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Jared Hogue ([00:00:09](#)):

Hello and welcome to the next episode of Alternative Education in Arkansas Podcast. My name is Jared Hogue. I am the director of the Office of Alternative Education here at the Arkansas Department of Education.

Lisa Johnson ([00:00:21](#)):

Lisa Johnson, program advisor for alternative ed.

Dr. C.W. Gardenhire ([00:00:24](#)):

And Dr. C.W. Gardenhire, ALE advisor for Arkansas Alternative Education Office.

([00:00:31](#)):

We're going to be talking about the '23-'24 ALE Program Description Approval Submission Form. We're going to be going line by line and just walking you through it and you should be able to follow along with the program description submission form. Hopefully you have a copy of it in front of you. If not, you can get one on the ALE webpage, which can be found on the DESE website.

Jared Hogue ([00:00:57](#)):

And there will be a link in the description below that you can click that will take you to a video of this podcast so that you can watch and follow along that way as well.

Dr. C.W. Gardenhire ([00:01:07](#)):

This is a '23-'24 Program Submission Form. It's going to be due March 31st, so very first thing that you'll see, provides following information. District name, that's pretty straightforward. District's LEA number, pretty straightforward. If you don't know it, go ask somebody and they'll be able to give it to you. Total number of ALE programs. Now then, if you are a district, let's say you have a high school program, a middle school program, an elementary program. That's three programs. Now, you might be only doing this mission for the high school program, but the district has three programs, so you would put three in that particular space. Director's name, it will vary, but most of the time if you're filling the program submission format, you are the director of that particular program. We need your email address in case we need to be able to contact you.

([00:01:58](#)):

Now then, this is a piece that is new because we're going to have several areas that are totally new when it comes to program approval submission form, we have what's called traditional ALE program, or you're going to be ALE hybrid program. And what you see when you're looking at the document, you'll see some numbers out there beside it, 4.01.1.5, 4.04.4. That is referencing the ALE rules, which can be found in the Student Special Needs Funding rules. ALE rules are found in section four of the Student Special Needs Funding rules. If you want to go and look and just to have an idea why we have put that in there, it might give you a little bit better understanding. But because we had new rules that came out, we have what is called an ALE hybrid.

([00:02:54](#)):

So instead of having to do a totally separate document for traditional ALE versus ALE hybrid. Because basically when you're looking at it, your criteria for placement, the placement process and all that, that's all going to stay the same. So you determine if you're a traditional or if you're a hybrid program, you'll

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want to put down, your ALE program name. If you already have a name, great. If you don't, make sure you have one that's very positive. The grad labels of the program, like I said earlier, you could have a high school program, which you might be a 9-12 or it could be a middle school that's serving 6-7-8 or an elementary that goes... It'd either be a K2 program or a 35 program. Whatever grade you're serving, you'll want to put those in there.

[\(00:03:48\)](#):

The physical address of the alternative program, not the district address, but the physical address where the program is found. Because we have programs that if you put down the district address, that's going to be a lot of times the superintendent's office. Well, the superintendent's office is across town, it's not where the ALE is, so you want to put down the physical address of where the ALE is found. We need your phone number, landline number, the cell number, and if you have a fax, the fax number. Notice, it says "Complete the following state-mandated components," a component for every ALE program provided by the district. Like I said before, if you have an elementary program, they need to do a totally separate program description. High school needs to do their own.

[\(00:04:43\)](#):

All right. When you send this back in, you'll need to send it back in as a Word document, not a PDF, but a Word. We have instructions at the end. You'll be emailing it back to, it is [ade.ale@ade.arkansas.gov](mailto:ade.ale@ade.arkansas.gov). You'll be able to find that information at the end of the form of this particular document and email it to that email address and attach the program description as a Word document. There will be areas when you're answering questions that you have to actually, it's called a fill form, and the boxes will expand as you type. So if it asks you to describe something or give more information, give as much as you can, do exactly what's asked and the boxes will expand.

[\(00:05:37\)](#):

So we're looking at question number one. What are the types of placement, progress and transitional documentation being used? That's three different phases. Placement, how are you bringing the student in and how the student is placed? What kind of documentation do you use in that process? What is the documentation used to gauge a student's progress? What is the documentation used for transition? You're going to see, while we're going through the program description, almost every question is going to have a certification question. We certify, we use various types of written documentation, including but not limited to, required prior interventions that have been attempted, grades, teacher notes, attendance records, behavior plans, et cetera. You have to check yes or no. By doing that, you're certifying exactly what the question is asking about.

[\(00:06:37\)](#):

Placement, what documents are gathered and reviewed to help with the decision process to determine student placement, to include prior documented interventions? That very last piece is very important. Prior documented interventions. Okay, RTI, documented RTI needs to be part of this documentation that is used. But notice under "Placement" you have that gray box and you start typing in, that box will expand. So give us all the information that you have for that particular piece.

Jared Hogue [\(00:07:12\)](#):

So by placement, where C.W. is talking about what documents are gathered and reviewed to include prior documented interventions. This means you must have attempted prior documented interventions to determine if a student can be placed or should be placed in alternative education. Placement in ALE or

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an alternative education is never a unilateral decision. It's also never a decision by a committee where there's not any proof as to why or any verification or documentation of why they're being placed. That's why this one is so important. Got to include exactly what all kinds of things the team is looking at to make that determination.

Dr. C.W. Gardenhire ([00:07:52](#)):

And on top of that, Jared, it helps if you have that documentation, therefore it's written documentation. If you were to ever get pulled into court, you can say "This is how the team made the decision to place the student" and it backs you up. Jared was talking about a unilateral decision. One person can't make that decision. It has to be the whole team, has to be [inaudible 00:08:20], ALE representative, teacher counselor, and that's a counselor that knows the student, teacher that knows the student, the parent, and also the student, especially when you get up into the higher grades and you'll hear me talk about that or one of us will talk about it even more, but even the student up into higher grades because you want to do this with them and not to them. Make them part of the process here.

