



State-Approved Alternative Programs

Quick Reference Guide

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State-Approved Alternative Program Introduction

This resource is designed to provide guidance and information necessary for understanding, starting and/or augmenting State-Approved Alternative Programs (SAAPs). This guide may be useful as a tool providing a glossary of terms, program development information, sample in-take and CLP forms, reporting procedures and requirements and contact information. This resource guide is intended to be useful in answering any questions. For specific technical support, [contact Alternative Learning Specialist](mailto:mde.alternativelearning@state.mn.us) (mde.alternativelearning@state.mn.us).

The Minnesota Department of Education (MDE) seeks to ensure a quality school for every student. Many students benefit from a pathway that differs from the traditional option. SAAPs offer eligible students an opportunity to earn a high school diploma.

Alternative programs are generally characterized by the following:

- Personalized learning
- Smaller class sizes
- Extended and flexible year-round programs
- Focused credit-recovery approaches
- Independent study options (available for students over the age of 14)

State-Approved Alternative Programs are funded with General Education Revenue and students are eligible to generate up to 1.2 Average Daily Membership (ADM), the basis on which schools generate per pupil funding, to give them the extra time they need to be successful.

Definition of Alternative Programs

The U.S. Department of Education defines alternative education as “*schools and programs designed to address the needs of students that typically cannot be met in regular schools. The students who attend alternative schools and programs are typically at risk of educational failure (as indicated by poor grades, truancy, disruptive behavior, pregnancy, or similar factors associated with temporary or permanent withdrawal from school)*”.

Minnesota is unique in the resources that are placed in these extended learning programs for at-risk students: very few other states provide such support and often rely on other funding streams, such as Title dollars, to fund out-of-school time programs. The research is compelling on the need for these extended learning programs, which allow students to close the opportunity gap that often exists between our students in poverty and their better-off peers, and to allow our high school students to earn credits they have missed in order to graduate from high school.

[Minnesota Statute 123A.05, Subdivision 1](#), defines the types of alternative programs that Minnesota authorizes:

- **Area Learning Centers**, both core day and extended learning programs.
- **Alternative Learning Programs**, both core day and extended learning programs.
- **Contracted Alternative Programs**, both core day and extended learning programs.

In addition to these programs, a separate program is available for Area Learning Centers. [Minnesota Statute 123A.06](#) states that “a center may also provide programs and services for elementary and secondary pupils who

are not attending the state-approved alternative program to assist them in being successful in school.” The Department has defined these as Targeted Services programs at the elementary level.

History of Alternative Programs

Alternative schools were first approved by the Minnesota Legislature in 1987 to serve high school students struggling in traditional schools. Area Learning Centers (ALCs) have more extensive requirements than Alternative Learning Programs (ALPs) or Contract Alternative Programs. Over time, these programs have served hundreds of thousands of students. The purpose of the law was to provide alternatives for at-risk students and statute established eligibility for students and created a means to serve them.

Minnesota defines at-risk and student eligibility to attend alternative programs very broadly. Statute states that these are programs of choice. School personnel cannot mandate a student’s attendance to an alternative program. Programs work with each individual student to develop a plan to bring them to graduation. The continual learning plan (CLP) is created for each student and it establishes support for the student in grade promotion and completion of a high school diploma.

State-Approved Alternative Programs (Learning Year Programs)

Program Funding

State-Approved Alternative Programs are learning year sites. General Education Revenue is available for more than 1.0 ADM per year (not to exceed 1.2 ADMs) for learners generating membership during the fiscal year. Alternative Learning Programs (ALPs) may receive revenue for extended day and/or extended year for learners who are also enrolled in an approved program during traditional school hours. ALCs may receive revenue for extended day and/or extended year for learners who are not enrolled in an approved program during traditional school hours. Revenue collection continues until the learner graduates or ages out. State-Approved Alternative Programs are responsible for ensuring that no learner generates General Education Revenue beyond earning sufficient credits to meet graduation requirements.

Reporting for State-Approved Alternative Programs

[Procedure 8 - Reporting for State-Approved Alternative Programs \(SAAPs\)](http://education.mn.gov/MDE/dse/schfin/MARSS/inst/) can be found on the [MARSS Reporting Instructions page](http://education.mn.gov/MDE/dse/schfin/MARSS/inst/) (<http://education.mn.gov/MDE/dse/schfin/MARSS/inst/>)

Once on this page, click on the MARSS Manual for the PDF file. Procedure 8 is located on page 200 of this PDF file. If links are enabled, you can also click on “MARSS Manual”. On page 221 is a worksheet that will allow you to do calculations of Independent Study membership hours. This page will have the most up to date information available.

