



RIDE Rhode Island
Department
of Education

Alternative Learning Plan (ALP) Frequently Asked Questions

Pursuant to Rhode Island Compulsory Attendance Statute RIGL 16-19-1

Rhode Island Department of Elementary and Secondary Education
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Background, Context, and Intent

In July of 2011, the Rhode Island General Assembly passed revised compulsory attendance legislation, which requires students to attend school until they are 18 years old. The RI Compulsory Attendance Statute (RIGL 16-19-1) and the adoption of the Alternative Learning Plan (ALP) is an effort to prevent students from dropping out of school and, subsequently, being placed into truancy court. The statute encourages schools and families to work together so that students remain enrolled in school, via an ALP, so that students may continue to work toward earning a high school diploma or its equivalent.

The Compulsory Attendance Statute mandates that students be in continuous school enrollment until the age of 18. The statute allows for a superintendent or head of school to waive the attendance requirements for those students 16 years of age or older who have an approved ALP that supports their continued progress toward obtaining a RI Diploma or its equivalent. All districts are required to implement this legislation as necessary and, in the process, ensure that students continue to have opportunities to further their education and career readiness skills. This document provides technical assistance regarding the ALP process for students seeking a high school equivalency as an alternative to a traditional high school diploma.

Purpose of the ALP

According to Rhode Island statute - The Compulsory Attendance Statute, RIGL 16-19-1 - districts are required to develop ALPs to assist students in the attainment of a high school diploma or its equivalent for students 16 years of age or older with educational needs that have not been met by the district in which the student is enrolled. The following questions and answers were developed to provide technical assistance and information regarding the ALP process, including the development, approval, implementation, and monitoring of ALPs for students seeking a high school equivalency as an alternative to a traditional high school diploma.

The primary goals for this document;

- Clarifying responsibility for ALP student outcomes and accountability;
- Confirming the roles/responsibilities of districts, schools, students, families, and ALP providers;
- Ensuring that ALP students have access to all education and related services for which they are legally eligible for, and
- Clarifying instructions for the funding of services provided to students with approved ALPs.



Frequently Asked Questions and Corresponding Answers

1. What is an Alternative Learning Plan (ALP)?

ALPs are documents that outline educational programming developed in collaboration between the student and other appropriate school personnel describing the services necessary to support a student in obtaining a RI high school diploma or its equivalent. The plan should be designed to provide an alternative, age-appropriate, rigorous and relevant educational program that allows the student to continue to work toward earning a high school diploma or its equivalent.

ALPs are intended for students who are at high risk of dropping out of school, and have otherwise exhausted all other options of support and interventions available to them at their school and district of enrollment.

Approved ALPs also serve as a waiver of attendance in the traditional educational program offered by the district so that the student may instead participate in and complete the educational program outlined in his/her ALP. Information on required components of an ALP can be found in the ALP template that is located in the Appendix of this document.

2. Who has primary responsibility for the outcomes for students with an approved ALP?

Students with ALPs who are enrolled in a district must remain enrolled in the original district until completion of their plan, obtainment of either a high school diploma or high school equivalency (HSE), until such time as the conditions for withdrawal (dropping out) are met (see RIGL 16-67.1-3 for conditions for withdrawal from school), or attain the age of 18.

In developing an ALP, it should be understood by designated personnel, students, and parents/guardian that there are only two options for high school completion in RI – the RI high school diploma and the high school equivalency diploma (currently the General Equivalency Diploma or GED). If a 16 or 17-year-old student is not staying in high school for a high school diploma, the GED is the only other option for a RI high school credential. **The sending district of enrollment is responsible for monitoring the student’s participation in the approved ALP program until age 18 or until a high school equivalency credential is earned**, and for providing supports to allow the student to successfully complete the program and earn a high school equivalency credential (GED).

3. When is an ALP appropriate?

The answer to this question should start with eligibility. To be eligible for an ALP, the student must be at least 16 years old. If a student is identified as not on track to graduate, or has requested an ALP, the district must work with the student and their family to exhaust all other traditional school options and supports to remain in their current school, such as other placements, selection of new courses and



pathways, or determine additional accommodations. If it is still determined that the option to pursue a GED is in the best interest of the student, an ALP should then be developed and approved.

ALPs are required for students 16-17 years old who are pursuing a GED. All other students who wish to earn a diploma may receive modified programming through an Individual Learning Plan (ILP) or other intervention support as determined by the district and the student and his/her family.

ILPs are a student-directed planning and monitoring tool that customizes learning opportunities throughout students' secondary school experience, broadens their perspectives, and supports attainment of goals. The ILP documents students' interests, needs, supports, course selections (including access to college level programming), transition placements and other learning experiences both in and out of school. This information produces a thoughtful program of study leading to proficiency for graduation and postsecondary experiences. More information related to Individual Learning Plans (ILPs) can be found [here](#).

The following chart depicts the two categories of students, eligible ALP providers, district responsibilities for ALP students, and documentation requirements for all students.

| | Students 16-17 years old pursuing a GED (students with Approved ALPs) | Students 16 years + pursuing a high school diploma (all other students) |
|--|---|--|
| Documentation Required | <ul style="list-style-type: none"> - Alternative Learning Plan - Waiver of attendance | <ul style="list-style-type: none"> - Individual Learning Plan - Necessary local documentation - Learning needs, services, or flexibilities may also be reflected in a student's Individualized Educational Program (IEP), Section 504 Plan, or another document as necessary. |
| Eligible program providers | -RIDE-approved Adult Education programs | <ul style="list-style-type: none"> -Traditional school attendance in a district -Other non-traditional programming, providers as determined by and accepted by the district (outplacements to other programs such as District alternative high schools) |
| Who determines GED service provider quality? | RIDE | Sending District |
| Who is responsible for supporting ALP students (completion of high school, statewide reporting, funding of services)? | Sending District | Sending District |
| Enrollment Status | Remain enrolled in sending school | Remain enrolled in sending school |



4. Who can request an ALP and how is the Process Started?

The ALP process may be initiated by the district of enrollment, or by the student/parent/guardian.

