

REINVENTING ALTERNATIVE EDUCATION

AN ASSESSMENT OF CURRENT STATE POLICY AND HOW TO IMPROVE IT

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JOBS FOR THE FUTURE



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Jobs for the Future develops, implements, and promotes new education and workforce strategies that help communities, states, and the nation compete in a global economy. In 200 communities in 41 states and Washington, DC, JFF improves the pathways leading from high school to college to family-sustaining careers.

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This report is one of two JFF briefs describing how state policymakers can support Back on Track educational pathways that help off-track youth attain high school graduation and postsecondary credentials. The accompanying report, *Six Pillars of Effective Dropout Prevention and Recovery: An Assessment of Current State Policy and How to Improve It*, is available on the JFF Web site, www.jff.org.

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EXECUTIVE SUMMARY

Improving America's high school graduation rates and better preparing young people for college and careers are becoming the major national priorities they deserve to be. President Barack Obama has committed to reversing the nation's low educational attainment with a sweeping dropout prevention strategy. Significantly, the Administration's vision includes expanding and enhancing alternative schools that cater to young people who are struggling in school or who have dropped out of the school system, rather than focusing exclusively on redesigning traditional high schools.

Of the 1.2 million students who drop out each year, and the others who continue to attend school but make little progress toward graduation, many will require creative alternatives in significantly different settings to help them get Back on Track toward a diploma and a postsecondary credential.

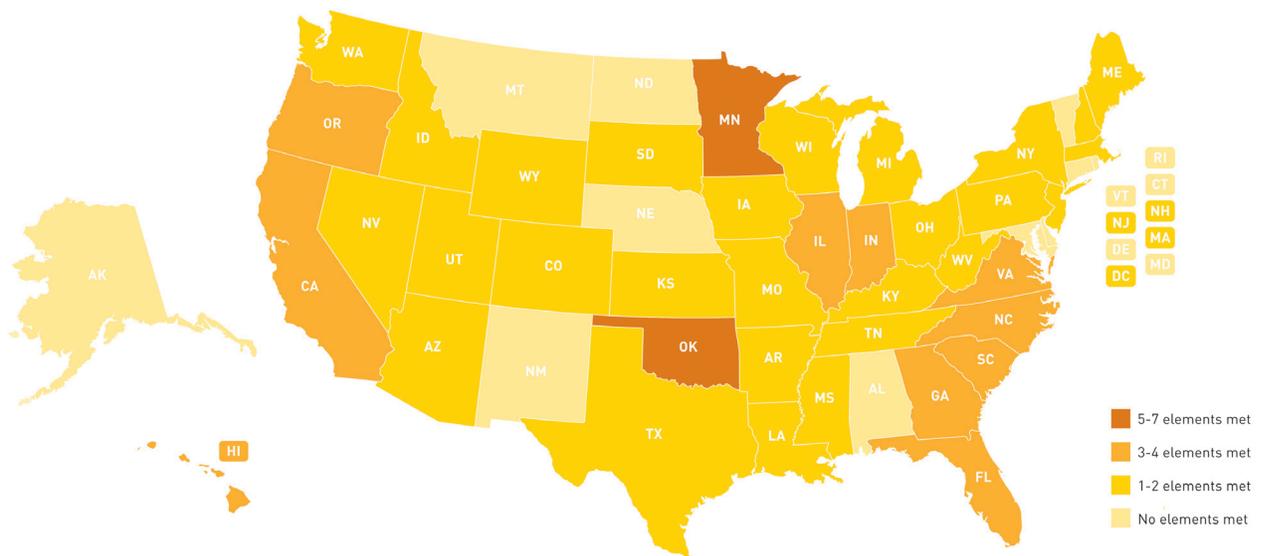
Unfortunately, there are far too few effective alternative programs to meet the need and a dearth of effective state policy to change this situation. Many of the existing options for alternative education predate the imperative for students to obtain higher levels of skills in an increasingly global economy.

But there is reason for optimism. Promising evidence is emerging that efforts to redesign alternative education contribute to rising graduation rates. In the past five years, several large cities—most notably New York City and Philadelphia—have made considerable progress toward developing effective pathways for former dropouts to earn high school diplomas and postsecondary credentials.

Expanding proven models to additional large cities and smaller urban and rural areas will require a sea change in state policy and practice. States must rewrite policy to help “normalize” alternative education, establishing it as a viable, proficiency-based pathway for the millions of young people who are failing to thrive in more traditional settings. *Reinventing Alternative Education* helps states take the crucial first step: evaluating how well their existing alternative education policies enable needed change.

This report identifies seven model policy elements that states should incorporate in order to develop and improve alternative pathways for struggling students and former dropouts. Jobs for the Future performed

Where States Stand on Adopting the Seven Model Policy Elements for Alternative Education



this comprehensive 50-state policy scan to assess the extent to which state policy aligns with these model elements.

Forty states and the District of Columbia have put in place at least one of the model policy elements through legislation or regulations—but most of these states have only one or two elements in place. And not a single state has developed a comprehensive approach that incorporates all seven elements outlined in this report.

STATE BY STATE

Information on policies in place in each of the 50 states is available on the JFF Web site at <http://www.jff.org/altedpolicy>.

The following are the seven model policy elements, along with the status of states' progress incorporating them:

1. BROADEN ELIGIBILITY.

States should broaden eligibility guidelines, going beyond a focus on troublesome or otherwise disruptive youth to include any student who is not thriving in a traditional high school setting. The intent should be to bring alternative education into the mainstream as a legitimate pathway toward obtaining high school and postsecondary credentials.

Thirty-one states and the District of Columbia have expanded eligibility to incorporate a broader group of students at risk of failing to graduate, based on below-grade-level school performance or life circumstances that interfere with school success, such as drug dependency, pregnancy, or homelessness. The best of these states combine a focus on at-risk youth with a broad definition of alternative education as an option for any young person not thriving in school. Meanwhile, the 19 remaining states define eligibility largely or only in terms of behavioral or disciplinary criteria.

2. CLARIFY STATE AND DISTRICT ROLES AND RESPONSIBILITIES.

States should provide districts and schools with guidance on quality standards by which to operate and manage alternative programs, while still allowing local flexibility to design alternative education to address local conditions and student needs. Finding the right balance is critical to ensuring that all young people who need alternative education have an equal opportunity to receive a quality education, no matter where they live in a particular state.

Twenty-two states have substantial guidelines that give local school districts direction in at least four of the following six areas of operation and management: eligibility; effective practices; funding mechanisms; governance; accountability; and staffing. Policies in the other states are vague or nonexistent, allowing local priorities to drive alternative education decision-making that more properly belongs with the state, from the purpose of programs to resource allocation. The result is a wide variety in the quality of alternative schools and programs across states and even within districts.

3. STRENGTHEN ACCOUNTABILITY FOR RESULTS.

States should allow alternative programs the flexibility they need to move students along proficiency-based pathways, while ensuring that the programs expect students to meet the common statewide standards. States also should give alternative programs credit within the state's accountability system for reengaging and holding onto students and for hitting key benchmarks toward common graduation and college-readiness standards.

Only six states have clear and separate accountability for alternative education that recognizes schools' achievements in improving student performance. Twenty-three other states address alternative education in some way in their in-state-level accountability systems; nine of those hold alternative schools to the same accountability standards as any other school. But in order to be effective, a state accountability system for alternative education must help schools mediate the tension between holding onto students and holding them to high standards.

4. INCREASE SUPPORT FOR INNOVATION.

States should implement strategic and comprehensive efforts to invent educational models that improve outcomes for off-track students and to spread those that prove successful. States have a responsibility to provide the models and funding that support this kind of large-scale innovation.

Only two states—Oklahoma and Minnesota—have set the policy conditions necessary to encourage the development and sustainability of innovative alternative education models. But all states can and should draw lessons from successes implemented in large cities—most notably New York City, the primary “existence proof” that new models for off-track youth can be implemented on a large scale as the centerpiece of a strategy providing multiple pathways to graduation. The city has posted a rise of about 15 percentage points in its four-year cohort graduation rate since 2002 as a result of systemic changes, as well as public and private investments in new, evidence-based models.

5. ENSURE HIGH-QUALITY STAFF.

States should seek to improve the quality of alternative schools by improving the quality of instructional staff and leadership. They should also provide incentives for high-performing teachers and leaders to join alternative education programs, and they should support their ongoing professional development.

Only half the states have policies governing staffing for alternative education programs. These supports range from prohibiting poorly performing staff from being assigned to alternative education settings to requiring that staff possess certification. These policy experiments can be productive if they are not geared simply to addressing an immediate teacher supply problem. Rather, changes in policy concerning alternative education teacher qualifications should reflect an intentional strategy for building a cadre of teachers who combine content knowledge with a deep understanding of youth development and the skills to accelerate student learning. To ensure that the neediest student population has access to high-quality educators, states should be offering incentives for skilled teachers to teach in the alternative setting—a policy no state has yet adopted.

6. ENHANCE STUDENT SUPPORT SERVICES.

States should formally recognize that academic success is virtually impossible for alternative education students without meaningful support services. States should also provide funding and other incentives for districts and schools to partner with outside organizations that specialize in these areas to ensure that students receive the full range of needed supports.

Seventeen states offer some direction regarding the provision of support services for alternative education students. However, much of this policy is vague, and it seldom emphasizes the importance of support services to academic success. States should provide stronger leadership by acknowledging in state policy the need for community partnerships that increase the capacity for student support services across all alternative programs. Only eight states are moving in this direction.

7. ENRICH FUNDING.

States should develop funding policies that channel more resources toward off-track students, taking into account that alternative education programs must not only reengage them but also accelerate their learning and provide intensive academic and social supports to help them succeed.