Program Models

Core School Year Day Programs

All SAAP programs must have a core school day, core school year program in either a school within a school or separate site. Minnesota SAAP core school day programs are mainly Area Learning Centers, followed in number by Alternative Learning Programs and then Contract Alternative Programs. While there are fewer privately contracted programs, these programs serve slightly more students than Alternative Learning Programs.

Extended Day Programs

Extended Day programs can occur before or after school, during school breaks or on the weekend (these would be extended week). Targeted Services are included in this model for grades Kindergarten through eighth. Most secondary extended day or week programs offer opportunities for students to earn credits get back on track.

Summer Programs (Extended Year)

The largest enrollment of students in SAAPs occurs during the summer. It is a time of opportunity for students struggling in the traditional school environment to receive supplemental instruction. Research continues to demonstrate that summer is a critical time to strive towards decreasing the proficiency gaps of students in poverty and those from historically disadvantaged communities. Quality summer programming has been shown to significantly reduce the achievement gap.

Independent Study

State-Approved Alternative Programs are eligible to apply to offer Independent Study (IS) courses for learners who meet the Graduation Incentives Criteria. State approval is required for students to generate state aid for non-classroom time. Any district or program can provide Independent Study, but without state approval only actual attendance can generate state funding. In statute this is a competency-based student option, and therefore is not tied to a schedule or calendar year. Revenue is generated when the student completes the course, and is proportional to the actual time recorded (attendance) receiving instruction from an appropriately licensed teacher.

Independent Study is a viable option for students who are self-directed and work independently. The integrity of Independent Study is paramount so that it is seen as a high quality instructional option. If a student is unable to self-pace and guide work independent of a classroom setting, another delivery model should be selected.

Independent Study for learners under age 16

Districts must apply for and obtain authorization for state approval to provide IS to 15-year-old learners who are eligible under Graduation Incentives and who are enrolled in a high school serving grades 9 through 12. When providing IS to qualifying 15-year-old learners, districts must ensure each of the following four conditions and should be used as the method of instruction only after other efforts have not been successful:

1. Learners who are to receive instruction through IS demonstrate the potential for being self-directed learners.
2. A learner enrolled in IS does not fall significantly behind.
3. Learner's parent(s), guardian(s) or mentor signs a contract agreeing to support the learner in completing work on time.
4. Fifty percent of learner program time must be teacher/student instructional time.

Districts may extend their application for approval of IS to include pregnant or parenting minors, students returning from a mental health or chemical dependency treatment program and expelled learners. Districts extending IS to these learners must ensure implementation of each of the above-listed conditions.

Requirements of each type of Alternative Program

All SAAPs are required to be learning year programs, meaning that some type student programming must be offered throughout the calendar year. Each type of SAAP requires a separate application made to MDE.

For specific technical support, [contact Alternative Learning Specialist](mailto:mde.alternativelearning@state.mn.us) (mde.alternativelearning@state.mn.us).

Area Learning Center

The first type of alternative programs in the state are Area Learning Centers (ALCs). These must have the following characteristics:

- a) Except for districts located in a city of the first class (Minneapolis, St. Paul and Duluth), ALCs **must** be established cooperatively with at least **two districts** and serve the geographic area of those districts.
- b) ALCs must offer a comprehensive education program through a school within a school or separate site for students at **both** the middle school and high school level during the core school day.
- c) ALCs must have programming available throughout the calendar year.

There are benefits to being an ALC. For example, ALCs can provide out-of-school time programs for identified at-risk students who are not enrolled in the core school day program. At the elementary level, these programs are called Targeted Services.

Alternative Learning Programs

Alternative Learning Programs (ALPs) have the next highest number of sites but are actually the smallest programs we operate in terms of number of ADMs generated. ALPs are not required to be operated in conjunction with another district, nor are they required to serve both middle school and high school students. These programs can focus on one specific need, for example, students identified as having chemical dependency issues.

ALPs can specify the grades they serve and may make program hours and a calendar optional. These programs must offer extended year (summer) programming to those students that participated in the core year ALP program.

Targeted services programs

After Area Learning Centers, Targeted Services (TS) programs are the most common programs. Unlike ALCs, Targeted services programs can only generate funding **outside of the core school day**.

Without broad policy and no implementation recommendations to guide programs, there is a wide range in TS program focus, time, and duration. For example, summer programs may range from three days to 40 days. The hours per day may also range from one hour per day to seven hours per day. Afterschool programs during the core school year range from one hour per day to three hours per day, and from one to four days per week.