Principals, school counselors, teachers or other student support personnel who are aware that a student is at risk should first *formally* notify the Superintendent or head of school in writing. The Superintendent, head of school, or a designee is responsible for informing the parent/guardian that their child is not on track or is not making adequate progress toward graduation. The school counselor and other appropriate school personnel must work with the student and parent/guardian to develop a plan to provide suitable support and/or interventions for the struggling student.

In cases where a student is at-risk of withdrawing or dropping out of school, as determined by early warning indicators and/or other data, the Principal, head of school, or other school designee must notify the student's parent/guardian that an ALP may be needed.

A parent, guardian, or student may also request an ALP for the at-risk student if the district has worked with them to explore all suitable options within the student's resident school or district that meet the student's needs and a GED is determined to be the best option. All students seeking an ALP should begin by submitting a request for an ALP to their assigned School Counselor.

5. What is the Process for Obtaining an ALP?

The ALP document outlines the agreed upon plan for the student to continue their education in order to progress toward and complete their high school equivalency; an approved ALP also serves as a waiver of attendance so that the student may participate in the alternative learning program instead of attending classes at the district of enrollment. ALPs may be granted to students who:

- are 16 years of age or older;
- have an acceptable plan for obtaining a high school diploma equivalency (GED); and
- have parent/guardian permission to participate in the alternate learning program.

School counselors, students, and parents/guardians should exhaust all available traditional learning programs for students before seeking an ALP (which functions as an attendance waiver). ALPs are granted only to students who are at-risk of withdrawing or dropping out of school. School counselors will determine the appropriateness of ALP requests and a student's risk for dropping out by considering the following:

- Is the student at least 16 years of age?
- Has the student been provided comprehensive in-school resources and supports?
- Is there an appropriate in-school option for the student?
- Does the student have an IEP and has the IEP team been consulted?
- Is the student an Multilingual Learner (MLL) and have appropriate supports been in place?
- Is the student currently passing his/her courses?



- Does the student have enough senior-eligible credits?
- Is the student’s attendance in question?
- Can the student gain course credit in time to graduate with his/her cohort?
- Are there extenuating circumstances preventing the student from attending school (work, parenthood, pregnancy, illness)?

In some cases, a student may be allowed to leave school before the age of 18 if they have completed all requirements for graduation; have been accepted into an accredited postsecondary institution; have been accepted to a postsecondary career preparation program that is recognized by the state, or have met the specific criteria described in the attendance statute.

6. What are the mandatory requirements for an ALP leading to a High School Equivalency?

School personnel, in conjunction with the student and their parent/guardian develop an ALP that:

- Provides age-appropriate rigorous academic learning opportunities.
- Meets the student’s interests and goals.
- Addresses all requirements for student support (modifications and accommodations) under Section 504 of the Rehabilitation Act and/or Individuals with Disabilities Education Act (IDEA) in order for students to receive a free and appropriate education (FAPE).
- Outlines program expectations for student to remain in the alternative learning program.
- Describes the anticipated outcomes of the program (high school equivalent, currently GED).
- Enables the student to complete educational requirements that result in attainment of RI high school equivalency diploma (GED).

Important: When a student/parent and school officials do not agree on the ALP, the parent/guardian retains the right to appeal an ALP decision by the superintendent, first to the school committee of the school of enrollment, and finally, to the Rhode Island Department of Education.*

**RIGL § 16-19-1(b)(3) (3) If the superintendent does not approve the alternative-learning plan, the parent or guardian of the pupil may appeal such decision to the school committee. A parent or guardian may appeal the decision of the school committee to the commissioner of education pursuant to chapter 39 of title 16.*

7. What are the parties’ roles and responsibilities in approving and implementing a student’s ALP?

It is the responsibility of the Superintendent of the district to implement this policy. As such, the following should occur at the school building-level:

- All appropriate school personnel--specifically, assistant principals, counselors, and teachers--should be fully informed of the law, related policies, and documentation.
- Principals should follow all procedures and policies pertaining to this law.
- Principals are responsible for communicating this policy to the school community on an annual basis as part of school-wide parent meetings, class assemblies, and as needed with specific students and their families.



- Those responsible for the data collection, entry and approval for students on ALPs should ensure that the proper RIDE codes are used and entered into the eRIDE database on a monthly basis. These students must remain as enrolled in the district of enrollment until the outcome of the ALP program has been achieved. The Rhode Island Truancy Officer should be consulted as dictated by state and local laws.

Superintendent

The superintendent is responsible for approving ALPs with acceptable learning programs or opportunities developed in conjunction with the appropriate school personnel, the student, and at least one parent or guardian. Signing an ALP indicates that the student has been given permission to be waived from regular attendance at their resident district. Only the superintendent has the authority to approve or deny a waiver request, but appeals can be made by parents/guardians first to the local school committee and then to the Commissioner of Education if denied by the school district (pursuant to RIGL 16-19-1(b)(3)(3)). The superintendent is responsible for ensuring accurate reporting of ALP students in the eRIDE database.

Principal/Building Level Administrator

Depending on the context of the school environment and the student's needs, the principal or building-level administrator should determine who needs to be involved in developing the ALP. He/she directs the appropriate staff to work with the student and parent/guardian to develop the ALP and monitor the student's progress toward the outcome of their education plan. He/she should ensure that the plan is complete and signed by all parties prior to submitting it to the superintendent for approval. The principal or building level administrator should ensure that ALP student's status in the School Information System (SIS) reflects that he/she remains enrolled in the district and through an ALP, his/her attendance at the school level is waived.

Designated School Personnel (School counselor, IEP team, teachers, others)

Together with the student and parent/guardian, designated personnel should participate in the development of and approval of an ALP that includes instructional and other support services to be delivered by the alternative program provider and reimbursed by the district of enrollment. Designated personnel should elicit from the student if they are seeking a RI HS diploma or RI High School Equivalency (HSE), making it clear to the student and parent/guardian that the only HSE outcome for an ALP in Rhode Island is the GED. All related communication should be provided in the family's spoken language to the extent possible. The anticipated outcomes from participating in the alternative learning program should be included in the plan. A designated person from this team should monitor the student's progress toward the outcome of his/her ALP. A designated person from this team is responsible for ensuring that ALP student data is as accurate as possible when providing it back to the district for reporting it in eRIDE.