Lisa Johnson ([00:08:46](#)):

What we are coming to from all of this is writing goals for that student and you're really not going to be able to write a targeted specific goal for a student if you don't have these things that we're talking about there. So they're very essential.

Dr. C.W. Gardenhire ([00:09:03](#)):

Yeah, if you don't have the prior academic documentation, behavioral documentation, the prior interventions, that could be academic interventions and social or behavioral interventions. They will help, like what Lisa was talking about with developing those student action plan. When we're looking at progress, what are the documents you use to determine if a student is meeting the student action plan goals? You'll have report cards, you'll have teacher notes. You'll have maybe papers that the student has written or documented projects. When you're looking at the behavioral side, social side of the student action plan goals, do you have a point system? Do you have a level system? How is it determined that a student is making progress? Transition. When a student is ready to exit and transition back into the traditional setting, you're required to have a transition plan for that student. So that will be one piece, but how will you determine if that student is being successful transitioning back to the traditional setting? Is going to be based on grades, looking at behavior reports, looking at notes from the teachers? What is it?

([00:10:19](#)):

All right. Question number two, we're looking at placement criteria and placement procedures. How will the procedures be monitored in all team members included? There again, a certification statement. We certified that we follow the placement criteria set forth in the DESE ALE rules, yes or no? By checking yes, you certify that you are following the rules. And there again, these can be found in Special Need Funding rules section four, hopefully we're talking to you, but hopefully you're pretty familiar with the criteria for placement, but if not, they'll be on the page. The student has to exhibit two or more of the criteria in order to be placed into an ALE program, and this is a team decision. It goes back to the team. The team makes that determination whether or not the student meets the criteria.

([00:11:20](#)):

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Now then, the fact is you could almost take this criteria and place any student. That's the reason the team needs to be a look at all prior documentation interventions and make that decision for what is best for the student. Question two has a A part and a B part. B part we certify that we use proper placement teams set forth by the rules. Yes or no. Now, I'd already talked about it. You have to have a school counselor, building principal, assistant principal, regular classroom teacher, your 504 representative. If a student receives special education services, you probably want to have them in there. The parent, the ALE director, teacher, or both.

[\(00:12:05\)](#):

Now then, at some of the younger grades, you may not have the student in that placement meeting, but you definitely want to have them as part of the team in the meeting for the older kids. Notice it says "District will make efforts to contact the parent or guardian for the placement meeting." You got to show that you have attempted because there are other ways getting the parent involved because they might have a job they can't get away from, so if they could take their break and you work with them, they might be able to do it by phone, but you would just have to document that on documentation. But we're talking about program approval piece right here.

[\(00:12:47\)](#):

All right, there's a C part to question two. We certify that we develop a student action plan. Yes or no. You can find the information about the student action plan in the rules. There is a D part to question two, what are the placement procedures? This is where you're actually going to describe the placement procedures. What are the steps taken from the time a student is referred to the time the student is placed in the ALE program that you have? Write it out. You could do it step one, step two, step three, or you could do it in a paragraph form. It's up to you, but you need to describe the procedures.

[\(00:13:28\)](#):

And then there's an E part on question two. Who monitors to ensure the placement procedures are followed correctly? We don't want a particular person's name, we want the position. Is it going to be the ALE director? Is it going to be an assistant superintendent? What position is going to take and make sure that placement procedures are followed for every student that is placed in your alternative program?

Lisa Johnson [\(00:14:01\)](#):

Number three is a make or break. When you see that there is a statement and you are to certify either yes or no, it means that in order to function as an ALE and be approved, you are going to meet these specifications. So the ALE is a supportive non-punitive environment. That means you are certifying that your ALE program is not used as punishment, that your program provides all necessary support components in order to be an ALE. That's mental health services, social skills training, counseling. And you also are certifying that students are afforded the opportunity to participate in school activities with their peers back in the traditional environment, even if that's across town or even that in some cases in actually another town. Because you're a consolidated district. And this is including, but not limited, break times, field trips, assemblies, afterschool programs and extracurricular activities. So you're going to need to look through that and say, "Yes, this is how our ALE is going to operate" and check yes.

Jared Hogue [\(00:15:14\)](#):

I want to just jump in there and point out that all of those statements that Lisa was just reviewing there, all go back to support that the ALE is a supportive and non-punitive environment. We don't want anyone in any school district to think that an ALE student has not afforded the right to participate in the same

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kinds of activities. Doesn't necessarily mean they will be on the same activities with other students, but they still have the right to field trips, to assemblies. Now that generally would be with the traditional peers or afterschool programs.

[\(00:15:46\)](#):

In order to be considered a non-punitive environment, that's not what ALE is. Alternative education is designed to provide special programming that will meet the needs of students who are struggling and facing those barriers in the traditional educational program. It is not punitive, so they should be afforded the same opportunities or alike opportunities as other students. And by clicking yes on this, which you have to click yes on this because you are certifying that it is not a punitive environment, and by having your superintendent sign this form which is required before it's sent in, then your superintendent is verifying that "Yes, our ALE is a supportive and non-punitive environment."

Dr. C.W. Gardenhire [\(00:16:26\)](#):

And I want to point out on that, extracurricular activities, that means football, baseball, basketball, band, choir. But here's the thing, they still have to meet the requirements that every other student has to meet in order to participate in those activities.

Jared Hogue [\(00:16:45\)](#):

And that would include GPA, code of conduct, those kinds of things.