Considerations for Targeted Services Programs:

- a) Learning experiences must be centered around ensuring grade progression, and
- b) These experiences must be instructed by an appropriately licensed teacher
- c) These activities do not generate extended time funding through TS:
 - a. Homework help
 - b. Clubs
 - c. Music/art lessons
 - d. District program-required initiatives (such as International Baccalaureate (IB), AVID)

Contract Alternative Programs

Districts may also choose to contract with outside agencies to provide education services for students that are identified as at risk. Currently there are only two districts in the state using this model. Saint Paul and Minneapolis Public Schools are currently the only districts with Contracted Alternative Programs (CAPs). Students remain enrolled in the district that holds the contract, however, the staff are generally non-district employees. While there are only eight (8) CAPs in the state, these programs generate slightly more ADMs than the ALPs. Contract Alternatives Programs are also required to be learning year programs.

Early/Middle College

Legislation passed in 2014 provides students enrolled in a SAAP may participate in a program unique to the Postsecondary Enrollment Options (PSEO) program. The Early/Middle College program was added to [Minnesota Statute 124D.09](#) and allows alternative program students to take college classes including developmental coursework. These classes, historically, are for students who have not yet demonstrated a level of academic skill to be successful in a college level course. Students earn a high school diploma while also earning postsecondary credits towards a degree or credential. This could include a certificate, diploma, or an associate's degree.

The Early/Middle College legislation provides opportunities to over-age and under-credited youth. These students are able to learn at their level of understanding on a college campus and with age-appropriate peers.

This program forges a strong partnership between the alternative school, the district, and the college. Students select a career path that includes specific courses set out in a clear timeline, and supported by educators such as counselors, teachers and college instructors.

The steps for a SAAP to begin developing an Early/Middle College program are to establish:

1. A partnership between the college and the alternative school must be established
2. Agreements creating programs of study pathways for students to participate in courses on the college campus are formed
3. Identifying high school requirements which can be fulfilled by the program college courses is essential
4. The final step is to submit an application to MDE for approval. The approval process is open each year with an annual due date of March 1. Approvals are for three years.

Graduation Incentives Program – student eligibility

Minnesota Statute 124D.68 describes the motivation for offering alternative programs is to encourage students who find themselves “at-risk” of not graduating to enroll and earn a high school diploma. The intent is to ensure grade progression and graduation for students that are experiencing circumstances that are placing them off-track to graduate with their peers.

[Minnesota Statutes, section 123A.06](#) clarifies the supports that students in need of specific services can be addressed in a State-Approved Alternative Program.

Special Education Services

Alternative education programs often provide flexible opportunities for students that may lend well to the needs of some students with disabilities. Districts are responsible for the needs of students with Individual Education Plans (IEPs). It is a violation to a student’s right to a free and appropriate public education (FAPE) to place special education students in settings where her/his needs are not addressed. The statute cited above in Subdivision 2 directly addresses how the decision for a student receiving specialist education services in a SAAP is determined:

An individualized education program team may identify a state-approved alternative program as an appropriate placement to the extent a state-approved alternative program can provide the student with the appropriate special education services described in the student's plan. Pupils eligible to be served are those who qualify under the graduation incentives program in section 124D.68, subdivision 2, those enrolled under section 124D.02, and subdivision 2, or those pupils who are eligible to receive special education services under sections 125A.03 to 125A.24, and 125A.65.

IEP team meetings should occur before a student attends a SAAP to ensure that plans are developed to meet the needs directed in the IEP. Placement decisions for a student with disabilities in an alternative educational setting must not reduce the student’s right to special education services.

Students with disabilities choosing to attend a SAAP may not be required to terminate their IEP prior to enrollment. Students who qualify for special education within traditional educational settings continue to qualify for special education in other educational settings.

English Learners

This same statute referenced above also describes the supports to students whose primary language is not English. Not only is this a qualifying criterion for eligibility under the Graduation Incentives, but it is also describes the approach:

A center shall use research-based best practices for serving English learners and their parents, taking into account the variations in students' backgrounds and needs and the amount of time and the staff resources necessary for students to overcome gaps in their education and to develop English proficiency and work-related skills.

The use of extended time programming to create additional opportunities for students to learn is a clear objective for SAAPs.

Program Application, Approval, Compliance and Funding

To be a State-Approved Alternative Program that provides learning year services and receives General Education Revenue, programs must obtain approval from the Commissioner of the Minnesota Department Education. Approval to provide Independent Study is a separate process.

Districts may apply to the Department of Education to be a State-Approved Area Learning Center (ALC) or Alternative Learning Program (ALP) at any time during the year. Approval is based on application approval and an on-site review. The on-site review includes:

- Facilities Review
- Curriculum Review
- Schedule Review
- Teacher Licensure Review
- Designated sites may be required to participate in periodic site reviews to maintain their status.

Application Review Timeline

1. Applicants must inform MDE of the intent to apply **no less than 180 days prior to the start of the program.**
2. Applicants must **submit an application no less than 60 days** prior to the start of the program.
3. Applications will be reviewed by a team lead by the MDE Alternative Education Specialist.
4. Program approval will be provided **no less than 30 days** prior to the start of the program.
5. Approved programs will have a site visit within the first year of operation.