Nine states and the District of Columbia provide a stable funding stream to alternative programs above what traditional schools receive. Their efforts respond to challenges related to the inadequate funding of alternative education programs, coupled with distribution formulas that customarily allocate staff rather than flexible dollars to schools.

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Our kids get only one chance at an education,
and we need to get it right. Of course,
getting it right requires more than just
transforming our lowest-performing schools.
It requires giving students who are behind
in school a chance to catch up and
a path to a diploma.

”

—President Barack Obama, March 1, 2010



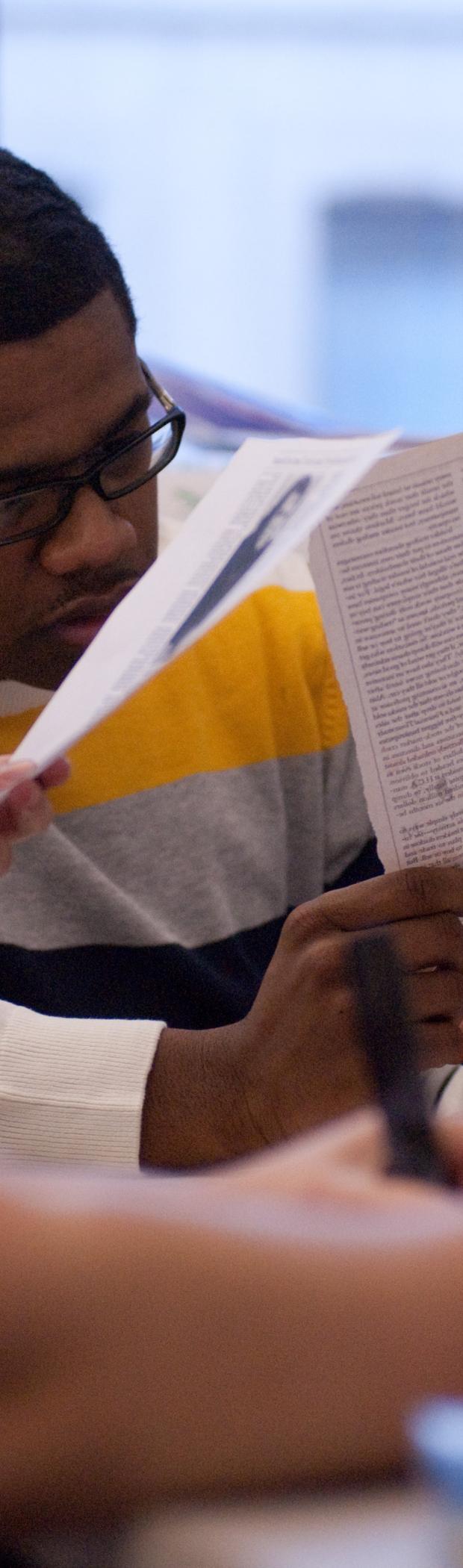
INTRODUCTION

Improving America's high school graduation rates and better preparing young people for college and careers are becoming the major national priorities they deserve to be. President Barack Obama has committed to reversing the nation's low educational attainment with a sweeping dropout prevention strategy: early intervention for off-track students, a systematic transformation of the lowest-performing schools, and the development of effective new educational models that can be spread to every state.¹

Significantly, the Administration's vision includes expanding and enhancing alternative education, rather than focusing exclusively on redesigning traditional high schools. The mission of this historically marginalized sector of the education system should be to bring back dropouts and reengage students likely to leave school, putting all on a path toward graduation and postsecondary credentials. President Obama advocates the spread of redesigned alternative education schools, such as New York City's transfer schools, which target students struggling within the traditional system and help them get Back on Track.

Contrary to long-held beliefs, the group in need of quality alternative education is neither marginal nor small. Nationally, 1.2 million youths drop out of high school each year. Many others continue to attend school but gain little, eventually finding themselves far from the expected goal of graduating within four years.² The proportion of these struggling students is higher in low-income, black, and Hispanic communities, and it is especially concentrated in non-selective, often high-poverty high schools (Balfanz & Legters 2004).

Some of these students will benefit from planned improvements in traditional high schools, but others will require creative alternatives, many in significantly different settings. Unfortunately, there are far too few effective alternative programs to meet the need and a dearth of effective state policy that would change that situation (Aron 2006).³ Many of the existing options for alternative education—and the policies that helped establish them—predate the imperative for higher levels of skills in an increasingly global, knowledge-based economy.



Currently, the alternative education system comprises a range of educational programs with a variety of purposes and outcomes. Some alternative programs operate within a traditional school, some operate as stand alone schools, and others are contracted out to third-party providers such as community organizations. Some are meant to serve disruptive or incarcerated youth, while others educate a wider swath of struggling students. Some grant diplomas, some are GED programs, and others are temporary placements that intend to return students to a traditional diploma-granting high school. Too often, alternative schools operate under antiquated policy that treats them as second-rate settings for the “non-college bound.”

However, there is reason for optimism. Promising evidence is emerging that efforts to redesign alternative education contribute to rising graduation rates. In the past five years, several large cities—most notably New York City and Philadelphia—have made considerable progress in developing effective pathways for former dropouts to earn high school diplomas and postsecondary credentials.⁴ Jobs for the Future has termed these redesigned pathways “Back on Track” programs to distinguish them from the diverse body of programs that typically fall under the umbrella of alternative education.

Expanding what has been working to additional large cities, as well as to smaller urban and rural areas, will require a sea change in state policy and practice. States must rewrite policy to help “normalize” alternative education, establishing it as a viable, proficiency-based pathway for the millions of young people who are failing to thrive in more traditional high school settings. States should draw on existing big-city success stories and design comprehensive alternative education policies that foster statewide replication of their best programs.

An important first step for policymakers in all states seeking to improve alternative education is to evaluate existing alternative education policies to determine how well they enable needed change. *Reinventing Alternative Education* provides the foundation for that evaluation, which is crucial to states’ efforts to address their dropout problems and make a major difference in the economic prospects of their youth.

FOR INFORMATION ABOUT DROPOUT POLICY

Dropout policies are not included in this research. JFF performed a separate, 50-state analysis examining how well states enable and encourage the dropout prevention and the recovery of those who have already dropped out of high school. The findings of this analysis are described in the brief *Six Pillars of Effective Dropout Prevention and Recovery: An Assessment of Current State Policy and How to Improve It*.

MODEL ELEMENTS OF AN ESSENTIAL POLICY SET FOR ALTERNATIVE EDUCATION

While states have had alternative education legislation on the books for many years, the last decade has brought a flurry of activity. Since 2000, 40 states and the District of Columbia have passed new laws or established new regulations related to alternative education.⁵ This scan examines the policies of all 50 states and the District of Columbia and offers the first close analysis of their potential impact. It illuminates the extent to which each state is addressing the new realities facing alternative education and accommodating the need to ensure that all young people have the skills and credentials required to succeed in an increasingly unforgiving economy.

To analyze whether and how quickly states are creating the conditions to improve alternative education programs, Jobs for the Future identified seven policy elements that define a model alternative education policy set. The elements are based on the most recent research and expert thinking in the field, as well as JFF's research for this report and our experience with effective alternative education policies and programs. For each element, the report evaluates how closely state policies compare to the "best in class" examples found in a few leading states (see the appendix for a more detailed description of the research methodology).

Analysis of alternative education policy is, by its nature, a challenging endeavor. Similar to the status of alternative schools themselves, the policies that govern them frequently are found at the margins of mainstream educational work. State-level alternative education policy is often vague, confusing, inconsistent, and at odds with general policies that govern high schools. In addition, a significant amount of alternative education policy is established locally, and state departments of education may have alternative education efforts that are not captured in law or regulation. While JFF conducted extensive research on alternative education policies across the 50 states and the District of Columbia—including changes in policy through December 2009—this analysis is limited to legislative and regulatory policy.⁶

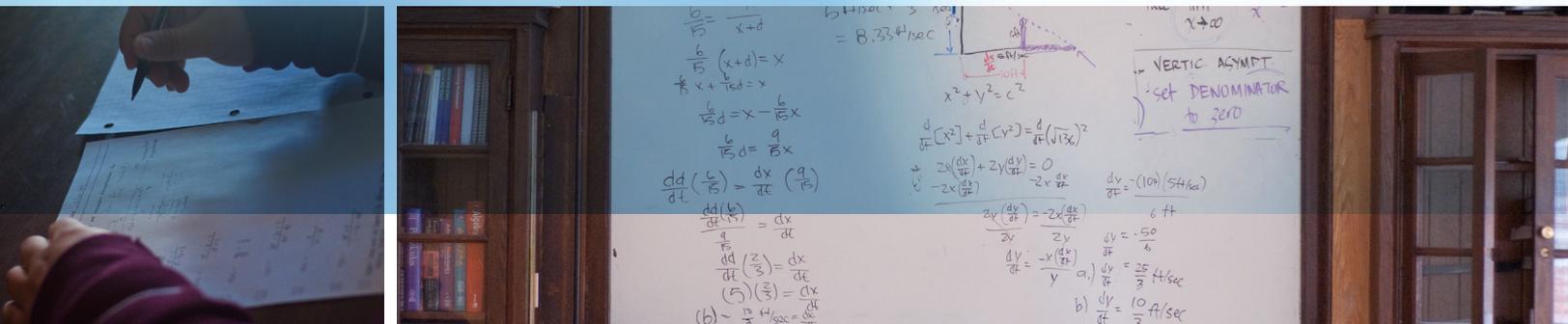
STATE BY STATE

This report assesses the extent to which state alternative education policy aligns with the seven model policy elements. It describes the key policy pieces and summarizes state progress across the elements, revealing the areas in which states have had the most and least traction. An in-depth analysis details the nation's progress on putting each policy element in place. Information on these policies by state is available on the JFF Web site at <http://www.jff.org/altedpolicy>.