Dr. C.W. Gardenhire [\(00:16:49\)](#):

Whatever the criteria is, they have to meet it, but the fact is these kids need it because a lot of times that's the only thing that keeps them in school. And I will say on this particular one, because I get questions on this one, if you have what we call in lieu of expulsion where a student is referred to ALE by the superintendent instead of being expelled from school, not suspended, expelled, that means they're gone two months, six months, however long the school board had decided, they're there in lieu of expulsion. That is the only time where they may not be able to do a number of these things because they wouldn't be able to do them if they were expelled.

Jared Hogue [\(00:17:32\)](#):

That's a good point.

Dr. C.W. Gardenhire [\(00:17:34\)](#):

If it's other than that, they can participate in these activities.

Lisa Johnson [\(00:17:38\)](#):

Number four, when it says proposed teacher-student ratios, we're talking about the ratios that are required. They are set forth in 4.03.2, and you see all of those things down below here. How many students can you have depending on what grade, and also depending on if in addition to the licensed teacher, you have a paraprofessional in there with them. So when you say "We will certify that we follow the following student teacher ratios," yes, you must follow what you see here. Here are the requirements right there for you and you have to be able to meet those.

[\(00:18:21\)](#):

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For an ALE hybrid program, this is a little bit new here, ALE hybrid program including any of grades nine through 12, no more than 30 students to one teacher. If a paraprofessional is employed in addition to the licensed teacher, the student-teacher ratio will be no more than 35 to one. Keeping in mind if you have onsite students, you cannot exceed the ratios you saw above. Jared, C.W., want to add a little in there about mixing a teacher that does some of the hybrid teaching and may also do some of the onsite teaching? How's that looked at?

Jared Hogue ([00:19:06](#)):

I think if you're looking at, and we have had questions about this, which is why Lisa brought it up. If you have a traditional ALE program, you've always had a traditional ALE program and now you've decided because the rules as of last June have been modified or adjusted to include information about hybrid programs and you think, "Wow, I really would like to set up a hybrid program." First of all, we will be doing a training very soon, whether that's a podcast episode or a recorded zoom training live with participants where we go over the hybrid programs to describe these kinds of things.

([00:19:39](#)):

But keep in mind many hybrid programs that have been operating prior, the hybrid requirements include that the student be onsite at least 20% of the instructional week. So many programs had a setup where they were doing Monday, Wednesday half day for each or Tuesday, Thursday half day for each, which would count as a full school day, which out of a five school day week would be 20%. Now, if they come on site more than that, that's great. You just have that marked down in their student action plan as how they're participating.

([00:20:10](#)):

However, understand that many times it's not going to be possible for you to provide one teacher, and I'm speaking to district administrators here, it's not possible to provide one teacher to provide traditional ALE instruction as well as hybrid ALE instruction because those classroom ratios are still in effect. So if you have 13 students in a secondary program with a limit of 15 and let's just say there is a paraprofessional, which would allow you according to the information above to have 18, so you would have 18 students possible, but you have 13 traditional. That only leaves you space for five students. And if you have 10 hybrid students, that's not going to work.

([00:20:55](#)):

You are going to need a second teacher to operate the hybrid program, unless you fell below the numbers where you could make that work. However, I will point out in that instance it would be very difficult to set up an instructional schedule that would allow for a teacher to teach both traditional students and hybrid students. That is one thing I do like to point out, is that if you are going to be running a hybrid program and you need a teacher for that, you are going to have to have a separate teacher. One to run the ALE side or the traditional ALE side and then one to run the hybrid.

Lisa Johnson ([00:21:31](#)):

And when we ask again, who monitors to ensure ratios will be maintained, we're looking for a position there instead of a person's name and that position is the one that we will be talking to if anything comes about monitoring or so on that the ratios are not being followed. So it's going to be what position, is it going to be the ALE director, will it be a principle of that building, et cetera.

Jared Hogue ([00:21:59](#)):

Thank you Lisa. And then moving on to number five. Now, number five provides information and it is two certification statements. There's nothing beyond the certification statements that you have to list, but it is focused on individual counseling services and the provision of those. Now, point out as it states, I'll encapsulate here, alternative education interventions are meant to be something above and beyond what every other student would receive. So your traditional education students, those in the traditional classroom, they do receive school counseling. They can go visit the counselor to discuss any issue they may be having. They can set up and receive regular school counseling visits with that school counselor.

[\(00:22:38\)](#):

But with a student who is in alternative education, there is a need for something many times above and beyond. So you might have whoever is providing school counseling services, if it is an separate ALE counselor working with these students, they would have the same access as the traditional students would, but there could be a need for additional therapy, additional counseling services rising to the level possibly of mental health therapy and that provision. However, the rules do state that this has to be discussed at the placement meeting, at all placement meetings, and so you have that certification statement. We certify that school-based mental health services will be discussed at all placement meetings, and you would check yes or no, which that's going to be yes. And that we certify individual counseling services will be provided. And again, that is... They could be counseling services by the school building counselor.

[\(00:23:30\)](#):

However, if you'll notice it says "We certify that individual counseling services will be provided." If you have a student who is in alternative education, it's no longer an as-needed basis. This has now risen to the level of they really do need to be meeting somewhat regularly with the school counselor at least. Just to discuss the behavior, to discuss things that may be going on that are causing any additional problems they may be facing even while in the ALE center or to discuss hopefully how they are showing improvement. And that is a certification statement as well.

[\(00:24:04\)](#):

Moving on to number six, the question that we get most often throughout the year as we hear from alternative educators. Number six deals with computer-based instruction and how much of that can be used to supplement. So on number six, computer-based asynchronous instruction, and I'll describe that in just a moment, may be used only as a supplement to direct teacher instruction and must constitute less than 49% of the total instructional time, and here's the key here, in any one course. That does not mean that you must have 51% direct instruction for any school day. That means you must have for a course greater than 51% of time spent with direct teacher instruction.