Additionally, the School Counselor or other designated school staff person should:

- Contact a RIDE-approved alternative learning program that provides HSE (GED) preparation to complete the Alternative Program Form (see Appendix).
- Share with the program the most appropriate way to convey the student's attendance record to the district of enrollment by providing the alternative program with school point of contact information.



NOTE: When outsourcing educational services or functions to a third party, districts must follow federal FERPA requirements as outlined [here](#) (See 4 CFR §§ 99.31(a)(1) and 99.7(a)(3)(iii))

- Review how the provision of 504 and special education and related services will be provided since the LEA retains responsibility for FAPE.
- Request superintendent approval of the ALP.
- The plan should be linguistically appropriate in the family's spoken language to the extent possible, and include the description of the program in which the student will participate, the attendance requirements of the program, and the anticipated outcomes of the program. The plan should also include any support services that are to be offered to the student attending the ALP program.
- Superintendent reviews the ALP with the student and parent/guardian to ensure the appropriateness.
- Superintendent, student and parent/guardian, must review and sign the ALP.
- The student is required to participate in the plan as described or be considered legally truant.
- Include ALP students in course choice opportunities that may be available outside of the traditional high school program such as All Course Network, Dual Enrollment, and Career & Technical education program offerings.
- Follow-up on all non-attending ALP students and students who have been identified by the ALP provider as non-participating.
- Submit all required ALP student data to RIDE.
- Offer ALP students placement in available internships/maintain engagement in all/other GWB/DLT/Career Pathways programming.
- Meet with the student, parent and ALP team to determine how the student will receive required modifications under Section 504 of the Rehabilitation Act and/or access to services under the IDEA.
- Ensure that the student's IEP/Section 504 plan and proposed ALP are reviewed by the full IEP/Section 504 team with parents and student to ensure that the ALP will provide the services that the student needs.
- Separate, un-enroll, and mark as completer when student achieves HSE (GED).

Parents/Guardians

Parents/Guardians are responsible for participating in the development of the ALP. A parent or guardian will be required to sign the ALP affirming that they participated in the development of the plan, that they give permission for their child to participate in the alternative learning activities, and that they understand the conditions for continuation of the alternative learning program. Parents should contact the student's school counselor at their school if there are issues with the plan being followed, or if they believe the course is not appropriate for their child and requires further review.

Students

Students are required to participate in the development of their ALP, obtain parent or guardian permission, and fulfill the expectations and conditions of their alternative learning program.



Alternative Program Provider

RIDE funds a statewide network of adult education programs that provide preparation for the GED. The GED is the only high school equivalent currently recognized by the State of Rhode Island. Districts or families/guardians can identify potential alternative program providers from the list of RIDE adult education grantees. They should contact the alternative program provider early in the ALP process to confirm the provider's readiness to collaborate in the ALP process, and to fulfill the following responsibilities:

- The provider must require an approved and signed ALP from students aged 16 or 17 before enrolling them in a high school equivalency program.
- The provider must provide the sending LEA with written notification of their intent to provide education services for reimbursement using the provided template-Appendix IC
- The provider must deliver the educational instruction and/or services described in the plan, or contact the district if the education plan for the ALP student is to be modified.
- The provider must submit any invoices to the district of enrollment for reimbursement of ALP services delivered on a monthly or other agreed upon basis (accompanied by corresponding attendance reports for all ALP students included on the invoice).
- The provider must submit ALP student attendance reports with all requests for reimbursement for services delivered.
- The provider will notify the district of enrollment of non-attendance after 5 consecutive days of instruction missed by an ALP student.
- The provider must support ALP students with pursuing course choice opportunities (such as All Course Network, Dual enrollment, and Career & Technical education programs) through their sending school.
- The provider must offer services on a continuous schedule without interruption of education service delivery of more than 14 days.
- They must assist the designated personnel from the resident school with monitoring the ALP process by reporting on student progress in the program at agreed upon intervals. Upon enrollment, the provider will share an initial appraisal of the student's readiness to take the high school equivalency exam with the district, including any results from an intake assessment or GED Ready exams.
- On a regular basis (minimum quarterly), provider staff will provide progress monitoring updates to the designated district point of contact. Provider staff can provide the district with a district-specific report on enrolled ALP students, including attendance hours and interim assessment result updates. The attached 'Alternative Learning Plan Monitoring Form' template in the Appendix can be used by district staff to track monitoring reports.
- The provider will inform the district of enrollment when the ALP student has begun the GED testing process.
- The provider will inform the district of enrollment and the parent/guardian if a student has completed the program. A copy of student's GED transcript must be submitted to the district of enrollment for documentation.
- The alternative program provider must also report a student's non-attendance or non-participation to the student's resident school or district of enrollment within [a month] of



non-participation. With appropriate consent, the alternative program provider may contact the student's resident school for student information, which can be used to provide a better educational program for the student.

8. Who is financially responsible for services delivered to approved ALP students?

In accordance with the Commissioner's Decision (Decision and Order 17-013) issued on October 18, 2017, RIDE will require the districts of enrollment to provide financial reimbursement for high school equivalency preparation services provided to 16 and 17 year old students with ALPs.

Districts of enrollment will;

- Collect and review attendance and progress/outcome information submitted by providers monthly via the monitoring form.
- Reimburse the ALP provider for education services, including instructional costs, supplies, materials, and testing fees.

9. What happens if a student does not attend school or the program that is described in the ALP?

Any student with an approved ALP is required to participate in the plan as described. If a child under the age of 18 is deemed able to attend school or participate in an ALP but does not attend school or participate in the approved ALP, the child is subject to truancy action and must be referred as such by the district of enrollment.

10. Is having an ALP the same as dropping out or withdrawing from school?

No, this law provides a student with a waiver from regularly attending his or her resident school as long as the student is participating in an approved ALP. **The student remains enrolled in their district.** The student is not dropping out of school, and is not considered truant while they are fully participating in an approved ALP.

11. Can a student still drop out or withdraw from school even with this statute?

A student must meet specific conditions to be allowed to withdraw from school or else be considered truant. These conditions include documented illnesses that prevent attendance, a documented financial hardship that requires a student to support his or her family, a court order, or an ALP that has been completed.

