secondary students who are in danger of terminating their enrollment prior to graduation. The specifications for the study are spelled out in Sec. 37 of Act 154 which is given below.

NO. 154. (H.711)

An act relating to agricultural, forestry, and horticultural education; animal dissection; the repeal of burdensome reports; streamlining the formation of union districts; districts that pay tuition for all students; and other changes to education law.

Sec. 37. ALTERNATIVE EDUCATION PROGRAMS; STUDY

(a) The commissioner of education shall study and propose alternative methods by which school districts can support secondary students who are in danger of terminating their enrollment prior to graduation. The commissioner shall specifically focus on ways in which districts can encourage students to attend alternative education programs while remaining enrolled in secondary school and shall create an inventory of alternative education programs currently available in the state. Among the issues to be studied are:

- (1) The ways in which an eligible student should be identified and by whom.
- (2) The nature and qualifications of the alternative education programs that should be eligible to receive payment from a school district and whether and by what entity the programs should be approved or accredited.
- (3) Whether and to what extent the alternative education program should be required to have an existing relationship with the school district.
- (4) The ways in which a school district could ensure academic continuity and quality while a student attends an alternative education program on a full- or part-time basis.
- (5) Methods by which public dollars could be expended to pay the alternative education program for its role in educating the student.
- (6) The estimated per-pupil financial costs to secondary schools resulting from each payment method identified in subdivision (5) of this subsection.

(b) On or before January 15, 2009, the commissioner shall file a report with the senate and house committees on education outlining the results of the study and providing detailed proposals.

We consider the issues to be studied as specified in the Act to be on the policy level. The department's plan to conduct this study was to secure a contractor who would convene at least three groups encompassing individuals deemed to have knowledge and opinions regarding the issues. Each area would have been discussed by the groups and their views summarized with any conclusions that could be made. The report to the Legislature would reflect that work.

This approach was selected because the policy level of study goes beyond the department's scope and department staff members were not available to assign this as a project. When the department was required to reduce its budget in July it no longer had the funds to contract for this work. When the commissioner resigned in June, department capacity was further reduced as

the CFO was appointed acting commissioner, also filling the vacant deputy commissioner role. This abbreviated report is submitted in place of the study.

The Acting Commissioner asked a committee of department staff to meet to discuss the report requirements and make recommendations. Their recommendations are below.

**Problem/Goal:** Given the current status of the Section 37 report mandate (lack of funding for contracted services, limited internal capacity/ four-month timeline), the group attempted to use earlier alternative education reports and the text of Section 37 to ascertain the current needs of the Legislature and the most productive and doable approach to meeting those needs. The committee concluded that the Legislature's priority in this request is a focus on dropout prevention. Specifically, they are interested in exploring coordinated methods that will:

1. Identify students who are at risk of dropping out of school
2. Offer alternative education options for these students
3. Provide funding mechanisms to support alternative education options for students.

### **Committee Recommendations**

The committee identified four areas that might provide the Legislature with the information they requested and provide a useful resource for secondary transformation.

1. Research and best practice in engaging students in the general education system. This fits well with the goals and efforts of the department's Secondary Transformation initiative.
2. Methods to identify students at risk.
3. Coordinated (alternative education option) referral process for students at risk.
4. Coordinated and adequately resourced alternative education options. The committee feels that both state level options, such as the Youth Conservation Corps and the High School Completion Program, and district-based options should eventually be included in a comprehensive alternative education system. However, given the current capacity, finance, and time restrictions, the committee recommends a focus on the state-level options with an addendum that includes the results of the 2007 district-level alternative program survey data.

### **Next Steps**

The department will share this framework with the legislators who are most interested in the report to see if it aligns with their thinking. The committee also discussed the possibility of this subject being addressed by the State Board of Education's Transformation initiative. We believe it will encompass alternative programs for secondary students at risk of dropping out. The Board has established a policy advisory commission that will make specific recommendations for the Board and Legislature to enable the implementation of this initiative. Also, the high school completion program (16 VSA §1049a), begun in FY 2006, has been successful. This program serves students who are no longer enrolled and discussions are occurring to develop ways to expand this program to students who are still enrolled.