[\(00:24:50\)](#):

So some wording that was added to the rules, those words, synchronous and asynchronous. When we say computer-based asynchronous instruction, what that means is you may have a computer platform or an online platform that is used by your district that is actually on the list of Arkansas Department of Education DESE's approved list of providers and that's great, but if it's asynchronous meaning modular work, the student goes in and "Hey, today we're going to focus on math and here's the subject that we're doing and here's a list of activities that you can participate in, but they're not teacher-led." That's asynchronous instruction. That is working with a program that is designed to supplement the learning. That is not direct teacher instruction.

[\(00:25:37\)](#):

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Now, you can use online methods to provide direct teacher instruction, but the easy way to remember this is if there is a live teacher on the other side of that screen, that is still considered synchronous instruction even though it is provided virtually. Just remember that. If there is somebody on the other side of that screen and that person is a licensed teacher, that would not be included in this percentage, that would count as 51%. It would not be included in the asynchronous 49%.

Lisa Johnson ([00:26:08](#)):

That person's face and voice have to be live. They can't be pre-recorded.

Jared Hogue ([00:26:13](#)):

Yes, definitely. Yes, that's very important. It can't be, oh, hey, the math teacher in the traditional program recorded their lesson and placed it on Google Classroom, and so the student access that. That is not synchronous instruction, that is still asynchronous instruction because you don't have a live person on the other side of the screen in real time, which is what synchronous means. For my fellow English teacher's. chrono meaning time and syn meaning the same, so synchronous means at the same time.

([00:26:46](#)):

So then there's a certification statement there. We certify that every course in the ALE is provided via direct, synchronous or live instruction or live, meaning same as synchronous, instruction for a minimum of 51% of the total instructional time, and you would need to click yes for that to certify that. We certify that any digital provider used for ALE instruction is from a digital provider approved by the division. And there is a lengthy list of those digital providers. You can find that on DESE's website. If you just went to the website and you clicked in Approved Digital Providers in the What Are You Looking For? Box, it will take you to that page and you will see there is a pretty lengthy list of approved program providers.

([00:27:26](#)):

And then there is a third certification statement within number six. We certify that any digital instruction in the ALE, the physical classroom is staffed by a licensed teacher who will monitor, assist, and facilitate as needed and adhere to the ALE class size ratios that are identified as mentioned above, but are identified in the rules for 4.03.2, and then you would click yes or no. Now, the importance of this statement is... We do get questions from time to time, that what if we are using synchronous instruction provided by some outside provider where there is a live teacher on the other end, can we place a non-certified or non-licensed person or possibly a paraprofessional or some other non-licensed individual in the classroom and have it work that way? No, you cannot. You must have a certified or licensed teacher in the classroom.

([00:28:24](#)):

Now, the certified or licensed teacher who's on the other side of the screen, who's providing that synchronous instruction, that person, because AQT is attached or all Arkansas Qualified Teacher status is attached. By being certified in that area being taught, they are automatically AQT. They have the requirements necessary. The licensed teacher who is in the room, facilitator if you will, they do not have to have AQT if they are not providing the instruction. However, you still have to have a licensed teacher in that classroom because licensed teachers are trained and taught how to facilitate those classrooms, how to assist students if they need help.

([00:29:04](#)):

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Now, if it's content related and they have to reach out to someone else, that's fine, but if it's how to ensure those best practices are going on, how do you schedule effectively, can I get some assistance with how to write a paper associated with this? Those are the kinds of things that a licensed teacher would be able to assist with, and so therefore, the rules very explicitly state now, you must... Even if you're using that digital instruction, that synchronous instruction, you must still have a licensed teacher in that classroom to facilitate.

[\(00:29:36\)](#):

Then once you have checked "Yes" on that third certification statement, we move down to the actual box that we need to fill in a description. So describe how instruction will be supplemented by technology and list the technology used, as mentioned in the rules there that are cited. So this is where you would simply type in as much as is necessary to describe what kind of supplemental technology you're using and how you're using it in the classroom with the intent to verify that you are indeed providing 51% or greater direct instruction.

Dr. C.W. Gardenhire [\(00:30:11\)](#):

All right, we're going to move on to question number seven. We're going to look at credit recovery. This is a area we get questions about. People, there's a lot, sometimes confusion, so I'm just going to read the statement or the question itself.

[\(00:30:29\)](#):

We've certified... Because this is a certification question, we've certified that credit recovery is only used for students who have actually participated or attempted, tried to do the work in a course, but failed. Meaning they have tried to do the course before and they failed it. Credit recovery isn't for first time coursework. It is for students that have failed at the course before. As it says, credit recovery is not for first-time course attempts. Credit recovery with ALE is only for students who have gone through the placement process, been placed in ALE and are also taking first time courses in ALE. If you're doing credit recovery within the ALE, it is only for ALE students that have gone through and been placed in ALE. It's not for students outside in the traditional setting to come into the ALE setting to do credit recovery. When it says, "And they're also taking first time courses in ALE," that means they're not just in there for ALE. ALE is not a credit recovery program. They're also doing first-time courses, courses they've never attempted.

[\(00:31:45\)](#):

Okay. So with that, you check yes or no. It is required. If you're going to have ALE program aspect, you're going to have to check yes. There's a B part to question number seven, if credit recovery is component of the ALE, describe how it is used and list the curriculum materials used. This is one of those boxes that will expand as you write, and you will just go and just like it asked you, what are the materials used and how is the program used?

Jared Hogue [\(00:32:19\)](#):

Now, C.W., what if this is an elementary program where credit recovery is not a component? What should they put in that box?

Dr. C.W. Gardenhire [\(00:32:25\)](#):

I would put NA, N/A.

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Lisa Johnson ([00:32:31](#)):

And is an ALE always required to offer credit recovery even for high school students?

Dr. C.W. Gardenhire ([00:32:37](#)):

The fact is within ALE, they should be doing credit recovery. They should have some form of way of a student working on credit recovery within ALE setting at the high school level, because a lot of your students will have failed classes. I would expect if you have a high school program that you have some component of credit recovery.