12. What can a student or family do if the ALP request is not approved?

The parent/guardian may appeal decisions to the school committee. If the school committee renders an unfavorable decision, the parent/guardian may submit an appeal to the Commissioner of Education.



13. Do ALP students have access to course-choice opportunities provided to other K-12 students?

Yes, students with approved ALPs have access to All Course Network (ACN) and personalized learning opportunities. Students with ALPs are eligible to take courses through the All Course Network and participate in dual enrollment, expanding their opportunities to work toward college and career goals. Participation requires approval and sign-off from the School Counselor at the student's resident school.

Dual Enrollment-Public school students are eligible to enroll in up to two dual enrollment courses per semester, free of charge, under the PrepareRI Dual Enrollment fund. ALP students will need to obtain the approval of their School Counselor. The district of enrollment would be required to support the cost of textbooks and materials for student participation in the course.

All Course Network-Public school students are eligible to enroll in two ACN classes per semester and one class over the summer period. Students must contact their sending school to take advantage of the statewide mechanism for enrolling in the ACN, as this requires student's School Counselor approval and sign-off.

14. What if a 16 or 17-year-old student was previously enrolled in a private school or a school located out of state and wishes to request a waiver of attendance via an ALP?

The compulsory attendance law (RIGL 16-19-1) requires students to be in continuous enrollment and attend school until they are 18 years old or have earned their high school diploma or GED. Thus, 16 and 17 year-olds residing in Rhode Island who last attended a Rhode Island private school or an out-of-state school must enroll in the school district in which they reside. The law encourages school districts and families to work together so that students remain in a traditional school program as the first option. If it is ultimately determined that the student would benefit from attending a GED program, the law requires that the student and his/her family work with the School Counselor to develop an ALP, which must be approved and signed by the superintendent.

15. What if a 16 or 17 year old homeschooled student wishes to pursue an ALP?

The compulsory attendance law (RIGL 16-19-1) requires students to be in continuous enrollment and attend school until they are 18 years old or have earned their high school diploma or GED.

A student may meet the compulsory attendance requirement by receiving his/her education through an approved homeschooling program. ALPs are required for home-schooled students when the outcome for the program of study is a RI High School Equivalency (HSE) credential, the GED. In Rhode Island, districts approve home-schooling programs, and RIDE-funded GED program providers require students younger than 18 to present an ALP for admittance. Accordingly, districts of residency should provide ALPs for these home-schooled students/their families at their request.

RIDE does not supervise homeschooling. In Rhode Island, approval of homeschooling occurs at the local district level. Thus, the student's school district would have copies of approved homeschooling



instructional programs and access to student’s assessment and attendance records. Again, the law encourages school districts and families to work together so that students remain in a traditional school program as the first option. If it is ultimately determined that a 16 or 17-year-old home-schooled student would benefit from attending a GED program, the law requires that the student and his/her family work with a district School Counselor to develop an ALP which must be approved and signed by the district superintendent.

16. What if a 16 or 17-year-old student pursuing an ALP currently has an IEP (Individualized Education program)?

Federal and state disability laws and regulations must be followed when a student requests an ALP since the student remains enrolled in an LEA. “Local educational agencies” and “public agencies” (including charter schools) must provide special education services and accommodations to resident children with disabilities in accordance with the federal Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973 and the Council on Elementary and Secondary Education’s Regulations Governing the Education of Children with Disabilities.

Students with disabilities found to be eligible under IDEA and Section 504 are entitled to a free appropriate public education (FAPE). The provisions of FAPE for a differently-abled student’s education program are set forth in an individualized education program (IEP) or Section 504 plan, which must be developed, reviewed, and revised by properly constituted teams. In doing so, districts must develop a procedure to determine the student's needs. A system of procedural safeguards exists to protect the rights of children with disabilities and their parents, including the right to participate in the process by which an IEP or Section 504 plan is developed. Districts also have a “child find” obligation, which requires them to identify and evaluate resident children with disabilities who are in need of special education, related services, and accommodations. Students seeking ALPs are subject to “child find” requirements and if determined eligible, are entitled to properly developed IEPs, which provide FAPE.

17. What are the Requirements for Students with Disabilities Seeking ALPs/Alternative Programs?

If students seeking an ALP have an IEP/Section 504 plan or are suspected of having a disability, the following requirements must be met:

- The student’s IEP/Section 504 plan and proposed ALP must be reviewed by the full IEP/Section 504 team with parents and student to ensure that the ALP will provide the services that the student needs. More information regarding RI Special Education Regulations can be found [here](#).
- The IEP/Section 504 Team must review, develop, or revise the IEP/Section 504 plan with all procedural safeguards and due process afforded parents, guardians, or surrogate parents. (If the student is age 18, all rights transfer to the student, unless guardianship has been transferred to parent. Parents retain right of notice.)
- The IEP/Section 504 plan must be based on student needs rather than the particular resources that are available for an ALP.



- The IEP/Section 504 Team makes all decisions regarding change of placement and delivery of services for differently-abled students, including students with ALPs.
- IEP/Section 504 decisions must occur before, not after, the student is approved for an ALP.
- When the IEP/Section 504 Team determines that an ALP is the appropriate placement for the student, the district is responsible for providing the resources needed to implement the IEP/Section 504 plan. This includes providing accommodations, modifications, and supplementary services as outlined in the IEP/Section 504 plan.
- A student who has not been determined eligible for special education or accommodations is eligible for protections and the procedural safeguards apply if it is determined that the district had knowledge that the student was a child with a disability.
- Transportation as a related service is a supportive service that is required to assist a differently-abled student to benefit from special education.

18. What if a 16 or 17-year-old student is experiencing homelessness and cannot secure parent or guardian signature as required to receive an ALP?

The compulsory attendance law (RIGL 16-19-1) requires all students to be in continuous enrollment and attend school until they are 18 years old or have earned their high school diploma or GED. This includes homeless students. Students who meet the legal definition of “homeless” have specific rights and protections under federal and state law. School staff and students must work together to determine how students can remain in their traditional school as the first option. If it is ultimately determined that the 16 or 17-year-old student would benefit from attending a GED program, the law requires that the student and his/her family work with the School Counselor to develop an ALP, which must be approved and signed by the superintendent.