Please [contact the Alternative Programs Specialist](mailto:mde.alternativelearning@state.mn.us) at mde.alternativelearning@state.mn.us for any applications.

Application Appeal Process

The SAAP application process is an open ended exchange where the applicant has continued opportunity to revise the application until it meets the provisions outlined in Minnesota Statutes, sections 123A.05 (Area

Learning Center Organization) and 123A.06 (Center Programs and Services). An applicant may appeal the denial of their application in writing to the Commissioner of Education outlining the reasons why they feel the application should be accepted and how it does meet the provisions outlined in Minnesota Statutes, sections 123A.05 (Area Learning Center Organization) and 123A.06 (Center Programs and Services).

Program Compliance

State-Approved Alternative Programs must comply with all Minnesota Statute and rules. For example, courses must be taught by appropriately licensed staff unless a waiver/variance is granted by the State Board of Teaching. Minnesota Statutes, section 123A.06 (Center Programs and Services) allows for variance of the length of the school day as long as the schedule shows that the minimum hours required in a school year are provided during the learning year.

Continual Learning Plan (CLP)

[Minnesota Statutes, section 124D.128, subdivision 3](#)

Student choice

A district, charter school, or area learning center must inform all pupils and their parents about the learning year program and that ***participation in the program is optional***. The sample CLPs in the appendix of this guide include the notification before the student, parent/guardian, and staff signatures.

Required CLP Elements

A CLP must be developed at least annually for each pupil with the participation of the pupil, parent or guardian, teachers, and other staff; each participant must sign and date the plan. The plan must specify the learning experiences that must occur during the entire fiscal year and are necessary for grade progression and, for secondary students, graduation. Each plan must include,

1. the pupil's learning objectives and experiences, including courses or credits the pupil plans to complete each year;
2. the grade level/graduation requirements needed to progress;
3. how student progress towards learning objectives will be measured;
4. For pupils generating more than one average daily membership in a given grade, an indication of which objectives were unmet.

The plan may be modified to conform to district schedule changes. The district may not modify the plan if the modification would result in delaying the student's time of graduation.

Sample Continual Learning Plans

Sample Continual Learning Plans (CLPs) are available on the [MDE Alternative Learning webpage](#). These are word documents, contain the required elements described in statute, and should be modified by SAAPs to meet the needs of the program.

- CLP SAMPLE for Secondary Program (credits)
- CLP SAMPLE for Secondary Program to include attachments (i.e. transcripts, grad requirements)
- CLP SAMPLE for Mid-Level or Targeted Services Program

For specific technical support, contact [MDE Alternative Learning Specialist](#).

Minnesota Statutes Related to State-Approved Alternative Programs

Provided below are references to some of the relevant legislative language around SAAPs.

[Minnesota Statutes, section 123A.05 State-Approved Alternative Programs Organization](#)

(<https://www.revisor.mn.gov/statutes/cite/123A.05>)

[Minnesota Statutes, section 123A.06 State-Approved Alternative Programs and Services](#)

(<https://www.revisor.mn.gov/statutes/cite/123A.06>)

[Minnesota Statutes, section 123A.07 Resource Center for Other Programs](#)

(<https://www.revisor.mn.gov/statutes/cite/123A.07>)

[Minnesota Statutes, section 123A.08 State-Approved Alternative Program Funding](#)

(<https://www.revisor.mn.gov/statutes/cite/123A.08>)

[Minnesota Statutes, section 123A.09 Designating and Approving A Center](#)

(<https://www.revisor.mn.gov/statutes/cite/123A.09>)

[Minnesota Statutes, section 124D.68 Graduation Incentives Program](#)

(<https://www.revisor.mn.gov/statutes/cite/124D.68>)

[Minnesota Statutes, section 124D.69 Aid for Alternative Programs Provided Under Contract](#)

(<https://www.revisor.mn.gov/statutes/cite/124D.69>)

[Minnesota Statutes, section 124D.128 Learning Year Program to Provide Instruction throughout Year](#)

(<https://www.revisor.mn.gov/statutes/cite/124D.128>)

[Minnesota Statutes, section 126C.05 Definition of Pupil Units](#)

(<https://www.revisor.mn.gov/statutes/cite/126C.05>)

Additional Minnesota Statutes pertaining to State-Approved Alternative Programs

[Minnesota Statutes, section 121A.41 subdivision 11. Alternative educational services](http://www.revisor.leg.state.mn.us/stats/121A/41.html)

(<http://www.revisor.leg.state.mn.us/stats/121A/41.html>)