([00:33:02](#)):

Question eight, the school curriculum and instructional methods. There are two parts to this particular one, A and B. And there again, certification. We certify that the curriculum used is aligned with the Arkansas curriculum standards. It's plain and simple. They have to be aligned with the Arkansas standards and check yes. What are instructional methods used and material used? Basically, how are the students taught? Is it direct instruction? Is it group, project based? Is it a mixture of all the three? What are the materials used? Are they going to be using textbooks, project kits, project materials? We could sit and probably have a discussion about question eight and all the different methods and materials and everything else for a couple of hours, but you have to list the information for question number eight.

Lisa Johnson ([00:33:59](#)):

When we come to question nine, dropout recovery or high school equivalency, i.e., GED, you'll notice that it says "It may be a component of the ALE program." Unlike Credit Recovery, dropout or GED test preparation or whatever test that may be, that's not required. But a program certainly may have that, and when you do, you're going to have to certify that you're following the rules that go along with that. Then you're going to describe how that's used, a list of materials and what ages. Because this is just for high school, but what ages of students are you expecting to be able to participate in that component?

Dr. C.W. Gardenhire ([00:34:43](#)):

And Lisa, I will say if they go look at the 4.04.3 in the ALE rules, they will find that they have to be 16 or older in order to participate. The rules tell them what they got to put, or it could be that they make up their own mind and they might want to be only be for kids that are 17 or older.

Jared Hogue ([00:35:05](#)):

Let me just back up and add, if you have on question nine, you do have a program that does not offer GED because again, you're not required but no of GED test prep, so you would click yes or no on whatever certification. At this point that's moot. Just make sure when you put "Describe how it is used and list materials" that you would put either N/A or "This program does not offer GED prep." And then you could definitely put N/A for what are the ages of the students who participate because I know it's nebulous with that certification statement. If you're thinking, "Gosh, what do I put?" Because we don't actually do that. Then just go right down here to describe how it's used and list materials and say, "We don't offer this service."

Lisa Johnson ([00:35:50](#)):

Number 10 says, "Students with disabilities placed in an ALE will receive services in keeping with the Individual's Disabilities Education Act. A, we certify that students with disabilities receive services as

outlined in the IEP." You're going to have to do that. And in addition to that, we need to make sure that the students that are coming to us who do have IEPs, that their IEP is not always going to be adjusted so that they can come in to the alternative environment. If a student's IEP team should decide that they're good with the alternative education placement for that student, it's still up to the alternative education placement team as to whether or not that student will be placed. And special education and alternative education are going to have to work very closely hand in hand with any student that has an IEP that will be coming into the alternative education environment.

[\(00:36:58\)](#):

What we can't do is write out services through SPED in order for a student to go to alternative education. Now, if a special education team comes to the conclusion that there is something that can be provided there, and that team does alter their IEP in some way, they're really going to have to be able to justify why they changed something in an IEP for a student that's going into alternative education. We really need for programs to think that through.

[\(00:37:32\)](#):

B, this one has really cost people to be confused on occasion. What we're asking here, were our special education services provided for students, we're giving you the choice between one or two. Are they being provided with their IEP services while they're in ALE or are they going to a special education or pullout or otherwise, being provided back in another environment? The answer here is not, yes, it is to tell us where those students will be receiving those IEP services.

Jared Hogue [\(00:38:09\)](#):

And I'd like to point out here that when we're talking about special ed services provided in the IEP, we're specifically talking about number of minutes, we're talking about those services listed that are the student is receiving services or a certain number of minutes in math or in English or in whatever. It's not talking about accommodations because it's understood that that student will still receive accommodations outlined in the IEP in whatever class they're in. And that means in ALE classes as well. We're specifically talking about... When we say special education services or classes, we're talking about those courses.

Lisa Johnson [\(00:38:47\)](#):

And from that point that Jared just made about that, going back again to students in special education and any altering of an IEP, it's going to look extremely suspect if a student had been receiving all of their basic core subject area education, all of those minutes in special education, and then suddenly they're indirect. So again, special education and alternative education need to work very closely on this, and we need to be very cautious about any changes made to any student's IEP, just prior to them going into the alternative education environment.

Jared Hogue [\(00:39:31\)](#):

And I'm glad you brought that up. So I would like to add something to that as well. Borrowing from my time in the Office of Special Education here at DESE, where I worked with state complaints and due process hearings within special education. If a parent was alleging that the student's IEP did not provide for a free and appropriate public education or FAPE, then I want to reiterate what Lisa just said. You need to make sure that although the alternative education placement committee is who determines whether or not a student is an appropriate placement for ALE, it is the responsibility of the IEP team, which does

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include the parents and parents can participate in the ALE Placement Conference and should, in my opinion. They have a lot more to say when it comes to the provision of FAPE. When it comes to drafting and developing that IEP or individualized education program.

[\(00:40:27\)](#):

So what you need to make sure is happening is that the IEP team has done everything possible to meet the needs of that student. Then when placed in ALE, that IEP should not be changing unless it's to add that the student will be receiving services in the ALE. Their previous IEPs, unless the student no longer needs those services, should not be changed to reflect that a service has been dropped simply so they can be placed in ALE, because the ALE might not provide that service. You definitely want to make sure that you are very careful here, and I do often counsel districts. If you are placing a student with an IEP and there's nothing that says that you cannot place a student with an IEP into alternative ed. But if you are going to do that, please look and make sure that the IEP team has done everything possible.