The seven policy elements that all states should incorporate in order to ensure a comprehensive and effective approach to alternative education are:

- 1. BROADEN ELIGIBILITY:** States should broaden eligibility guidelines, going beyond a focus on troublesome or otherwise disruptive youth to include any student who is not thriving in a traditional high school setting. The intent should be to bring alternative education into the mainstream as a legitimate pathway toward obtaining high school and postsecondary credentials.
- 2. CLARIFY STATE AND DISTRICT ROLES AND RESPONSIBILITIES:** States should provide districts and schools with guidance on quality standards by which to operate and manage alternative programs, while still allowing local flexibility to design alternative education to address local conditions and student needs.

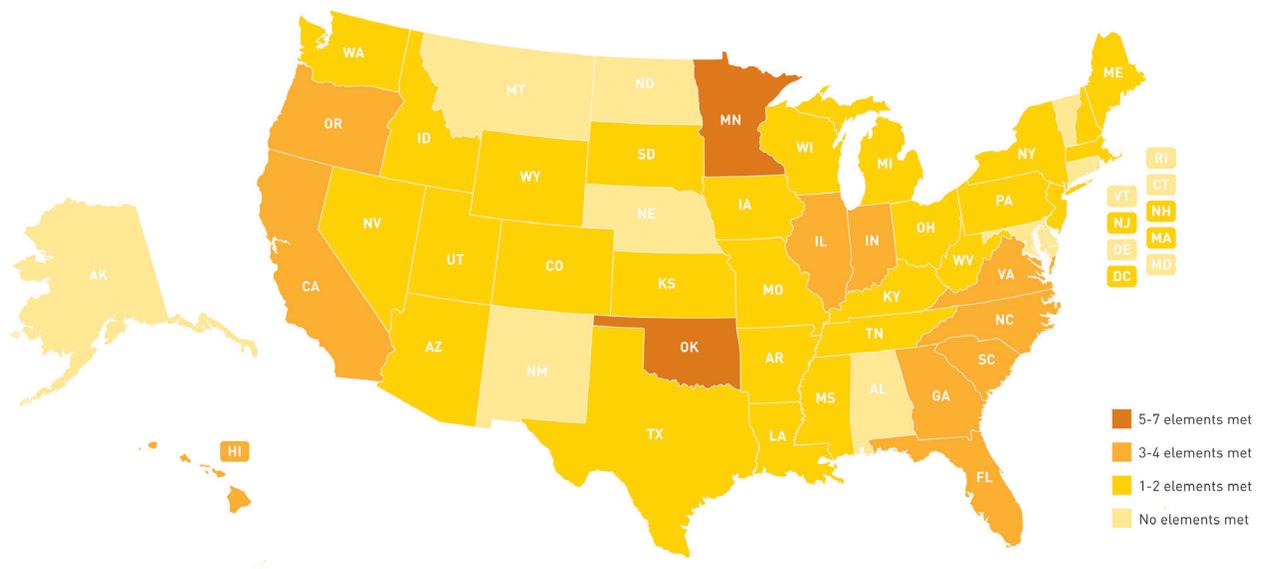
3. **STRENGTHEN ACCOUNTABILITY FOR RESULTS:** States should allow alternative programs the flexibility they need to move students along proficiency-based pathways, while ensuring that the programs expect students to meet the common statewide standards. States also should give alternative programs credit within the state's accountability system for reengaging and holding onto students and for hitting key benchmarks toward common graduation and college-readiness standards.
4. **INCREASE SUPPORT FOR INNOVATION:** States should implement strategic and comprehensive efforts to invent educational models that improve outcomes for off-track students and to spread those that prove successful. States have a responsibility to provide the models and funding that support this kind of large-scale innovation.
5. **ENSURE HIGH-QUALITY STAFF:** States should seek to improve the quality of alternative schools by improving the quality of instructional staff and leadership. They should also provide incentives for high-performing teachers and leaders to join alternative education programs, and they should support their ongoing professional development.
6. **ENHANCE STUDENT SUPPORT SERVICES:** States should formally recognize that academic success is virtually impossible for alternative education students without meaningful support services. States should also provide funding and other incentives for districts and schools to partner with outside organizations that specialize in these areas to ensure that students receive the full range of needed supports.
7. **ENRICH FUNDING:** States should develop funding policies that channel more resources toward off-track students, taking into account that alternative education programs must not only reengage them but also accelerate their learning and provide intensive academic and social supports to help them succeed.



STATE OF THE STATES: AN OVERVIEW OF ALTERNATIVE EDUCATION POLICIES

Increasingly, state leaders are updating and upgrading their alternative education policies to reflect a growing recognition that alternative education is a potentially valuable lever in raising high school graduation rates.⁷ In addition, they are receiving increased pressure from the federal government to more accurately measure graduation rates and make substantial progress toward improving them, even as they also raise curriculum standards and graduation requirements to align with college-readiness goals.⁸ This level of interest and activity on both state and federal levels is likely to keep building.

Where States Stand on Adopting the Seven Model Policy Elements for Alternative Education



While no state has incorporated all seven model policy elements, there are examples of model policies for almost all of the elements across the states. The notable exception is policy that addresses the need to ensure that high-quality teachers and leaders are working in alternative education programs (see the table on page 6, “States Achieving Model Policy Elements”).

States have made the most progress in broadening the eligibility for alternative education beyond its narrow focus on troubled or troublesome youth: 31 states and the District of Columbia focus alternative education on young people who present any number of risk factors—such as large numbers of absences or being significantly over-age for their grade level—or put forth a more inclusive definition of alternative education as an option for any young person not thriving in school.

STATES ACHIEVING MODEL POLICY ELEMENTS	
Model Policy Element	Number of States with Model Policy Element in Place
Broaden Eligibility	32
Clarify State and District Roles and Responsibilities	22
Strengthen Accountability for Results	6
Increase Support for Innovation	2
Ensure High-Quality Staff	0
Enhance Student Support Services	8
Enrich Funding	10

Another encouraging sign is states' increased recognition that districts and schools need more guidance and direction on the management and operation of alternative schools and programs in ways that help ensure quality control: 22 states now provide clear, substantial guidelines to districts and other operators of alternative schools and programs.

A particularly positive development is that nine states and the District of Columbia enrich funding for alternative schools through formulas that increase per-pupil allocations for alternative education students. This sets a compelling example for other states working to ensure that funding is at levels required to reengage students, support them, and accelerate their learning.

Six states have established alternative education accountability systems that hold schools to common standards but provide flexibility in the measures schools use to show progress toward achieving them.

One disturbing trend is the lack of incentives for high-performing teachers and leaders to staff alternative schools and programs. While about half the states have policies governing staff patterns or certifications, none address the need to ensure that the young people who need the most highly specialized attention have access to some of the best talent in the field.

Finally, only two states' policies focus on encouraging widespread innovation in alternative education. More states must set the conditions that enable and encourage the development of the creative new models that off-track and out-of-school youth need to reconnect to high school and earn a diploma.

A DEEPER LOOK AT STATES' PROGRESS

Taken together, the seven model policy elements establish the ideal conditions for reinventing alternative education. They create a standard for alternative education policy aimed at creating pathways to help get a broad range of disengaged and out-of-school youth Back on Track to a high school diploma and postsecondary credentials. This 50-state scan provides states with a framework for assessing progress and needed changes in regards to each policy element, as well as exemplary policies from which they can draw.

1. BROADEN ELIGIBILITY

States should broaden eligibility guidelines, going beyond a focus on troublesome or otherwise disruptive youth to include any student who is not thriving in a traditional high school setting. The intent should be to bring alternative education into the mainstream as a legitimate pathway toward obtaining high school and postsecondary credentials.

States play a key role in defining the purpose of alternative education programs through the eligibility criteria that they establish for students' participation. Each state has the opportunity to help normalize alternative education by recognizing it as a pathway toward high school graduation and postsecondary credentials for all young people ill served by traditional school settings—one that is as legitimate as traditional settings. Moreover, in defining eligibility, state policy should recognize the research suggesting that academic indicators are more powerful predictors of dropping out than are socioeconomic status or other demographic characteristics (Allensworth & Easton 2007; Neild & Balfanz 2007).