Homeless students who do not have a parent available to grant approval to an ALP may need to apply for the appointment of a guardian ad litem in Family Court. If such a homeless student has an individualized educational program (IEP), he or she may be an “unaccompanied youth” and entitled to the appointment of an educational advocate by the Rhode Island Department of Education (even on a temporary basis) for purposes of developing an ALP.

Additional information related to the federal rights and protections for student experiencing homelessness in Rhode Island can be found [here](#).

19. For students in DCYF custody and placed by DCYF and/or the Family Court in a DCYF LEA School (RI Trainings School or Ocean Tides Narragansett), does the district maintain legal responsibility to develop and approve ALPs?

With the Commissioner’s recent advisory for the revised enrollment protocol, any student placed at one of the above programs remains enrolled in the school and district (“home” LEA) they attended at the time similar to any other student who is “outplaced” by the student’s LEA. The student’s LEA is



responsible for collaborating with the DCYF LEA school to ensure that the student is receiving all necessary and appropriate educational services based on that student's individual needs.

Any student attending one of the DCYF LEA schools may work toward a diploma or, if they meet the eligibility criteria, work toward obtaining a GED. Any of these students who choose to participate in an Alternative Learning Plan (ALP) must be determined eligible to do so by the student's "home" LEA. Both of the DCYF LEA schools offer GED Preparation and testing.

If a 16 or 17-year old student attending a DCYF LEA school chooses this option, the student's "home" LEA is responsible to collaborate with the DCYF LEA school to develop the ALP and the "home" LEA must approve the ALP. While attending the DCYF LEA school, the student must participate in the GED Preparation and testing program provided at the DCYF LEA School due to the secure nature of the placement. If the student does not complete the ALP while attending the DCYF LEA School, the "home" district collaborates with the DCYF LEA school to transition the youth to a community-based ALP program if this is determined to be in the student's best interest. The student will still have the option to transition back to a regular school setting if that is in the student's best interest.

20. How are students with approved ALPs included in accountability reporting?

Currently all districts, including charter schools, submit data to RIDE for students with approved ALPs. ALP students remain enrolled in the school district.

These students are reported in the district's "190" school code and a type "G" for GED programs.

- '190 school' students are students outplaced by the district into a program and not counted in a specific school within the district (example: students enrolled at the Bradley School).

Beginning in 2020-2021, there is a data collection change for districts. Students in '190' schools are included in district accountability reporting, including students with ALPs. A student's enrollment type determines whether they are included in specific measures within the accountability reporting. Type G (GED) students are included in district-level Student Absenteeism, Teacher Absenteeism, Suspension, Graduation, and Diploma Plus measures.

21. Who is responsible for approving and implementing ALPs for students who attend charter schools or out of district Career and Technical schools?

Both statute and the Implementation Requirements designate the Superintendent as the individual who must approve the ALP and grant any waivers to the compulsory attendance requirement under RIGL § 16-19-1(b).

In the current context, the superintendent or chief administrator of the district that operates the public school of choice where the student is enrolled and attending would approve the waiver. Please reference the Appendix for additional information.



- For a student attending a **Career and Technical or CTE program** that is under the control of a Local Education Agency (LEA): the superintendent or chief administrator of the LEA administering the CTE program reviews and approves (or disapproves) the plan. If approved, the superintendent or chief administrator grants a waiver of the compulsory attendance requirement. If the plan is not approved, the parent or guardian may appeal the decision to the school committee of the LEA administering the CTE program. If the parent disagrees with the ruling of the school committee, the parent may appeal the decision to the RI Department of Education.
- For a student attending a **public charter school**: Because charter public schools' organization can vary, the superintendent or chief administrator of the charter school should be responsible for reviewing and approving or disapproving the proposed ALP. If approved, the superintendent or chief administrator grants a waiver of the compulsory attendance requirement. If the plan is not approved, the parent or guardian may appeal the decision to the charter school's governing board. If the parent disagrees with the ruling of the charter school's governing board, they may appeal the decision to the RI Department of Education.

Public Charter Schools and Career and Technical Schools must continue to keep the student with an approved ALP enrolled, and must adhere to the requirements for ALP implementation as outlined in this document.

22. What happens when a 16-or-17-year old student receives their High School Equivalency diploma (GED)?

Eligible Individuals under AEFLA, WIOA title II

According to WIOA Title II, eligible individuals are those

- 1) who have attained 16 years of age,
- 2) who are not enrolled or required to be enrolled in secondary school under State law; and
- 3) who are basic skills deficient; do not have a secondary school diploma or its recognized equivalent and have not achieved an equivalent level of education; or are English language learners.

Students who earn their HSE have completed the ultimate goal outlined in their Alternative Learning Plan. The AE program must communicate this outcome to the sending LEA and the district is no longer financially responsible for the student at that point, regardless of whether subsequent services or supports are delivered by the ALP provider.

A 16- or 17-year-old student may continue to receive services and continue on with academic or training goals in an adult education program, outside of an ALP, post-credential completion, but only **after they have withdrawn from their LEA**. The LEA is no longer financially responsible for any instruction or related supports or services rendered once the student has earned the credential. AEFLA funds may be used to support transition services as are necessary for the student to achieve post-secondary or employment goals, e.g. Transitions to College, job training, or workforce preparation activities.



Once a student completes the GED, they are no longer subject to the compulsory attendance outlined in RIGL § 16-19-1. RIGL § 16-67.1-3 allows students to withdraw from school before graduation and before they turn 18, in pertinent part, if they have a fully implemented ALP (i.e. took the GED test).



Appendices Index

Appendix I - Forms

- A. Alternative Learning Plan template
- B. Consent for Waiver of Attendance Form (to be signed by the student's parent or guardian)
- C. Notification of Intent to Provide Education Services for Reimbursement letter template
- D. ALP student monitoring form template
- E. Alternative Learning Plan School committee appeal form template
- F. Alternative Learning Plan School committee denial form template

Appendix II

Compulsory Attendance Statute § RIGL 16-19-1

Appendix III

Alternative Learning Plan Flowchart

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RIDE ALP Legal Decisions & Advisory



Appendix IA - Alternative Learning Plan Template

The District of Enrollment officials designated in the district’s Alternative Learning Plan (ALP) policy should complete this plan collaboratively with the student and parent/guardian. *The plan serves as a waiver of attendance per RIGL §16-19-1* and should be used as the basis for monitoring a student’s success in the alternative learning program.