[\(00:41:15\)](#):

If this student is exhibiting disability-related behaviors, then the IEP team needs to figure out and do everything possible up to and including a behavior intervention plan. You might be looking at some testing to determine what's necessary. But definitely have those interventions and everything needs to be very well documented because if you are looking at a student with an IEP, this is federal law, there are a lot of rights attached to this. You need to make sure that you've done everything possible. And not just to keep the district safe, which that is a good side benefit, but to ensure that this population of students who have sometimes historically been overlooked are afforded all the rights that they have outlined because they deserve that free and appropriate public education just as much as any traditional student would.

Lisa Johnson [\(00:42:07\)](#):

Thank you, Jared. Thank you very much. On C, pretty much anytime you see us asking who is responsible or who monitors, we're looking for a position rather than a name of a particular person. Because we all know that by the time your program submission is approved and you start next year, the person who was in that position may not be there anymore. So give us a position who monitors. In a lot of cases, this is going to be the special education supervisor, or it could be the ALE director, but we've got to make sure we know who should be looking at that and who's holding themselves responsible for it.

Jared Hogue [\(00:42:52\)](#):

[inaudible 00:42:52]. Now moving on to number 11, describe the ALE exit criteria and how transition success will be monitored. Now, this goes all the way back up here to what C.W. was talking about earlier, I believe it was in number one when looking at transition, that third piece, what documents will be used to determine if a student has successfully transitioned? This is looking for documentation. We're just asking what documents are you going to use? We're not looking for in this piece the procedures that you're going to follow and what you're going to do. We're looking for documentation here. Because in number 11, that's where we're looking for a description. Describe the exit criteria that a student must exhibit in order to be successful and transition them to that classroom. And then how will that success be monitored? How are you going to follow up?

[\(00:43:43\)](#):

This student is no longer receiving alternative education services, but there's that period where they've transitioned back where you still need to be monitoring them to make sure they're successful. So what

are you going to do? What criteria do you have established and what are you going to do to make sure that that student is successful? How long will you monitor the student to make sure they're successful? Because the goal is once a student has been exited, that hopefully they've received the skills necessary to help them be successful in that traditional educational classroom. So how are you going to monitor to make sure that's taking place?

[\(00:44:17\)](#):

Moving on to number 12, we're looking at the positive behavioral support. We want you to describe, this is a fill in the blank. Describe those positive behavioral supports. Make sure to include the social skills curriculum that you may be using. There's all kinds of social sales curricula that are available out there, those personal competencies. And hopefully there is some mention of ADE's G.U.I.D.E. for Life because it does contain all of these things, but you definitely want to include any other social sales curriculum. I'm not going to name any here, but there are all kinds of social skill curricula that are used.

[\(00:44:52\)](#):

And many times they're used throughout the district with all students. If they're also used in the ALE, hopefully with a little more depth or intensity than they are delivered with traditional educational students, you can still list those. Also, please describe or list specialized trainings that are attended by your alternative education educators. What programs are used and what other tools or resources are there that benefit the students? So this is where we're wanting to know what are the soft skills, what are the components that you are using in order to help these students overcome the barriers in the traditional classroom within the ALE so that they can move and be successful.

[\(00:45:32\)](#):

On 12 B, there is this second part. Describe career-centered intervention services being implemented in the ALE program and list those programs being used. I will sometimes see, and I know the other guys do too on districts when they provide this information, for 9-12 we always see it. But sometimes for those that are filling out this for an elementary program or a middle school program, but definitely for elementary, they will put NA, because this is an elementary program. Now, this is a requirement that must be listed for all ages. So even if you have a kindergartner here, describe career-centered intervention services being implemented.

[\(00:46:11\)](#):

"But Jared, I have a kindergartner. I'm not focusing on career" Well, anything that you do that does focus on any kind of career centered intervention. Let's say you're learning about what does a firefighter do? What does a police officer do? What does a... And many times we see that kind of stuff in kindergarten, first grade, second grade. That is a career centered intervention. If you plan on inviting parents in, you do this every year to discuss, "What do you do for a living, Mr. Johnson or Ms. Smith?" Or whoever. That's career-centered intervention.

[\(00:46:45\)](#):

But the most important part, in my opinion of career-centered intervention at the kindergarten, first, second grade or elementary levels are those soft skills that were mentioned right above in 12 A. The kinds of skills that are necessary. So when we're looking, say for instance at the G.U.I.D.E. for Life, and some of those components include social interaction with other people. That's career-centered intervention, because if you don't know how to interact appropriately with others, you're definitely going to struggle when it comes to having a career, having a job, being able to interact with your community. So those are career-centered intervention services. When we teach a child how to appropriately shake

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someone's hand or how to maintain eye contact with them, how to turn take when it comes to having discussions with people, those are things that do help you out in the career. I would make mention if I were use something about Guide for Life or whatever programs you listed up above in 12 A to help you make that determination.

[\(00:47:45\)](#):

When you're filling out 12 B and you're talking about secondary, you want to think about this from the same lens that you are doing for the required all traditional students, every student from the end of grade eight on is required to have an SSP or student success plan. These are the kinds of things, if you're familiar with special education, these would be your transition services. This would be the part of the SSP that describes what has the student been exposed to. What are some things that... Maybe some of those aptitude testing, like the PACT or the PSAT, any of those things that have been given to help the student aptitude tests. What are some things the student has expressed an interest in? Those are the kinds of things you would include for a 9-12.

[\(00:48:32\)](#):

You could also include those other soft skills that I mentioned before for elementary programs, but definitely for career-centered intervention by the time they hit grade nine, those are things that need to be discussed. Not everybody knows what they want to be in ninth grade. Lord knows I changed my mind quite a few times even in college, but this is something that needs to be discussed so students are at least able to start thinking about this.

Dr. C.W. Gardenhire [\(00:48:56\)](#):

Especially at the high school level, you could do internships or job shadowing. Those could be things that you do within your ALE program. Look at some of the CTE options. JAG could be another one, JAG within ALE at the upper high school level, and they even have one JAG for middle school. When you look at it, it is really social skills and life skills.