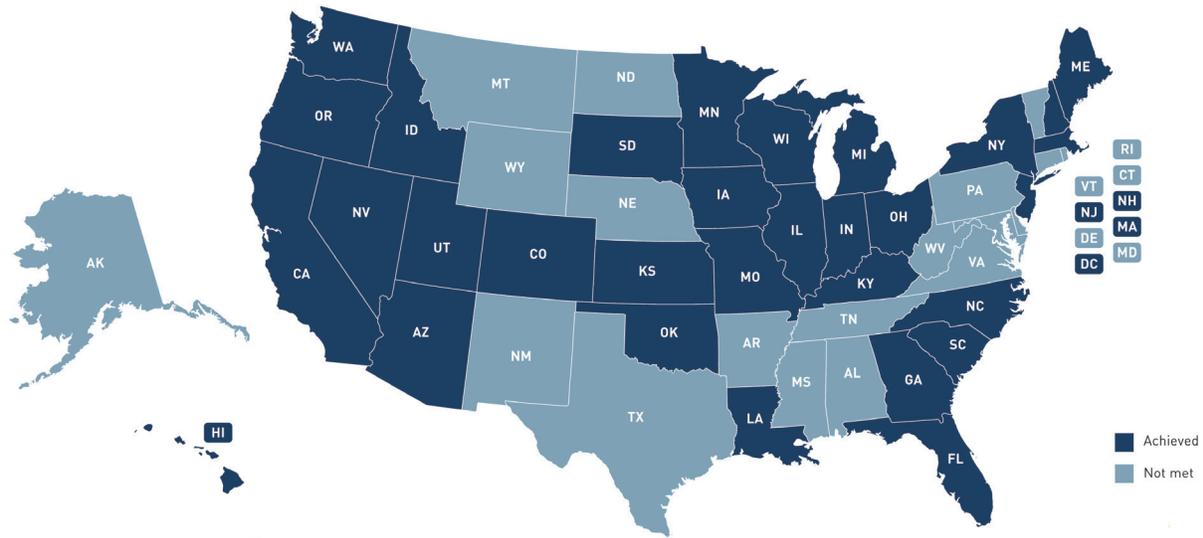
However, too many states continue to narrowly define alternative education as an option only for troubled or troublesome youth. This limited focus likely reflects concerns about school violence that grew in the 1980s and 1990s. Policymakers at that time increasingly sought to ensure general school safety by sending students with disciplinary problems to separate schools. The drawback to such narrow eligibility is that it establishes alternative education as a punitive environment, rather than a meaningful method for earning a diploma.

Nineteen states define eligibility for alternative education programs largely or only in terms of behavioral or disciplinary criteria.⁹ The 31 other states and the District of Columbia have expanded eligibility to incorporate a broader group of students at risk of failing to graduate based on below-grade-level school performance or life circumstances that interfere with school success (e.g., drug dependency, pregnancy, homelessness). Some of these states are explicit about which student populations alternative education should target; others have open-ended eligibility policies that leave the specifics up to local school districts. The best of these states combine a focus on at-risk youth with a broad definition of alternative education as an option for any young person not thriving in school (see box, "Eligibility Criteria," on page 8).

Ten of these 32 states with broader eligibility also have policy that establishes separate alternative schools focused on students with disciplinary problems. One of these, **Georgia**, has taken critical steps toward making alternative education more inclusive. In 2000, **Georgia** shifted from only awarding alternative education grants to programs that served disruptive students to allowing local schools and districts more flexibility in program design. At the same time, the state's policy continues to support separate alternative programs for disruptive students.

Figure 1.

States with Broader Student Eligibility for Alternative Education



TWO APPROACHES TO STUDENT ELIGIBILITY

Two examples show how states take different approaches in establishing student eligibility criteria for alternative education. **Virginia** has a narrow policy with a disciplinary focus, whereas **Minnesota's** more inclusive policy encourages alternative education programs to serve a wide range of off-track students.

- 1. NARROW POLICY: Virginia** requires alternative education options for elementary, middle, and high school students who have:
 - > Violated school board policies relating to weapons, alcohol, drugs, or intentional injury to another person;
 - > Been expelled, suspended for an entire semester, or received two or more long-term suspensions in one school year; or
 - > Been released from a juvenile correctional center and have been identified as requiring an alternative program.
- 2. MODEL POLICY: Minnesota** provides both public and private alternative diploma programs for students who are at risk of not graduating high school. The mission for alternative education is to provide viable educational options for students who are experiencing difficulty in the traditional system. Students under age 21 are eligible to enroll if they:
 - > Are performing substantially below grade level;
 - > Are at least one year behind in credits for graduation;
 - > Are pregnant or parents;
 - > Have experienced physical or sexual abuse;
 - > Are chemically dependent;
 - > Have mental health problems;
 - > Have been homeless recently;
 - > Have withdrawn from school or been chronically truant; or
 - > Speak English as a second language or have limited English proficiency.

The states with exemplary eligibility guidelines illustrate how policy can help raise the status of alternative education. They define it as a graduation pathway essentially equivalent to a traditional high school education, but one designed to better meet the needs of young people who have fallen off track. **Minnesota, Oregon, and Wisconsin** stand out as states that have long taken a more inclusive approach to defining eligibility for alternative programs.

Tennessee has removed all penal language from alternative education policy and changed the focus to providing students with a variety of educational opportunities, which may include learning at different rates of time or using different learning strategies, techniques, and tools in order to maximize student success. Consistent with these changes, the Governor’s Advisory Council on Alternative Education has recommended that the General Assembly and the state board of education define alternative education as: “A nontraditional academic program designed to meet the student’s educational, behavioral and social needs.” While the department of education is operating under the new definition, the General Assembly and the board have not formally adopted it.¹⁰

2. CLARIFY STATE AND DISTRICT ROLES AND RESPONSIBILITIES

States should provide guidance on quality standards by which to operate and manage alternative programs, while still allowing flexibility for districts and schools to design alternative education to address local conditions and student needs.

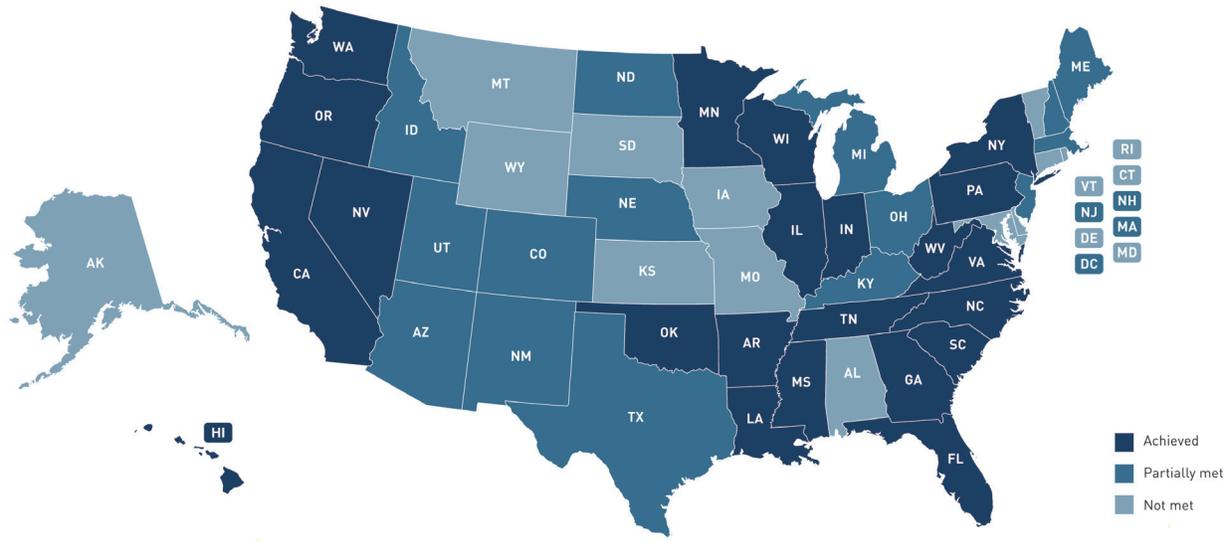
School districts, states, and sometimes counties share responsibility for alternative education. Finding the right balance between allowing appropriate autonomy and providing needed oversight is a challenging but critical role of state policy. School districts need flexibility in order to adapt alternative education programs to local conditions and student populations. They also need authority over the day-to-day operations of these programs. However, states have the important job of providing clear guidelines regarding the operation and management of alternative schools and programs to ensure that all young people who need alternative education have the same opportunities to receive a *quality* education, no matter where they live in a particular state.

Twenty-two states have substantial guidelines that give local school districts direction in at least four of the following six areas of operation and management: eligibility; effective practices; funding mechanisms; governance; accountability; and staffing. In a handful of states, guidance is much more explicit. **Minnesota, North Carolina, Oregon, and Tennessee** each serve as best-in-class examples by providing extensive manuals to their school districts that specify student eligibility and program requirements, compile relevant existing laws and legislation, recommend effective practices, clarify funding mechanisms and availability, and describe the governance of such programs across different entities and levels (see box, “*North Carolina: Specific Guidance,*” on page 10).

In the states that do not provide these essential guidelines, policies are often vague, confusing, and inconsistent in terms of providing guidance on quality standards for the operation and management of alternative schools and programs. The result is allowing local or county priorities and conditions to drive a range of alternative education decisions about program mission and resource allocation that more properly belong at the state level. The quality and effectiveness of alternative schools and programs therefore can vary widely across states and even within districts, leading to lost opportunities, an inequitable distribution of resources, and even wasted resources.

Figure 2.

States with Clear Guidelines on the Operation and Management of Alternative Programs



NORTH CAROLINA: SPECIFIC GUIDANCE

North Carolina provides its school districts with a 55-page manual on policies and procedures for alternative learning programs and schools. It includes guidelines on district responsibilities, program standards, characteristics of effective programs, procedures for assigning students, curriculum and instruction, and staff requirements.

For example, the manual establishes that each school district in North Carolina is responsible for:

- > Establishing at least one alternative learning program for students who are at risk of school failure due to academic or behavior needs;
- > Establishing a fair and equitable process for assigning students to alternative learning programs that are free of capricious and arbitrary features;
- > Having a written policy and plan approved by the local board of education for assigning students to an alternative learning program;
- > Developing a plan in conjunction with state policies and procedures;
- > Making the plan, processes, and procedures available to parents as needed; and
- > Distributing the plan throughout the school district.

The guidelines on staffing specify that alternative educators should be knowledgeable about individualized instruction, management of student behavior, conflict resolution, differentiated learning, principles of child development, diversity and cultural literacy, character education, and oral and written communication.