[Minnesota Statutes, section 121A.55 Policies to be Established](http://www.revisor.leg.state.mn.us/stats/121A/55.html)

(<http://www.revisor.leg.state.mn.us/stats/121A/55.html>)

[Minnesota Statutes, section 122A.09 Teacher Licensure in alternative programs \(subdivision 10b.\)](http://www.revisor.leg.state.mn.us/stats/122A/09.html)

(<http://www.revisor.leg.state.mn.us/stats/122A/09.html>)

[Minnesota Statutes, section 123B.92 Transportation Aid Entitlement](http://www.revisor.leg.state.mn.us/stats/123B/92.html)

(<http://www.revisor.leg.state.mn.us/stats/123B/92.html>)

[Minnesota Statutes, section 123B.88 Independent School Districts; Transportation](http://www.revisor.leg.state.mn.us/stats/123B/88.html)

(<http://www.revisor.leg.state.mn.us/stats/123B/88.html>)

[Minnesota Statutes, section 124D.49 Education and Employment Transitions Partnerships](http://www.revisor.leg.state.mn.us/stats/124D/49.html)

(<http://www.revisor.leg.state.mn.us/stats/124D/49.html>)

[Minnesota Statutes, section 126C.10 General Education Revenue, subdivision 2a Extended time revenue](http://www.revisor.leg.state.mn.us/stats/126C/10.html)

(<http://www.revisor.leg.state.mn.us/stats/126C/10.html>)

[Minnesota Statutes, section 126C.40 Capital Levies](http://www.revisor.leg.state.mn.us/stats/126C/40.html)

(<http://www.revisor.leg.state.mn.us/stats/126C/40.html>)

[Minnesota Statutes, section 127A.47 Payments to Resident and Nonresident Districts](http://www.revisor.leg.state.mn.us/stats/127A/47.html)

(<http://www.revisor.leg.state.mn.us/stats/127A/47.html>)

[Minnesota Statutes, section 181A.04 Minimum Age and Maximum Hours](http://www.revisor.leg.state.mn.us/stats/181A/04.html)

(<http://www.revisor.leg.state.mn.us/stats/181A/04.html>)

If you have any questions or comments regarding this resource guide, please [contact Sally Reynolds](mailto:mde.alternativelearning@state.mn.us) at 651-582-8567 or Email: mde.alternativelearning@state.mn.us.

Frequently Asked Questions about Targeted Services

Question (Q): What is the process for being approved to provide Targeted Services programming?

Answer (A): Submit an application to be approved for Area Learning Center. A separate application to provide Targeted Services needs to be submitted.

Q. What are Targeted Services (TS) and who is served?

A. Targeted Services is intervention/prevention programming for criteria defined (Minnesota Statute 124D.68) at-risk students in kindergarten through 8th grade.

Q. Can we fund our after school and summer programs through Targeted Services?

A. If your program meets the guidelines set up under the Graduation Incentives legislation, you can fund programs for eligible students using Targeted Services resources. However, during the summer it would not be summer school but rather a summer program. Summer school has no additional funding source.

Q. When do Targeted Services programs occur?

A. Programming occurs on an extended day/year basis and is designed to supplement the traditional school day, with the goal being to keep the student in the traditional system. The intent of Targeted Services is to supplement not supplant. It is a learning year program.

Q. What should Targeted Services Programs look like?

A. First and foremost, it should be different from what is occurring during the traditional school day. If the programming is more of the same, the results most likely will be the same—the student will be at-risk of not graduating from high school with their peers.

- Many students that are identified as at-risk have a learning style that is incompatible with the traditional environment. Therefore, Targeted Services should meet the student's individual learning style which may be hands-on and activity based.
- Programming needs to be more than academic and should have a social/emotional component.
- As outlined in Minnesota Statute 123A.06, Subdivision 1, remediation should not be the sole focus.
- Targeted Services cannot be a drop-in program. Students are scheduled into instruction that meets whole-learner needs to increase academic achievement. Students cannot be placed in the program.
- Targeted Services programming must be purposeful, with the ultimate goal being to give students the assets, strengths and protective factors to be successful.

Q. Can we serve ninth grade students?

A. TS expands to ninth grade for students who do not need ninth grade credits for high school graduation. If ninth grade students need educational assistance (and TS is not an option because they are at the age where the student needs credits for graduation) they can receive services as long as credit is given. Students should then be reported under the secondary ALC site number.

Q. Who can provide Targeted Services?

A. Only ALCs have the authority to be approved and funded to provide Targeted Services programming and this is only after both a high school and middle-level comprehensive education program is approved and operational. These programs must be a school within a school or occur at a separate site.

Q. How is Targeted Services funded?

A. For funding purposes, students' membership is reported in hours. Funding is a pro-ration of the general education revenue, generated by student instruction time (membership). Targeted Services students will not generate compensatory revenue at the ALC site because they have already been counted at their elementary or middle school.