Jared Hogue [\(00:49:25\)](#):

Yes, those are very important considerations to list here. So yeah, if you're running a high school program, those are the kinds of things that we would want to see listed here. C.W., did you want to start on 13?

Dr. C.W. Gardenhire [\(00:49:37\)](#):

Yeah. Thirteen's pretty straightforward. What are the needs of the ALE program? Do you need training? Do you need supplies, staffing? You can bullet it. You can write it out in a paragraph. It's up to you. But what are the needs of your program? Of course, we all know everybody needs money, okay. But what are some specific things that you... And things that would make the program better? Is there a specific type of training or some trainings that you have researched and found that you would benefit from or the ALE program would benefit from you being taught?

[\(00:50:16\)](#):

Okay, question 14, is the ALE program part of a consortium? Yes or no? You either are or you're not. Yes or no? What is a consortium? A consortium is, let's say you have have two small districts and they come together to make a bigger program. That way it's more beneficial to both districts. You will have one of the districts that would be a lead district, but it's a partnership between districts or within a co-op

aspect. It says, "Describe the arrangements" and to send the MOU along with signature page. Anytime you have a consortium, there's going to be an MOU, a memorandum of understanding, okay, between... It could be two districts, it could be three districts, but there is going to be a MOU written up. Basically a contract between the districts. We do have example MOUs for districts that are looking at joining forces together that we can provide. But before this particular aspect, question 14. Are your consortium, yes or no? And if so, describe who you're consortium with and provide the MOU along with the signature page of the MOU.

(00:51:31):

All right, question 15. We certify that all administrative teaching and other personnel in an ALE shall meet appropriate state licensure and renewal requirements for the physician to which they are assigned. Yes or no? Pretty straightforward. Okay. We certify that teachers of record listing for ALE courses are those that are providing direct synchronous instruction, 51% or more of their total instructional time in that course. Yes or no? Okay, your teacher of record, the person who is providing the grade has to be providing the instruction.

(00:52:10):

A classroom teacher is an individual who is required to hold a teaching license from the division. And when we say division, we're talking about DESE, Department of Elementary and Secondary Education. Integral [inaudible 00:52:23] required to hold a teaching license from the division who is working directly instruction with a students in a classroom setting for more than 70% of the individual's contracted time. Also goes for guidance counselor or librarian. Teacher record means an individual or individuals in co-teaching assignments who has been assigned to the lead responsibility for a student's learning in a subject/course with a line performance measured. Now, this comes directly from 1-2.55 Rules for Educator Licensure. So when you go back up to the top of question 15, considering what we just read, answer those questions. Yes or no.

Lisa Johnson (00:53:10):

Keep in mind that a teacher of record cannot be someone who never sees that student.

Jared Hogue (00:53:15):

The teacher who provides the grade, who collects the record, hence teacher of record. So the teacher who is recording the grades, grading the assignments, that's what's meant here.

Dr. C.W. Gardenhire (00:53:28):

Question 16, does your district [inaudible 00:53:32] any approved Act 1240 waivers? Yes or no? Now, we have a little note there. "Teachers and ALE must be AQT for any courses they teach. AQT cannot be waived." What Act 1240 is, for you guys they don't know, Act 1240 allows a district who is losing students to a charter to put in and receive the same waivers that a charter receives. A lot of times you might see where teacher licensure aspects for a charter are waived, but they still have to meet AQT status. Within ALE, you have to meet AQT status. You do that one or three ways. They do it through the house form, they do it through taking the Praxis 5511, or they're already serviced in that subject area. It's pretty straightforward, but if your district has waivers, list the waivers that would affect the ALE.

Jared Hogue (00:54:37):

And the importance of this is that sometimes we do hear from districts who state, "We have an 1240 waiver. We have a licensure waiver, so we don't have to follow the licensure requirements." And I'm like, "Okay, if you have that waiver, that's great for all your traditional teachers. However, in an ALE, they still must meet AQT." So let's say they don't have a license, they still have to meet AQT. They still have to be able to take and pass the Praxis 5511 or they still have to be able to meet AQT through that AR house form that is available in the AQT rules and is linked on the alternative education website, on the DESE website.

[\(00:55:15\)](#):

And again, hopefully this has been helpful in filling out this form. I do know that there are many of you who have done this before, but because there is turnover in alternative education, sometimes it may be that this is your first time filling out one of these. And this podcast, which is geared specifically for alternative education teachers and alternative education directors who are going to be filling this out and submitting this.

[\(00:55:39\)](#):

Please understand, as we said before, that when you're going through and filling out all of these certification statements and you are describing what your program is going to do and how you're going to do it, this signature below, the signature, the name of the superintendent and signature of the superintendent, as well as the name of the ALE teacher or director, and the signature of the teacher or director. This is your promissory note. This is your certification statement that you are going to abide by the rules listed in special needs funding under ALE, with Section 4.0 and everything that's included in that, as well as any other rules governing education in the state of Arkansas, like we saw above. We did mention reference to a rule when talking about teacher of record. So this means that you're going to run this program not only in adherence to any Arkansas requirements, Arkansas rules, Arkansas laws, but you're going to also adhere to those that are listed specifically in Student Special Needs Funding, Section 4.0 dealing with alternative education. And so as I stated by signing this, you're certifying that.

[\(00:56:45\)](#):

And that's really no problem, but we just want to make sure that everybody is well aware of that. These are things that we do get calls from time to time asking questions. And if you have questions, this is not meant to be a gotcha. This is just telling us how you do these things. And so we've got to make sure that programs in order to stay solvent are doing exactly what is stated on this program approval. As C-W. Mentioned earlier, this is due on or before March 31st every year. And so there will be a commissioner's memo coming out very soon that is going to contain this form that we've just showed you, as well as some other information and instructions, other things that had to be filled out. And it is due on or before March 31st of this year, 2023. You will email that completed form, this completed form as a Word document. Please do not save it as a PDF and send it in.