One example of a state moving in this direction is **North Carolina**, whose ABC accountability model evaluates alternative programs and schools based on both state testing and locally chosen quantifiers, such as attendance, dropout rates, graduation rates, parent or community involvement, and school safety/student conduct. No matter what statistics the schools choose, they must quantify progress toward one of two benchmarks: “higher expectations for student achievement” or “student progress and proficiency.”

California’s Alternative Schools Accountability Model also clearly defines special accountability indicators for alternative schools. This model incorporates factors beyond those required by both No Child Left Behind and California’s traditional state accountability system, such as student persistence, average credit completion, attendance, reading completion, and GED section completion (Ruiz de Velasco et al. 2008).¹²

Twenty-two other states and the District of Columbia also address alternative education in their state-level accountability systems in various ways. Nine of them hold alternative schools to the same accountability standards as any other school.¹³ While the intent may be to hold all schools and students to high standards, this approach poses potential problems. If schools primarily serving off-track students or returning dropouts are penalized for the amount of time students have already been out of school—or the schools lack the operational flexibility to meet students’ needs—they are particularly vulnerable to being deemed substandard or failing under such policies, even if their students make consistent progress. Another fourteen states require regular evaluations and/or annual reports, although it is often unclear how these are used for accountability purposes.

The remaining 22 states are silent on the matter of accountability for alternative schools. This may reflect a lack of consensus among educators and policymakers in those states about how to measure the effectiveness of schools that serve young people who enter significantly behind in credits and skills, as well as what ought to be the reasonable expectations for staff leading these programs. However, a lack of accountability can create perverse incentives for traditional high schools to move undercredited and over-age students into the alternative system so that those students’ test scores do not lower their sending schools’ standings.

ALTERNATIVE PROGRAMS NEED FLEXIBILITY

While states must ensure that alternative programs are accountable for results, they also need to grant them the operational flexibility to design their programs in ways that allow them to accelerate student learning. This allows off-track students to recover credits and graduate within a reasonable time frame. State policy should enable these schools to use a proficiency-based approach in which students receive credits (and ultimately diplomas) as they achieve key benchmarks. In the best cases, these programs use innovative approaches that ensure rigorous instruction and mastery of skills without requiring that students complete the traditional hours of seat time (Martin & Brand 2006; Ruzzi & Kraemer 2006).

Twenty-two states allow all districts and schools to award credit based on proficiency—that is, each student receives credit after demonstrating that he or she has met a particular benchmark (Princiotta & Reyna 2009). In addition, a handful of states, including **Ohio**, **Oklahoma**, **Oregon**, and **Wisconsin** have policies on credit by proficiency specific to alternative education. For example, **Oregon** allows students to gain credit in a variety of ways such as passing exams, providing work samples, completing a supervised independent study, or gaining career-related learning experiences. This flexibility can be particularly valuable to alternative education programs that serve students who are far behind in credits toward graduation and must catch up.

More recently, **Ohio** has allowed students who are at least one year behind their peers and are attending an alternative program to complete a proficiency-based instructional program instead of the **Ohio** core curriculum.¹⁴ In Dayton, both the Integrated Solutions for Urban Students and the Mound Street Academies alternative schools offer courses that are competency-based and tied to state standards (Princiotta & Reyna 2009). Such flexibility is

increasingly important as states add operational rules that mandate restrictive definitions of student seat time, making it more difficult to offer newly organized routes to high school graduation and postsecondary success.

The challenge for states is to strike a delicate balance between holding all schools accountable for helping students reach a common statewide standard and giving them the necessary flexibility and incentives to reengage and educate over-age, undercredited students. More states should upgrade their accountability systems to explicitly define appropriate expectations for alternative schools and programs.

4. INCREASE SUPPORT FOR INNOVATION

States should implement strategic and comprehensive efforts to invent educational models that improve outcomes for off-track students, and spread those that prove successful. States have a responsibility to provide the models and funding that support this kind of large-scale innovation.

The U.S. Department of Education, in its comments on the \$3.5 billion School Improvement Grants program (part of the 2009 American Reinvestment and Recovery Act), acknowledges that “programs and strategies designed to reengage youth who have dropped out of high school without receiving a diploma are necessary in increasing graduation rates.”¹⁵ However, addressing the sizeable population of students who are significantly off track to graduation or have left school altogether will require more than just incremental efforts to upgrade existing alternative education programs. A more strategic and comprehensive effort is needed to invent and spread models that draw on evidence-based designs proven to improve outcomes for off-track students. Very few states and districts have created the freedom, funding, and partnerships that could be used for this kind of innovation.

New York City is the primary example that proves new models for off-track youth can be implemented on a large scale as the centerpiece of a strategy to provide multiple pathways to graduation. States—many of which have fewer students than New York City—can draw lessons from this work. As a result of systemic changes, as well as public and private investments in new, evidence-based models, New York City has raised its four-year cohort graduation rate by 15 percentage points since 2002 (Alliance for Excellent Education 2010). Philadelphia, Mobile, Alabama, and other cities are building on these efforts, developing and launching similar models.

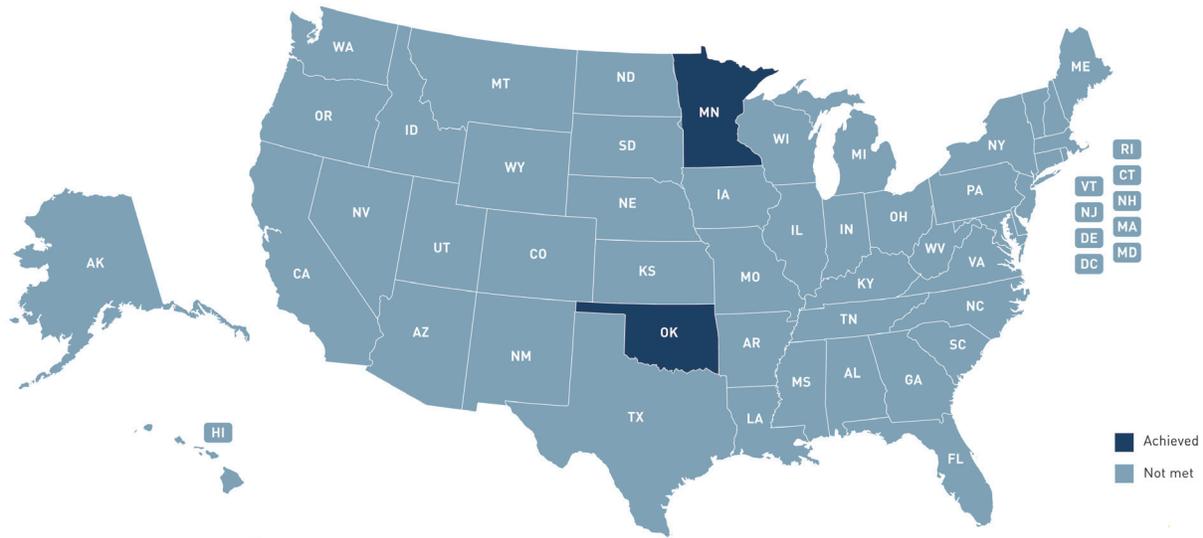
Districts such as New York City and Philadelphia that have made the most progress in turning around low-performing schools have launched complementary citywide efforts to grow innovative alternative schools for young people who are so overage or under-credited that they need a significantly different educational environment.

While this activity among cities is encouraging, only two states—**Oklahoma** and **Minnesota**—have set the policy conditions necessary to encourage the development and sustainability of innovative alternative education models. Since 1996, **Oklahoma** has provided funding to serve students at risk of failing to complete high school through its Statewide Alternative Education Academy grant program. The authorizing legislation provided a set of 17 criteria designed to ensure that research-based principles of effective practice were implemented in program designs while still giving school districts flexibility. The 250 programs across the state serve more than 10,000 students each year. Students attending the academies consistently show improvements in grades, attendance, and number of credits earned. Dropout rates have decreased significantly since the program’s implementation (Oklahoma Technical Assistance Center 2009).

Similarly, **Minnesota** supports a vast network of over 150 alternative learning centers and programs that have the autonomy to determine their individual programming structure and delivery method. State law requires that funding follow students into their respective alternative education programs, including those operated by community-based organizations and other third parties.

Figure 4.

States that Encourage Large-Scale Innovation in Alternative Education



Texas also has made tremendous strides in serving undercredited youth who are off track and over-age, although its alternative education policy is not as strong as its dropout and high school redesign policies. The state has used its strong dropout prevention policy to seed innovation and accomplish many of the same goals that model alternative education policy would otherwise promote. The state’s high school reform legislation, HB 2237, also creates the conditions that support the development of alternative school models. **Texas’s** Dropout Recovery Pilot Program offers grants to programs designed to enable dropouts to earn a standards-based high school diploma or meet a clearly defined standard of demonstrated college readiness. It provides maximum flexibility with regard to student seat-time requirements and other constraints on innovation; therefore, multiple providers of education, including nonprofits and community colleges, can offer alternative education programs leading to a high school diploma.

Unfortunately, the budgetary deficits affecting many states have hindered the spread of similar efforts. Seeding a meaningful expansion of innovative models requires serious state-level commitments and significant funding. One potential action states could take is to align innovation efforts with the strong federal focus on turning around the lowest-performing high schools and increasing graduation rates. Even without new dollars, however, states can still address some of the policy conditions that limit innovation and discourage potential providers from offering effective alternative models. The 22 states that allow students to earn credits toward a diploma based on student proficiency could do more to encourage alternative education programs to make better use of this opportunity. The remaining states should put such policies in place.

Innovative state-level efforts to redesign alternative education are sorely needed. Piecemeal policy changes at the state level and innovative reform efforts by individual school systems cannot, by themselves, create enough high-quality learning environments for off-track students and returning dropouts. States have the responsibility to provide leadership that supports a meaningful, large-scale reinvention of alternative education.