Q. Can there be a Homework Help component?

A. There can be but you cannot claim membership for this. You would need to use another funding source.

Q. Do teachers have to be licensed?

A. Because Targeted Services are financed using general education revenue, all applicable laws must be adhered to, including the need for appropriately licensed teachers.

Q. Can Targeted Services be summer only?

A. Several years ago summer school money was rolled into the General Education Revenue. There is no longer a separate funding source for summer school. Targeted Services must be extended day and year, not one in isolation of the other and so there would need to be a summer component and a component that operates during the core school year.

Q. What is ADM divisor for Targeted Services?

A. Because many of the Area Learning Centers work with a number of school districts, the statute-defined minimums are used as the divisor: 850 hours for kindergarten; 935 hours for grades one through six and 1020 for seven through 12.

Q. Is money available for transportation?

A. The transportation dollars are part of the general education revenue. There are no additional monies available for transportation.

Q. Are there extended day options for students who are not in Targeted Services?

A. Students must qualify for Targeted Services to be in an ALC funded after school program. If they do not qualify, schools must use other funding sources to provide an after school program, such as Title dollars, Community Education, 21st Century, etc.

Q. Is all after school programming Targeted Services?

A. Not all after school programming is Targeted Services. Several districts have enrichment classes and after school programming through community education or other funding sources. If the class or program is offered through community education and a fee is normally charged to participate it is unlikely to meet criteria for TS funding.

Q. How are students that have been retained in 8th grade reported and do they qualify for Targeted Services?

A. Students are normally progressed to the next grade level as soon as the school year ends. If an 8th grader is retained, the formal school district process should be followed and the student should be coded on MARSS as an 8th grader. The student then qualifies for Targeted Services until promotion to 9th grade.

SAAP Special Education Reimbursement Frequently Asked Questions

Question (Q). May a State-Approved Alternative Program (SAAP) refuse entrance to a student who has an active IEP and who otherwise meets entrance requirements?

Answer (A). No, they may not refuse the student simply because they have an IEP. An IEP team meeting must be held. If a student with a disability exercises his/her option to enroll in a SAAP and otherwise meets entrance requirements, the student cannot be denied entrance based on the existence of a disability. If the SAAP has a waiting list, the student would be treated as any other students who wishes to attend the program. Until an opening exists, the resident district would need to develop another appropriate option for the student.

If the student with an IEP attends the SAAP through one of the choice programs, the district is responsible to ensure that FAPE is made available to that child. This means that the district is responsible for ensuring that the child has available special education and related services in conformity with the IEP. The district may meet this responsibility by either adopting the IEP or by developing a new IEP for the child. Before the child's IEP is finalized the district may provide interim services agreed to by both the parents and the SAAP. If the parents and the SAAP are unable to agree on an interim IEP the SAAP must implement the old IEP to the extent possible until a new IEP is developed and implemented.

In general, while the SAAP must conduct an IEP meeting, it would not be necessary if: (1) A copy of the child's current IEP is available;(2) the parents indicate they are satisfied with the current IEP; and(3) the SAAP determines that the current IEP is appropriate and can be implemented as written (see, 34 C.F.R. Part 300 App. A, Q. No. 17).

Q. If special instruction and services are implemented, who is responsible for (a) providing special instruction and (b) paying the excess costs (tuition) for the education program?

A. (a) wide range of administrative arrangements are possible. If assistance is needed, the SAAP should contact the district's special education director. The most likely procedure will be that the district or cooperative in which the SAAP is located would provide the service. (b) The district of residence is responsible for the excess cost for the education program as specified in Minnesota Statutes, section 125A.15.

Q. Does a SAAP's responsibilities for special education services change if the student has not completed the requirements for a diploma and is 18, 19 or 20 years of age?

A. No, except that the requirements for notice and obtaining consent change. The student should sign the required forms, rather than the parent unless a student has had a guardian appointed. The district of residence continues to be responsible for the cost of the program to age 21.

Q. On what date do special instruction and services terminate when a person receiving special education services reaches age 21?

A. A student who turns 21 between July 1, 2016, and June 30, 2017, is potentially eligible for services until June 30, 2017.

Q. What happens when a district has a policy that only general education revenue is paid for alternative programs?

A. Districts have the responsibility to provide the necessary special education programs. The Statute provide that resident districts are responsible for both regular education costs and for the excess costs involved with serving students with disabilities. This includes SAAP services.

Q. Can a SAAP be established without the availability of special education services?

A. A SAAP can be established which does not include special education licensed personnel among its staff. However, a district must provide appropriate special education services. When a student with an active IEP enrolls in the SAAP, or when an enrolled student is found to be eligible for special education services, the district must provide appropriate services as indicated in the IEP.