Student’s Name _____ Date of Birth _____

Address _____

Parent’s/Guardian’s Name _____

Student/Parent/Guardian Telephone Number _____

The student named above has been accepted into _____

Alternative Learning Program Name

Program Contact Name _____ Position _____

Telephone Number _____

Email: _____

Date of Admission _____ Expected Date of Completion _____

Schedule of Study (include days and number of hours)

| | Sun | Mon | Tue | Wed | Thu | Fri | Sat |
|----|-----|-----|-----|-----|-----|-----|-----|
| AM | | | | | | | |
| PM | | | | | | | |

Student is on an Individual Education Plan (IEP) Yes ___ No ___ **If yes, please append IEP.**

Anticipated outcome of the student’s participation in this Alternative Learning Plan:

- HS Diploma
- High School Equivalency Diploma (GED)

***Note that in signing this form, the outcome of participating in the alternative learning program is understood and agreed upon by all parties participating in the development of the ALP.**

Parent/Guardian Signature _____ Date _____

Student Signature _____ Date _____

Superintendent Signature _____ Date _____

Appendix IB - Consent of Attendance Waiver through Alternative Learning Plan

I, _____, parent of _____,
(Parent's/guardian's printed name) (Student's printed name)

certify that my child meets the requirements under the Compulsory Attendance Law (TITLE 16, Education CHAPTER 16-19, Compulsory Attendance SECTION 16-19-1). I acknowledge that the following conditions of waiver have been satisfied.

1. My child, _____, is at least 16 years of age prior to September 1, _____ (year).
2. My child, _____, has an approved Alternative Learning Plan.

I understand that if my child is not successful or does not participate as required; he/she may be referred for truancy.

The above referenced plan was developed in conjunction with an ALP team from my child's district of enrollment. I understand that agreeing to release my child from a normal, traditional course of study may limit his/her opportunities in the future.

Parent/Guardian Signature

Principal Signature



Appendix IC – Notification of Intent to Provide Education Services Template (Alternative Learning Program)

Alternative Learning Plan

Notification of Intent to Provide Education Services for Reimbursement

This notification is to inform you that our program, _____ ("Adult Education Provider"), has received a fully executed Alternative Learning Plan ("ALP") from your district, _____ ("LEA" or "LEA of Enrollment"), for the period _____ through _____ to provide educational services for _____ ("ALP Student").

1. **Mandatory Reimbursement:**

- a. Reimbursement for services provided to the ALP Student will be made by the LEA of Enrollment to the Adult Education Provider delivering the services, as required by the Commissioner's [\(Decision and Order 17-013\)](#)
- b. Invoicing and reimbursement shall occur monthly unless an alternate schedule is negotiated and formalized in writing between the LEA of Enrollment and Adult Educator Provider. All reimbursement requests must be accompanied by complete attendance reports for the ALP Student.
- c. Adult Education program services may be offered year-round.

2. **ALP Student Access to Resources and Delivery of Educational Programming:**

- a. **Students with ALPs shall remain enrolled in their LEA.** The ALP Student shall have access to all resources that had been, or would have been, provided to him/her when he/she was attending the LEA of Enrollment.
- b. While not an exhaustive list, the following services may be provided by the Adult Education Program, and reimbursed by the LEA of Enrollment, for the ALP Student:
 - Instructional services
 - Transportation
 - Access to the All-Course Network ("ACN"), dual and concurrent Enrollment opportunities
 - Placement in internships
 - Engagement in all/other GWB/DLT/career pathways programming
 - Those services identified in the student's IEP (including accommodations, modifications, and supplementary services as outlined in the IEP)**

**If students seeking an alternative learning plan have an active IEP or are suspected of having a disability, specific requirements as outlined in Appendix II of the May 2021 ALP FAQs should be met.

3. **LEA of Enrollment Responsibilities:**

- a. The LEA of Enrollment shall:
 - i. Waive the ALP Student's attendance by removing him/her from the school attendance roster;
 - ii. Keep the ALP Student enrolled in the LEA;
 - iii. Collect attendance and progress/outcome information monthly from the Adult Education Program via the RIDE-provided monitoring form;
 - iv. Separate, unenroll, and mark the ALP Student as "complete" once the ALP Student achieves his/her HSE (GED);
 - v. Provide instructions for invoicing to the Adult Education Program providing services;



- vi. Reimburse the Adult Education Program in accordance with the established rate and agreed-upon schedule; and
- vii. Monitor and document the ALP Student’s progress toward outcomes monthly, per the monitoring form submitted by the Adult Education Provider.

4. Adult Education Program Provider Responsibilities:

- a. The Adult Education Provider shall:
 - i. Communicate the Notification of Intent to Provide Education Services for Reimbursement to the LEA
 - ii. Confirm and communicate the billing rate for services with the LEA as well as confirm the schedule for reimbursement;
 - iii. Submit an invoice to the LEA in accordance with the established protocol, schedule, and rate;
 - iv. Submit the ALP Student’s attendance details to the LEA per the RIDE-provided monitoring form;
 - v. Determine educational goals for the ALP Student;
 - vi. Deliver weekly ALP services to the ALP Student;
 - vii. Monitor and assess the ALP Student’s progress and report such progress to the LEA on a monthly basis;
 - viii. Maintain attendance, progress, outcome information for the ALP Student per the RIDE-provided monitoring form; and
 - ix. Report monthly to the LEA.

Date _____

Adult Education Program Representative _____

Signature _____



Monitoring of ALP student toward/for outcomes:

District of Enrollment

- Monitor and document ALP student’s progress toward outcomes on a monthly basis (via the monitoring form)

ALP Program

- Determine educational goals for each ALP student;
- Deliver weekly alternative learning program services;
- Submit student attendance records and transcripts for completion to district; and
- Monitor and assess each ALP student’s progress for reporting to District of Enrollment on a monthly basis.

School Representative _____ Signature _____

ALP Program Representative _____ Signature _____



Appendix ID - Alternative Learning Plan Monitoring Form

*Monthly monitoring recommended

School Level Person Responsible:

Name _____ Title _____

Dates program was contacted and results of that contact.