5. ENSURE HIGH-QUALITY STAFF

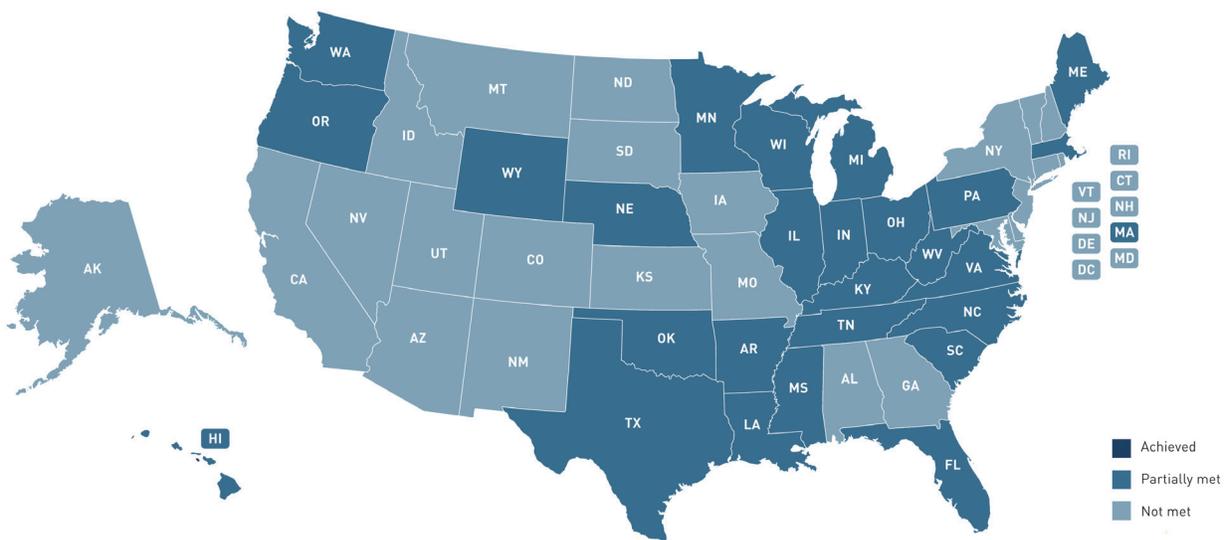
States should seek to improve the quality of alternative schools by improving the quality of instructional staff and leadership. They should also provide incentives for high-performing teachers and leaders to join alternative education programs, and they should support their ongoing professional development.

Perhaps more than any other variable, teacher effectiveness matters in helping off-track students stay in school, complete graduation requirements, and advance to postsecondary education. A compelling body of research points to the pivotal role that teachers play in students' individual and collective academic success (Miller & Chait 2008; Croninger & Lee 2001). The development of high-quality teachers is now a central focus of both federal and philanthropic efforts to improve schools nationwide. This attention should be extended to the realm of alternative education in which teachers need to be exceptionally skilled in multiple areas because of the unique demands of their field. Alternative education teachers must possess strong knowledge of all the core academic subjects, as well as be adept at differentiating instruction and designing interdisciplinary curricula. They also must know how to combine academic challenge with supports for struggling learners—all the while engaging students who, by definition, have been the most difficult to engage.

Although a number of states explicitly note the need for alternative programs to be flexible in their curriculum and instructional methods, none have taken bold steps to ensure that alternative education teachers are equipped with the skills and professional supports to be effective. Only half the states have policies that govern staffing for alternative education programs. These range from prohibiting poorly performing staff from being assigned to alternative education settings to requiring that staff possess proper certification.

Figure 5.

States that Provide Incentives for High-Performing Staff to Teach Alternative Education



Some states specify maximum student-teacher ratios or limit class sizes. For example, **Arkansas** and **Virginia** help ensure that teachers can provide sufficient individual attention by requiring that student-teacher ratios not exceed 15:1. **North Carolina** stands out for adopting a policy that explicitly urges school boards to prohibit superintendents from assigning teachers with poor performance evaluations to alternative learning programs.

Seeking to entice more teachers into alternative education, some states have experimented with loosening requirements for teacher licensure and certification. For example, **Wisconsin** teachers may apply for an alternative education program license that specifically permits them to teach across subject areas.

Arkansas recently relaxed grade-level and subject-matter certification requirements for licensed teachers in alternative settings.

These policy experiments could be positive if they are geared to more than addressing an immediate teacher supply problem. Instead, changes in policy concerning alternative education teacher qualifications should reflect an intentional strategy for building a cadre of teachers who combine content knowledge with a deep understanding of youth development and the skills to accelerate student learning. To truly ensure that the neediest student population has access to high-quality educators, states should be offering incentives for skilled teachers to teach in alternative settings—a policy no state has yet adopted.

The continuous professional development of teachers in alternative settings is another important factor largely neglected in state policy. The National Alternative Education Association (2009) identifies professional development as a key indicator of quality programming. Unfortunately, these opportunities are too rare for educators in alternative settings. Only four states—**Arkansas, Minnesota, North Carolina,** and **Virginia**—have explicit policies regarding professional development opportunities for alternative educators. In interviews, teachers and staff at **California's** “continuation” high schools (the state’s alternative high schools) lamented the shortage of professional development opportunities at the state and district levels on topics that would help them improve their work with vulnerable populations (Ruiz de Velasco et al. 2008).

School leaders also play a critical role in ensuring the quality of instruction in alternative programs and enabling teachers to use effective practices. Leaders at **California's** most effective continuation high schools are clear about their belief that students can meet high academic standards; their strategy is to empower teachers who share those beliefs. Meanwhile, the leaders have acknowledged making work life uncomfortable for teachers who hold themselves or their students to lower expectations (Ruiz de Velasco et al. 2008).

Accelerating the learning and diploma attainment of the many young people who are not on track to high school graduation will require building the capacity of the teachers and leaders who staff alternative schools. Students who are struggling the most to complete high school need teachers who recognize their strengths as well as their academic weaknesses, who know how to balance pressure and support, and who are knowledgeable not just about the content but about how to help struggling students learn. The challenge for states and districts is to develop school leaders and build a cadre of teachers who care deeply about these young people and have the content knowledge and teaching skills to help accelerate their academic progress.

6. ENHANCE STUDENT SUPPORT SERVICES

States should formally recognize that academic success is virtually impossible for alternative education students without meaningful support services. States should also provide funding and other incentives for districts and schools to partner with outside organizations that specialize in these areas to ensure that students receive the full range of needed supports.

Efforts to accelerate learning in alternative schools cannot be separated from the need to address the many personal challenges that most students face. These students require more academic supports and other services than a traditionally structured school can provide. The wide range of supports that can make the difference between an individual getting a degree or dropping out include career mentorship, personal counseling, child care, and physical and mental health resources. Alternative education policy can help make these services more readily available in two important ways. First, states can draw an explicit connection between support services and academic success. Second, states can encourage and fund community partnerships that enable alternative schools to provide these crucial supports.

States can increase alternative schools' capacity to provide support services by encouraging them to develop meaningful partnerships with community, higher education, and workforce organizations. The National Alternative Education Association (2009) identifies partnerships with at least one core community organization and at least one postsecondary institution as a key component of highly effective alternative settings. In the most developed of such partnerships—one example is the Learning to Work program in New York City—staff from the partnering community organization are integrated throughout the school, with designated space and scheduled time for individual and group work (see *box, "Learning to Work"*).

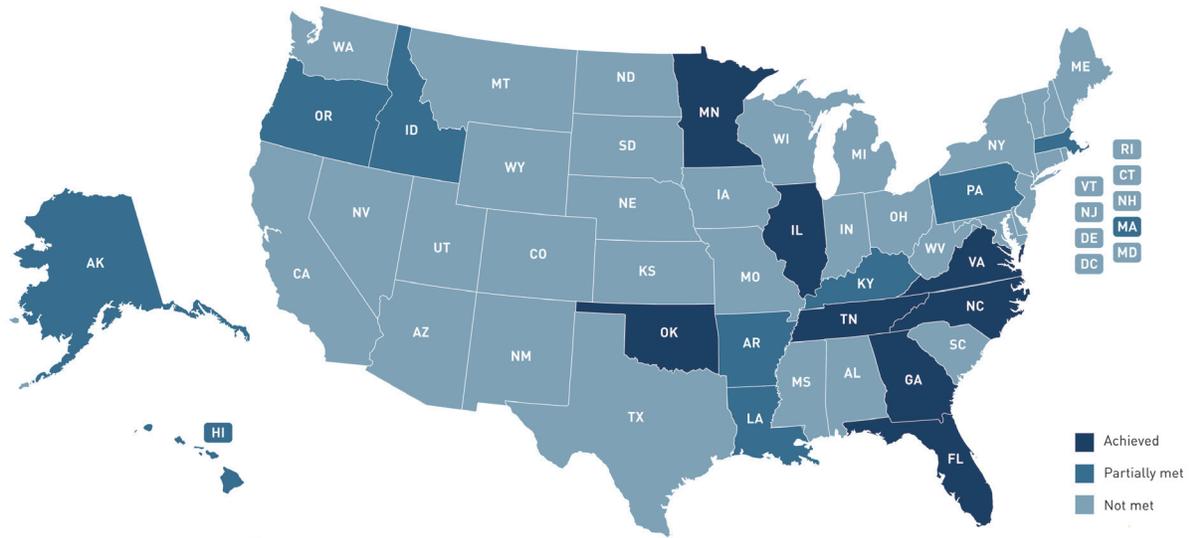
LEARNING TO WORK

The Learning to Work program in New York City is designed to help students stay engaged in school by developing the skills they need not only to complete high school but also to enter postsecondary education and gain employment. Learning to Work services, provided by community-based partners, are integrated across the city's "Multiple Pathways" schools and programs, which include GED programs and transfer schools that serve over-age, undercredited students. Learning to Work students can participate in intensive employability skills development workshops, subsidized internships, and college and career counseling, and they can also receive job placement assistance. The program includes attendance outreach, individual and group counseling, academic tutoring, and youth development services that help students sharpen the social, emotional, and cognitive skills needed to navigate adult life.