Q. Can a district require that parents or a student agree to drop special education services in order to enroll the student in a SAAP?

A. No, if the student meets the SAAP's entrance requirements, it is discriminatory to require or coerce parents to drop special education services as a contingency for enrollment.

Q. If a student is found to be eligible for special education services after enrollment in a SAAP, can the district reassign the student because these services are not available to the SAAP?

A. If the SAAP does not include special education licensed personnel among its staff the district must provide appropriate special education services. When a student with an active IEP enrolls in the SAAP, or when an enrolled student is found to be eligible for special education services, the district must provide appropriate services as indicated in the IEP.

Q. What can SAAP staff do when the ALC program does not match the needs of a student with an active IEP, if SAAP staff were not invited to participate in the IEP decision?

A. SAAP staff can request that the IEP Team hold a meeting to reconsider the educational plan. The designated IEP manager (as noted on the IEP) is usually the person to contact with this request. If a staff-requested meeting does not occur, the SAAP staff should inform the district special education director of the situation and of staff's concerns.

Q. Is it considered a "significant change" in an IEP to move a student from a high school to an ALC?

A. It may be. A change in the type of site or setting in which the pupil receives a special education, or a change in the amount of time a student spends with non-disabled peers, are factors that constitute a "significant change" in an IEP (See Minn. R. 3525.0210, Subp.41).

Q. What if SAAP staff believes there are problems with IEP implementation, placement, or other issues regarding access to necessary special education services?

A. Anyone can file a complaint with the Minnesota Department of Education. The complaint process is designed to ensure that all students with disabilities receive FAPE. If staff believes that a state or federal special education law or rule has been violated, then they should file a written complaint with MDE. MDE will investigate the complaint and, if violations are found, will develop a corrective action plan. For more information about filing a complaint, visit the MDE website.

Glossary of Terms

Adult Diploma: The Standard Adult Diploma Program is designed for the diverse adults in Minnesota who need a secondary credential.

Average Daily Attendance (ADA): Attendance Days (or hours) divided by Instructional Days (or hours).

Average Daily Membership (ADM): Membership Days (or hours) divided by Instructional Days (or hours). This is weighted based on the student's grade level to arrive at Pupil Units or Weighted ADM (WADM). The weighting factors are set in statute. ADM/WADM is the basis for general education revenue.

Area Learning Center (ALC): Category of State-Approved Alternative Programs that are characterized by the following:

- Must be established in cooperation with other districts and must serve the geographic area of at least two districts (with the exception of Minneapolis, St. Paul and Duluth). (Minnesota Statute 123A.05).
- An area learning center must provide comprehensive educational services to enrolled secondary students throughout the year, including a daytime school within a school or separate site for both high school and middle school level students. (Minnesota Statute 123A.05).
- All students must have a Continual Learning Plan (CLP).

Alternative Learning Program (ALP): Category of State-Approved Alternative Programs that are characterized by the following:

- Typically tied closely to one school district, serving a defined grade-level population.
- Has the option of serving students only from within the district the program is located.
- Students must meet the at-risk criteria (Minnesota Statute 124D.68).
- May make program hours and calendar optional.
- All students must have a CLP.

At-Risk: Students who meet the statute-defined criteria (Minnesota Statute 124D.68).

Child Count: The name applied to the federal reports that generate federal special education dollars. This is a count of all students who have IEPs or IFSPs on December 1 of any given year. It is also referred to as the Unduplicated Child Count.

Comprehensive Education Program: ALCs must provide a comprehensive education program at both the middle school and high school level. Students should be able to complete their graduation requirements entirely through the ALC.

Concurrent Enrollment (CE): There are at least three uses for this term:

- Middle and high school students who are enrolled in an ALC or ALP and who attend the middle or high school part-time. These students are reported by both the ALC/ALP and the middle or high school for the time of instruction each provides.
- It can also refer to high school students who take college classes.
- It could also be used to describe a student who was taking classes in two traditional schools within a single district.

Continual Learning Plan (CLP): All students enrolled in a State-Approved Alternative Program must have an annually updated CLP that addresses their learning objectives and experiences, assessment measurements and requirements for grade level progression. Specific statute requirements can be found in: Minnesota Statutes, section 124D.128 or in the CLP section of this resource guide.

Contract Alternative: Nonpublic entity that contracts with a public school district to provide instructional services to at-risk students. Because these are a category of State-Approved Alternative Programs, all Statutes that govern other alternative programs must be adhered to here. Effective FY 1999, these programs are state-designated Learning Year Program Sites at the sponsor program's option; students can generate more than 1.0 (but no more than 1.2) ADM when membership exceeds statute minimums.