Date _____ Results _____

Date _____ Results _____

Date _____ Results _____

Date _____ Results _____

This student is participating in the program as outlined in the program requirements. Yes/No

If no, please explain: _____

Signature _____ Date: _____

Appendix IE - Alternative Learning Plan School Committee appeal form

| | | | | |
|--|--------------------------|--|--------------------------------|---|
| Today's Date: [Date] | | School District: | | |
| Student INFORMATION | | | | |
| Last Name | | First Name: | Middle Initial: | Parent(s)/Guardian Name(s): |
| Is student at high risk of dropping out? <input type="radio"/> Yes <input type="radio"/> No | History of Truancy (Y/N) | Years resided at current address: | Birth date: [Birthday] | Sex: <input type="radio"/> M <input type="radio"/> F |
| Address: [Address/ P.O Box, City, ST ZIP Code] | | | | |
| Social Security no.: [SS#] | | Home phone no.: [Phone] | Cell phone no.: [Phone] | |
| Parent/Guardian Contact Phone #s: [Occupation] | | Emergency Contact Number: | Attorney Name (If applicable): | |
| Denial of ALP because of: | | <input type="radio"/> Not Exhausted All other Remedies <input type="radio"/> No evidence of Student's Best Interest | | |
| <p><i>"The Superintendent is responsible for approving ALP's or opportunities that have been developed in conjunction with appropriate school personnel, the student and at least one guardian." RIDE Compulsory Attendance Guidance RIGL § 16-19-1.</i></p> <p>Other Remedies to Now be Pursued:</p> <p>1)</p> <p>2)</p> <p>3)</p> | | | | |
| <p>Student's best interest</p> <p><i>Denial of this ALP is Not in The Students Best Interest Because of the underlying reasons:</i></p> | | | | |
| Action Steps and Check-Ins | | | | |
| Reason 1: | | Action Steps: | | Date to Check in: |
| Reason 2: | | | | |
| <p>Any supplementing explanations may be included supporting attachments.</p> <p>I attest that the above information is true to my knowledge, and I support this decision on behalf of the district that I represent.</p> | | | | |
| Parent's signature | | | Date | |

Appendix IF - Alternative Learning Plan school committee denial form

| | | | | |
|---|--------------------|-------------------------------------|--------------------------------|---|
| Today's Date: [Date] | | School District: | | |
| Student INFORMATION | | | | |
| Last Name | | First Name: | Middle Initial: | Parent(s)/Guardian Name(s): |
| Is student at high risk of dropping out? <input type="radio"/> Yes <input type="radio"/> No | History of Truancy | Number of years at current address: | Birth date: [Birthday] | Sex: <input type="radio"/> M <input type="radio"/> F |
| Address: [Address/ P.O Box, City, ST ZIP Code] | | | | |
| Social Security no.: [SS#] | | Home phone no.: [Phone] | Cell phone no.: [Phone] | |
| Parent/Guardian Contact Phone #s: [Occupation] | | Emergency Contact Number: | Attorney Name (If applicable): | |
| Superintendent's Decision: <input type="radio"/> Student Has Not Exhausted All other Remedies <input type="radio"/> No evidence ALP in Student's Best Interest | | | | |
| <i>"The Superintendent is responsible for approving ALP's or opportunities that have been developed in conjunction with appropriate school personnel, the student and at least one guardian." RIDE Compulsory Attendance Guidance RIGL § 16-19-1. Other Remedies to Now be Pursued:</i> | | | | |
| 1) | | | | |
| 2) | | | | |
| 3) | | | | |
| Student's best interest | | | | |
| <i>The Superintendent's Decision is upheld or denied of this ALP is Not in The Students Best Interest Because of the underlying reasons:</i> | | | | |
| Action Steps and Check-Ins | | | | |
| Reason 1: | | Action Steps: | | Date to Check in: |
| Reason 2: | | | | |
| Any supplementing explanations may be included supporting attachments. | | | | |
| I attest that the above information is true to my knowledge, and I support this decision on behalf of the district that I represent. | | | | |
| Superintendent's signature | | | Date | |



Appendix II - Compulsory Attendance Statute § RIGL 16-19-1

TITLE 16

Education

CHAPTER 16-19

Compulsory Attendance [See Title 16 Chapter 97 – The Rhode Island Board of Education Act]

SECTION 16-19-1

§ 16-19-1. Attendance required.

(a) Every child who has completed, or will have completed, six (6) years of life on or before September 1 of any school year, or is enrolled in kindergarten, and has not completed eighteen (18) years of life, shall regularly attend some public day school during all the days and hours that the public schools are in session in the city or town in which the child resides. Every person having under his or her control a child, as described in this section, shall cause the child to attend school as required by this section, and for every neglect of this duty, the person having control of the child shall be fined not exceeding fifty dollars (\$50.00) for each day, or part of a day, that the child fails to attend school, and if the total of these days is more than thirty (30) school days during any school year, then the person shall, upon conviction, be imprisoned not exceeding six (6) months or shall be fined not more than five hundred dollars (\$500), or both; provided, that if the person so charged shall prove that the child has attended, for the required period of time, a private day school approved by the commissioner of elementary and secondary education pursuant to § 16-60-6(10); or a course of at-home instruction approved by the school committee of the town where the child resides; or has been accepted into an accredited post-secondary education program; or has obtained a waiver under subsection (b); or that the physical or mental condition of the child was such as to render his or her attendance at school inexpedient or impracticable; or that the child was excluded from school by virtue of some other general law or regulation, then attendance shall not be obligatory nor shall the penalty be incurred.

(b) A waiver to the compulsory attendance requirement may be granted by the superintendent only upon proof that the pupil is sixteen (16) years of age or older and has an alternative learning plan for obtaining either a high school diploma or its equivalent.

(1) Alternative-learning plans shall include age-appropriate academic rigor and the flexibility to incorporate the pupil's interests and manner of learning. These plans may include, but are not limited to, such components, or combination of components, of extended learning opportunities as independent study, private instruction, performing groups, internships, community service, apprenticeships, and online courses that are currently funded and available to the school department and/or the community.

(2) Alternative-learning plans shall be developed, and amended if necessary, in consultation with the pupil, a school guidance counselor, the school principal, and at least one parent or guardian of the pupil, and submitted to the superintendent for approval.