There are many examples of effective local partnerships between alternative schools and community groups. In **California**, researchers found that strong programs in the state's continuation schools include well-designed partnerships with local community colleges, helping students make smooth transitions to postsecondary education. Leaders of some continuation schools have cultivated relationships with local businesses, encouraging them to provide jobs and credit-carrying internships. Others have fostered partnerships with county or community mental health agencies, which provide counseling services. However, as the **California** study notes, such partnerships typically develop due to the initiative of ambitious alternative education administrators (Ruiz de Velasco et al. 2008).

Figure 6.

States that Link Student Support Services to Academic Success and Encourage Community Partnerships



States should take the lead by acknowledging in policy the need for such partnerships across all alternative programs. Eight states are moving in this direction. **Illinois**, for example, requires alternative education schools to engage in a comprehensive, community-based process in planning programs. It must include, but is not limited to, the participation of business, community organizations, social service providers, government agencies, parents, school administrators, and other school staff members. **Virginia** requires alternative education programs to collaborate with at least community-based organizations and postsecondary training programs.¹⁶

Nine other states offer some direction regarding the provision of support services for alternative education students. However, much of this policy is vague and seldom emphasizes the importance that support services hold in relation to academic success. These states generally require or encourage alternative education providers to offer the range of support services students may need to succeed. Most often policies refer to an individualized case management approach rather than an integrated model of academics and wraparound supports. Other specific services frequently cited in state policy are vocational, employment, or work-based training or experience.

States should build upon the best examples of community partnerships in alternative education by setting forth policy that recognizes their importance in supporting the most vulnerable group of students. State leadership in this area is essential to ensuring that all alternative education students get the variety of academic and social supports they need to succeed.

7. ENRICH FUNDING

States should develop funding policies that channel more resources toward off-track students, taking into account that alternative education programs must not only reengage them but also accelerate their learning and provide intensive academic and social supports to help them succeed.

Working with a population of off-track students who must recover credits toward graduation, alternative schools are generally charged with doing more in less time than traditional schools. Also, they must often make do with fewer resources per student, especially when the district uses contracted providers.

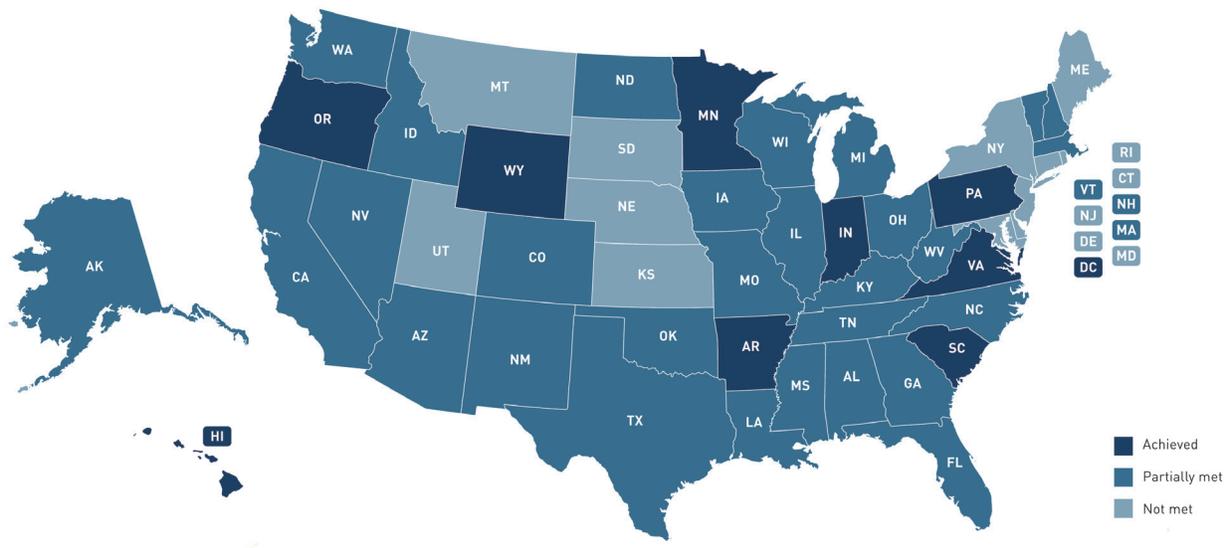
Two issues contribute to continuing funding inequities and resource shortfalls. First, most school funding formulas assume that all students should be funded equally, regardless of the educational hurdles they face. Typically, funding formulas allocate resources to schools—usually in the form of staffing—based on the number of students enrolled. This practice makes it particularly difficult for alternative schools to receive adequate funding, because they deliberately enroll a smaller and educationally needier group of students than do traditional schools. Also, they often have shifting enrollments during a school year and end up with more students than initially funded. These programs struggle to adequately staff their classes and provide the full range of academics and other services their students need to earn their diplomas and transition to postsecondary education.

Second, funding challenges are exacerbated in states where school districts may contract with private institutions to provide alternative education. In most of these states, the funding of those providers is left to the discretion of each district—a practice that has resulted in serious inequities. Contracted alternative schools often receive only a percentage of their states' per-pupil allocation, while their districts keep the rest. Furthermore, the resources for alternative schools too frequently come in the form of district-assigned teachers, a practice that sometimes leads to the “dumping” of teachers who have been let go by other schools.

Inadequate overall funding and distribution formulas that customarily allocate staff rather than flexible dollars to schools combine to constrain the ability of alternative education providers to succeed. In recognition of these challenges, some states have increased the resources available to alternative education. Nine states and the District of Columbia provide stable funding to alternative programs that is more than what traditional schools receive, recognizing of the challenges alternative educators face.¹⁷

Figure 7.

States that Funnel More Resources Toward Students in Alternative Programs



Hawaii, for instance, allows schools to use money provided through its weighted student funding formula—based on student need—to develop and implement alternative programs. **Indiana** and **Virginia** are two of several states whose funding formulas take into account the additional academic and support needs of alternative education students. In addition five states—**Illinois**, **Massachusetts**, **Ohio**, **Oklahoma**, and **Wisconsin**—have created competitive grant programs to develop new alternative education programs or improve current programs.

A few states are notable for requiring per-pupil state funding to “follow” alternative education students to community-based or other third-party providers. **Minnesota** and **Oregon** are models for how a state can support public-private partnerships in funding alternative education with this feature in mind. Each requires a high percentage of per-pupil dollars (80 to 95 percent) to follow students to third-party providers that are contracting with districts. **Pennsylvania** makes third-party providers eligible for alternative education program grants.

Currently, the most effective alternative programs tend to be those that find additional resources. Either their leaders are skilled at raising money from outside sources or the programs are housed in districts willing to provide them with extra resources (NYEC 2008). But the provision of equitable and adequate funding for alternative education should not be left to the ingenuity of the individual school leaders or the commitment of each district. States have a responsibility to make sure that all alternative education programs receive the level of funding needed to ensure student success. Fortunately, states now have a number of model funding formulas to draw on. Policies for funding alternative education should target more resources toward students with greater need and aim for long-term program sustainability.

CONCLUSION

Over the past decade, states have done important work to improve high school graduation rates and stem the dropout crisis, but they will not be able to solve these problems completely until they focus on creating and scaling effective Back on Track models. While transforming traditional high schools is critical, it will not help the millions of young people who have dropped out or are on the verge of leaving schools without a diploma. Many of these struggling youth need creative, alternative pathways to reengage them in school and get them Back on Track toward not only a high school diploma but a postsecondary credential as well.

However, much of the nation’s alternative education system remains stuck in an era of different and lower standards. The nation must focus on a total redesign of this system and the state policies that govern it. We should gear alternative education to far more than those deemed too violent or troublesome for traditional public schools. Alternative education must be available for any student who is unlikely to graduate without it.

As this scan demonstrates, an immense amount remains to be done in terms of improving alternative education policy. While 40 states have enacted new alternative education policies in the last decade, none have instituted the comprehensive, innovative approach required for alternative education students to succeed. Achieving this ambitious goal will require major changes to current policy, as well as substantial state-level investments in developing new designs and expanding evidence-based model programs.

Our hope is that state leaders and advocates will use the detailed information about each state’s policy progress in this report and accompanying Web site as a framework for assessing how far they have come and where to focus future efforts.

APPENDIX: METHODOLOGY

DATA SOURCES

Jobs for the Future's comprehensive 50-state scan analyzes active legislative and regulatory policies that guide states' overall approach to alternative education. The policy scan examines all existing policies in each state related to alternative education programming, as well as legislative changes to policy between 2001 and 2009.

The scan tapped databases maintained by the National Council of State Legislatures and the Education Commission of the States, supplemented by other sources as needed. Existing state-level alternative education policies were identified primarily through information provided by state education agencies and offices or other public agencies responsible for aspects of alternative education. Researchers also consulted state-level annual reports, NCLB accountability workbooks, state education agency Web sites, and other online resources.

Not all states make information related to alternative education readily available to the general public. Some states do not have specific offices responsible for alternative education; others provide the public with very little information regarding alternative education options. Where necessary, JFF researchers used data from third-party entities (i.e., nonprofits; district, county, or regional offices of education) or program- or school-based sources.