Core Year: The number of Instructional Days and Length of Day required by a school or program for students to make regular grade progression. This is used as the ADM divisor for Learning Year programs. Statute requires minimums based on grade level but individual schools and programs can require more.

Dual Enrolled: Students who are full-time at the traditional school and receive extended day/year instructional services outside the core school day/year. Depending on State-Approved Alternative Program status and specific approval, this can occur from kindergarten through 12th grade. Each school/program reports the instructional time it provides to the student.

Early/Middle College: The Early/Middle College program was added to Minnesota Statutes 124D.09 and allows SAAP students to take developmental classes on the college campus. The program is characterized by the strong partnership between the SAAP, the District and the college. Students earn a high school diploma while also earning postsecondary credits towards a degree or credential including a certificate, diploma or an associate's degree.

Extended Learning: out of school time programs that occur outside of the core school day or school year. These can occur before school, after school, during school breaks, on the weekend and during the summer.

Every Student Succeeds Act (ESSA): The 2015 Reauthorization of ESEA, replacing No Child Left Behind.

Flexible School Year: Schools who extend the school year over a 10 to 12 month period, but the number of Instructional Days is no greater than those in a traditional school year.

General Education Development (GED) Diploma: In Minnesota, individuals who do not have a high school diploma may be able to earn a state of Minnesota GED® Diploma by passing the GED test. The four tests in the GED battery measure academic competencies similar to many of those required of a Minnesota high school graduate. If you are 19 years old and are not currently enrolled in high school, you are eligible to take the GED® in Minnesota. If you are 17 or 18 years old and are not currently enrolled in high school, you must apply for an age waiver before testing.

Individual Education Plan (IEP): Student has been formally assessed and identified as having a disability and is receiving special education services. The IEP is the student plan for addressing the student goals and objectives.

Individual Family Services Plan (IFSP): An “IEP” for very young children. It involves other agencies as well as education.

Independent Study (IS): State-Approved Alternative Programs can apply to provide an independent study program/component for students enrolled in their programs. Students are recommended to be 16 years of age. These students generate membership hours based on successful completion of coursework.

Part-Time: A student who is enrolled less than full-time. Full-time is defined by the traditional schools calendar. Any student who is scheduled for less than the entire day at the high school and is not considered absent, or, for purposes of dual enrollment, has more than 60 minutes in study hall is considered part-time.

Postsecondary Enrollment Option (PSEO): allows 10th-, 11th- and 12th-grade students to earn college credit while still in high school, through enrollment in and successful completion of college-level courses. With traditional PSEO, these courses are generally offered on the campus of the postsecondary institution; some courses are offered online. Postsecondary institutions are not allowed to charge PSEO students for tuition, textbooks or support services. Students may be charged for equipment that becomes their property when the course or program is completed.

Pupil Units (PU): This is the figure that determines state aid and levies.

State Aid Category (SAC): This is the MARSS code that determines how or why a student is enrolled in this district. Every record has a SAC code.

State-Approved Alternative Program (SAAP): includes state-approved Area learning Centers, Alternative Learning Programs, Middle level/Junior High, Targeted Services, including after school and summer school programming, and Contracted Alternative Programs. Each requires separate approval.

Seat time: Used for MARSS reporting to indicate the number of hours for generating revenue; traditional classroom is used to indicate the instructional model.

Status End Code (SEC): This is the MARSS code that indicates why a student's record is being terminated. Every student record has a SEC except on the fall submissions for students who are still enrolled as of the extract date.

Special Education Evaluation Status (SEES): This MARSS data element indicates if the student has received assessment services, had an IEP, or the IEP was terminated during the school year.

Shared Time: Nonpublic school students who receive eligible public school instructional services generate shared time foundation aid based on the portion of the school day they are enrolled in the public school.

Staff Automated Reporting system (STAR): This is the means by which public districts report staff employment and assignment data to the Department.

Targeted Services (TS): Out of School time elementary and middle/junior high-level program for at-risk students. Programming occurs on an extended day/year basis. Only ALCs can apply to provide Targeted Services. Students must have a CLP and services must be provided year round. Students can generate more than 1.0 ADM (but less than 1.2) when they receive more than the statute-defined minimum number of instructional hours.

Title I: There are two types of Title I schools:

- School wide- schools can offer a schoolwide program when the poverty level at their school is at least 40 percent.
- Targeted Assistance (which is sometimes confused with Targeted Services)- is one that receives Part A funds yet is ineligible or has chosen not to operate a Title I schoolwide program.

Traditional Classroom: Instructional model where student attends a school with teacher instruction in a classroom setting. Classes meet daily and attendance is required.

Uniform Financial Accounting and Reporting Standards (UFARS): Used by Minnesota school districts, charter schools, and cooperatives to report revenue and expenditure data to MDE.