(3) If the superintendent does not approve the alternative-learning plan, the parent or guardian of the pupil may appeal such decision to the school committee. A parent or guardian may appeal the decision of the school committee to the commissioner of education pursuant to chapter 39 of title 16.



(c) Nothing in this section shall be deemed to limit or otherwise interfere with the rights of teachers and other school employees to collectively bargain pursuant to chapters 9.3 and 9.4 of title 28 or to allow any school committee to abrogate any agreement reached by collective bargaining.

(d) No school shall use a student's truancy or absenteeism as the sole basis for using an out-of-school suspension as a disciplinary action.

History of Section.

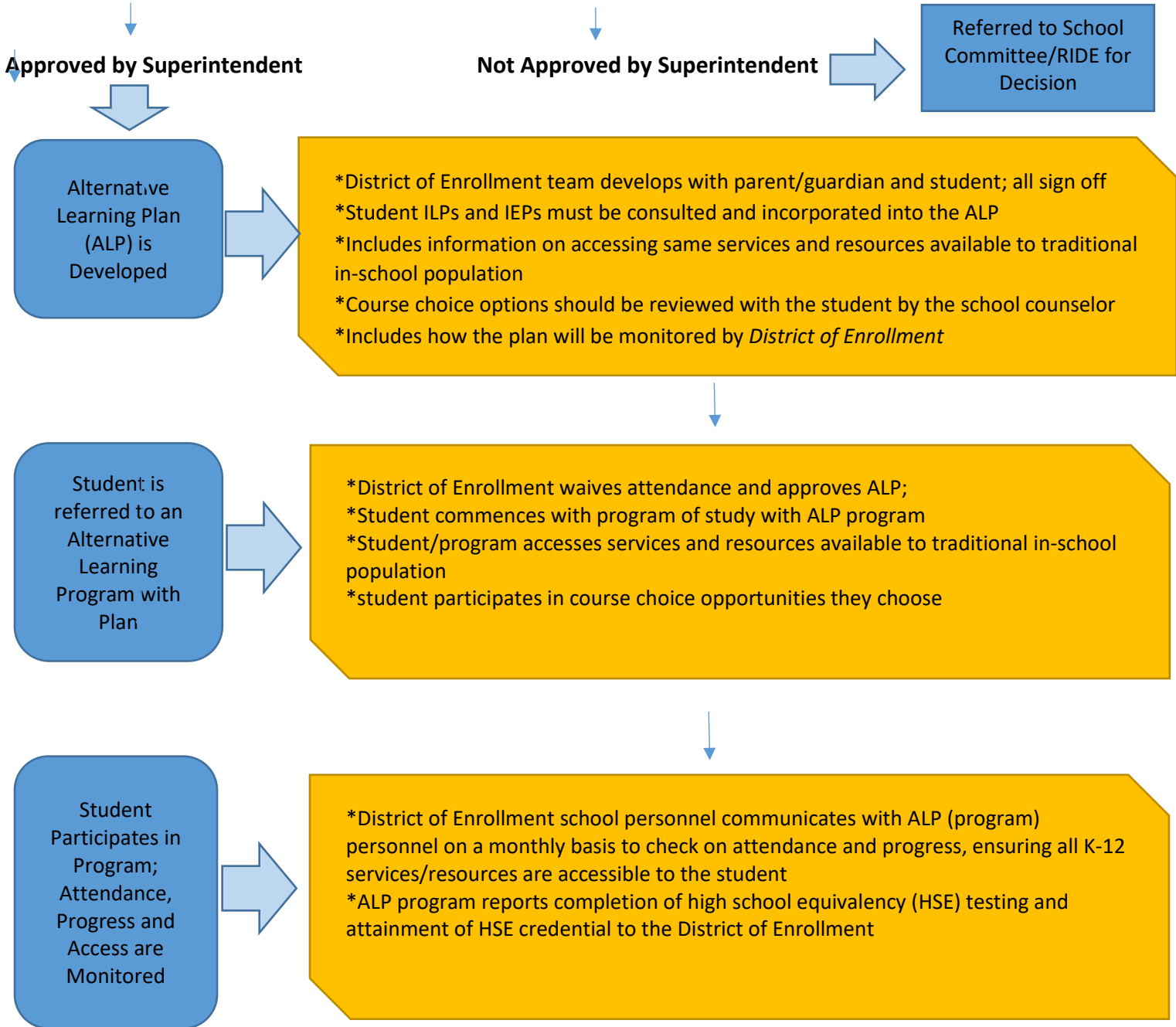
(G.L. 1896, ch. 64, § 1; P.L. 1902, ch. 1009, § 1; G.L. 1909, ch. 72, § 1; P.L. 1917, ch. 1492, § 1; P.L. 1922, ch. 2234, § 14; G.L. 1923, ch. 76, § 1; P.L. 1923, ch. 482, § 1; P.L. 1925, ch. 678, § 3; P.L. 1926, ch. 812, § 1; P.L. 1936, ch. 2360, § 1; P.L. 1937, ch. 2505, § 1; G.L. 1938, ch. 181, § 1; G.L. 1956, § 16-19-1; P.L. 1984, ch. 345, § 1; P.L. 1988, ch. 642, § 4; P.L. 1989, ch. 251, § 1; P.L. 1995, ch. 60, § 1; P.L. 2002, ch. 233, § 1; P.L. 2002, ch. 255, § 1; P.L. 2003, ch. 394, § 1; P.L. 2007, ch. 226, § 2; P.L. 2011, ch. 338, § 1; P.L. 2011, ch. 376, § 1; P.L. 2012, ch. 111, § 1; P.L. 2012, ch. 125, § 1; P.L. 2016, ch. 467, § 2; P.L. 2016, ch. 471, § 2.)



Appendix III - ALP Process Flowchart

Student needs/requests an Alternative Learning Program Placement

Student/Family Needs/Requests Alternative Learning Plan (ALP)



Appendix IV - RIDE ALP Legal Decisions/Advisories

- [Newport C.S. v. Tiverton-Middletown SC Decision 101717.pdf](#)
- [ALPS for Charter School Students \(12.21.17\)](#)