ANALYSIS

Our inquiry commenced with a set of research questions reflective of current research and expert thinking in the field on what makes for robust alternative education policy. We set out to understand and report on the following policies:

- > **Eligibility:** To what extent are states establishing broad eligibility guidelines for alternative education that go beyond traditional "at-risk" indicators and include school-based indicators that are predictive of dropping out?
- > **Quality:** Are states providing adequate guidelines to districts on quality standards and operations for alternative education to ensure equity while at the same time allowing districts the needed flexibility to design programs?
- > **Accountability:** To what extent are states holding alternative schools and programs accountable in terms of making sure that students meet common state standards and awarding them credit when they reach key benchmarks?
- > **Innovation:** Do state policies enable the development and spread of new or proven alternative education models?
- > **Teaching and Leadership:** To what extent do policies support quality teaching and leadership and the provision of wraparound academic and social supports at alternative schools and programs?
- > **Funding and Financing:** How are alternative education schools and programs being funded and to what extent do funding formulas and grants take into account the additional needs of their students?

Based on our initial analysis, we identified seven model policy elements that constitute a framework for creating a sound and robust alternative education system.

The description and analysis of state alternative education laws and rules are presented through the lens of these seven policy elements. JFF developed a set of criteria for assessing each element and then organized the presentation of each state’s policy set according to these indicators. In many cases, states have put in place some policies in these areas, but policies are not as comprehensive or coherent as those outlined in JFF’s proposed model policy set. Because existing policies in many states can serve as a springboard to further policymaking by legislatures or executive agencies, the scan distinguishes between states that have “met” the criteria for recommended policies and those that have “partially met” the criteria. (In two of the policy elements—eligibility and support for innovation—states are assessed only in terms of having met the criteria or not, since these categories are more binary: either a state has the policy or it does not.)

CRITERIA USED FOR ASSESSING EACH STATE POLICY ELEMENT	
BROADEN ELIGIBILITY	<ul style="list-style-type: none"> > Met: A state’s eligibility guidelines consist of an inclusive list of at-risk indicators including off-track students in school and/or language that indicates that alternative education is for any young person who is not thriving in school.
CLARIFY GUIDELINES ON STATE AND DISTRICT ROLES AND RESPONSIBILITIES	<ul style="list-style-type: none"> > Met: A state has clear and substantial guidelines for districts and other providers on quality standards for the operation and management of schools in at least four of the following areas: eligibility; effective practices; funding mechanisms; governance; accountability; and staffing. > Partially Met: A state has substantial guidelines in at least two of the above areas.
STRENGTHEN ACCOUNTABILITY FOR RESULTS	<ul style="list-style-type: none"> > Met: A state has a clear and separate accountability system for alternative education that holds alternative schools and programs to common state standards but also gives them credit for holding onto students and having them reach key progress benchmarks. > Partially Met: A state treats alternative schools the same as traditional high schools for accountability purposes, counts alternative education students with their home school for accountability purposes, or requires some sort of report to the Board of Education or Legislature.
INCREASE SUPPORT FOR INNOVATION	<ul style="list-style-type: none"> > Met: A state’s policies enable the implementation and spread of effective alternative education models through, for example, funding and school development support.
ENSURE HIGH-QUALITY STAFF	<ul style="list-style-type: none"> > Met: A state provides incentives for high-performing leaders and teachers to staff alternative education schools and programs; and a state has policy mandating the ongoing professional development of alternative education staff. > Partially Met: A state requires alternative education teachers to be certified or meet other requirements, mandates a low student-teacher ratio, or mandates professional development for staff but does not provide incentives.
ENHANCE STUDENT SUPPORT SERVICES	<ul style="list-style-type: none"> > Met: A state has policies that recognize the need for a range of academic and support services and encourage (if not require) partnerships with outside organizations that specialize in these services. > Partially Met: A state has policies that recognize the need for a range of academic and support services, but does not necessarily acknowledge the importance of partnerships.
ENRICH FUNDING	<ul style="list-style-type: none"> > Met: A state has a funding formula for alternative education that allocates additional dollars beyond its state and district per-pupil dollars. > Partially Met: A state provides alternative and traditional programs with the same amount of per-pupil dollars, provides grants for alternative education, or provides additional alternative education funds for specific activities.

LIMITATIONS OF THE METHODOLOGY

Analysis of alternative education policy is, by its nature, challenging. Similar to the status of alternative schools themselves, the policies that govern them frequently are found at the margins of educational systems, institutions, and policymaking. State-level alternative education policy is often vague, confusing, inconsistent, and at odds with general policies that govern high schools.

In addition, much alternative education policy is established locally, and state departments of education may support alternative education efforts that are not captured in law or regulation. While JFF conducted extensive research on alternative education policies across the 50 states and the District of Columbia, including policy changes through December 2009, this analysis focuses on legislative and regulatory policy and does not address the degree of implementation at state or local levels.

Strong state policy is necessary but not sufficient to ensuring consistency and quality across a state's alternative education programs. A deeper analysis of an individual state's policies and systems is necessary to assess and understand the full impact of legislative changes on local policies and practices and their impact on student outcomes.

Our purpose in this analysis is to take a first step toward making visible how states deal with alternative education in legislation and regulation—and the distance between strong student-centered policies and the policies currently in place across the nation's 50 states. As the nation and the states grapple with how to ensure that more young people complete high school ready to succeed in college and career and actually move on to postsecondary learning programs that yield credentials with value in the labor market, the role of alternative education in state and local strategies will become increasingly important. And aligning policy with state and national goals will become critical. We hope that this 50-state scan accelerates and simplifies that work.

ENDNOTES

¹ See remarks by President Barack Obama at the America's Promise Alliance Education Event. U.S. Chamber of Commerce, Washington, D.C. Office of the Press Secretary. March 1, 2010.

² For the most part, these off-track students and dropouts turn out to be the same individuals—at different moments in time. At least 80 percent of students who eventually leave school fall off track during middle or high school, according to research-based early warning indicators (Neild & Balfanz 2007).

³ Contrary to the conventional wisdom, many young people want to complete their education and persist in trying to find a way to do it. Sixty percent of dropouts eventually earn a credential, usually a GED (Almeida, Johnson, & Steinberg 2006). As one researcher put it, they are “keen economists,” well aware of the economic benefits of education.

⁴ To learn more about New York City's Department of Multiple Pathways to Graduation, see <http://schools.nyc.gov/ChoicesEnrollment/AlternativesHS/default.htm>. For more information about Philadelphia, see the Philadelphia Youth Network Web site at <http://www.pyninc.org>.

⁵ The 10 states that have not passed new alternative education policy since 2000 are Hawaii, Illinois, Iowa, Kentucky, Missouri, Montana, Nebraska, New Jersey, South Carolina, and Wisconsin.

⁶ The analysis in this paper focuses on the policies themselves. Next steps for policymakers and researchers would be to look at the degree of implementation at the state or local levels and, ultimately, at the impact on educational attainment.

⁷ Since 2000, 39 states and the District of Columbia have enacted new laws or established new regulations related to alternative education. Only 17 of those states, however, made significant progress in their legislation toward incorporating one or more of the seven model policy elements that this scan identifies as critical to improving outcomes for struggling and out-of-school youth.

⁸ For more information about the federal regulations on calculating graduation rates adopted in spring 2008, see: www2.ed.gov/policy/elsec/reg/proposal/uniform-grad-rate.html.

⁹ Arkansas is an exception: the state's eligibility criteria include a broad range of off-track and at-risk indicators. However, state policy bars placement of students in alternative education based solely on academic problems, and as a result the state does not meet the eligibility element.

¹⁰ Tennessee's current definition of alternative education in policy, according to state policy, is “a short term (one year or less) intervention program designed to develop academic and behavioral skills for students who have been suspended or expelled from the regular school program.”

¹¹ In one of the six states, Oklahoma, accountability for alternative education academies is determined through comprehensive annual evaluations conducted by the Oklahoma Technical Assistance Center. The evaluation assesses progress on key academic indicators, including grades, credits earned, standardized achievement tests, and state core curriculum tests. Law prohibits the state board of education from providing funding to any program that does not receive a recommendation for continued funding in the center's evaluation.

¹² Leaders appreciate that they get credit for progress, but they also express frustration that the additional indicators are not included in AYP or state accountability calculations. See Ruiz de Velasco et al. (2008).

¹³ The nine states are Alaska, Georgia, Louisiana, Massachusetts, Minnesota, North Dakota, Utah, Wisconsin, and the District of Columbia. In North Dakota, alternative education students' grades and test scores are tracked back to their home schools for accountability purposes. The same is true for alternative education programs (versus schools) in Utah and Wisconsin. Note that a 2009 Louisiana law requests implementation of an alternative method to assess the performance of alternative education schools.

¹⁴ Students who do not complete the Ohio core curriculum cannot enroll in most Ohio state universities without further coursework.

¹⁵ For more information on the U.S. Department of Education's School Improvement Fund, see <http://www2.ed.gov/programs/sif/applicant.html>.

¹⁶ The other seven states that either require or encourage partnerships are Florida, Georgia, Minnesota, New York, Oklahoma, Tennessee, and Virginia. Only four of the eight states—Illinois, Minnesota, Oklahoma, and Virginia—provide funding through formulas or grants that could help defray the cost of such partnerships.

¹⁷ State funding legislation can be confusing; it is often unclear how money is allocated within formulas. The 9 states and the District of Columbia deemed examples of how to advance the funding policy element represent our best assessment of the states with enhanced funding formulas for alternative education based on a review of legislative policy. A detailed look at funding regulations was beyond the scope of this research.

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