[\(00:57:34\)](#):

And the reason why is because we're not in the business of just saying, "Yes, this is approved," or "No, this is not approved." We're in the business of saying, "Yes, this is approved," or "Let's work together to see what we need to change in order to make this something that can be approved." And that's much easier to do if it's in the original Word doc. Sometimes when you do hear from us, it will be, "Yes, we want to work with you on this. Here's some things that you need to address. Can you describe this better?" Because we know that you're doing it. We know that educators are doing the very best that you can to meet the needs of those kiddos in alternative education, because it is a challenging job and you got into it for a reason. We know you're doing the work, we've just got to help make sure that everything

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is worded appropriately, that everything is listed according to what you're already doing. You're putting the work in. Let's just make sure that it's worded appropriately in this program approval submission.

[\(00:58:28\)](#):

So you would complete this and then fill it out. Send it in via the email address listed below, that C.W. mentioned earlier, [ade.ale@ade.arkansas.gov](mailto:ade.ale@ade.arkansas.gov). And it is linked there because that is a mouthful. You would also include a scanned copy or PDF of the signature page. So when you send in this word doc, this last part will be blank, but we ask that you print off this last part, have a physical signature from the superintendent and a physical signature by the ALE teacher or director. That can be scanned and saved as a PDF and sent in along with the Word document. So there's two files that would need to be sent in. You can do it together, you can do it separately, but we'd rather you do it together.

[\(00:59:10\)](#):

And also keep in mind, if this is applicable, then you would also send in, if you're in an consortium agreement, you would also be required to send in the MOU so that we're well aware of those kinds of services that are being provided, who's responsible for what, that sort of thing. So keep in mind there's the address below you would send this. You will see on the commissioner's memo, all three of us, our contact information. So Dr. C.W. Gardenhire, Lisa Johnson, myself. Our contact information is on there. It's also all over our website, I believe on every alternative education page, the contact information is listed. If you have any questions while you're filling this out, please don't hesitate to reach out to us so that we can answer whatever questions. Because again, we're not in the habit of saying no.

[\(00:59:56\)](#):

Now, I will put a little asterisk here. There will be very few occasions where we do have to say, "This doesn't meet the requirements," but the requirements are listed in the rules. So if you have followed what an ALE program is and you've listed everything, then you've got nothing to worry about.

Lisa Johnson [\(01:00:17\)](#):

I do have a suggestion for when schools send in their program submissions to that address. If you would put the name of your school district in the subject line, the complete name of your district in that subject line, it will make it a much more streamlined process.

Jared Hogue [\(01:00:40\)](#):

And in the name of the file too.

Dr. C.W. Gardenhire [\(01:00:43\)](#):

I was just going to refer back to one of the things Jared mentioned when they're filling out the document, and it is asking for a description. This is something I always tell everybody, "Write it as if anybody can pick it up and read it and understand it." So if you want a school board member to be able to pick it up or Joe down at the diner can pick it up, read it, and understand how your program operates. Make it very clear.

Jared Hogue [\(01:01:12\)](#):

These are all listed on our website. Once they've been approved, they are saved on the ALE website. So anybody can come in and see what kind of program you're running, what kind of services you are offering. To borrow with what C.W. was saying, it needs to pass the grandma test. Grandmother needs to

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be able to pick this up, read it, and understand exactly what kind of services are being provided. And if grandmother's grandson, or granddaughter was being served in an ALE, they need to be able to understand, "Okay, this is the kind of services they're getting. I like this." And as a former English teacher, I will state, one of the questions I used to get most often was, when assigning an essay, "How long does it have to be?" And my [inaudible 01:01:52] answer was "As long as necessary to meet the requirements that I outlined in the instructions." Same thing here.

(01:01:58):

You do not have to put a book's worth of information in every one of these forms, just enough to adequately describe what's being asked for. I have seen some that provided, my goodness, this thing by the time it was finished was 13, 15 pages long. But then I've seen others that by the time it was finished, it was not much longer than it appears here in the template, but the information was just as good, just as complete. So just as much as it's necessary to adequately describe what you're doing and ensuring that that does follow the rules and the requirements laid out in the rules.

Dr. C.W. Gardenhire (01:02:33):

That you can basically close your eyes and see it in your mind, runs and operates.

Lisa Johnson (01:02:40):

And another word of caution is that those of you who in this cohort are submitting and have submitted before, if it's you that's doing the submitting, or moreover, if it's someone else in your district, do remind them that the questions, the outline of this has changed somewhat. So cutting and pasting, it's not that it's not allowed if nothing hasn't changed, but make sure you're getting that into the right place and you're answering the right question.

Jared Hogue (01:03:09):

Right. That's a good point because there are some new things here. And like you said, if it was approved previously and nothing's changed, there's nothing wrong with saying, "Hey, this is the same stuff." But just make sure you are putting it in the right place because there are a few new things with this.

(01:03:26):

I did want to point out, if you are new to this and this is something that, "Oh my gosh, I feel overwhelmed with this," don't feel overwhelmed. Feel free to give us a call because we're happy to help you out and making sure that this is taken care of appropriately. Because like C.W. said, this is public domain. This will go on our website and we do receive calls. We do have legislators who look into this. We do have the BLR, the Bureau of Legislative Research, does come and request these. They do look at them from time to time because they want to see what kind of programs are being offered out there. And it's not to say that every program has to be the same because they're not going to be the same. The needs of the students in one area of the state might be completely different than the needs of the students and what's offered by the district in another part of the state. So just how you're meeting your community's needs, your students' needs in your area.

(01:04:19):

We really appreciate everybody listening or viewing the information listed here because I do think that this is more technical. It's not like previous episodes that we've had where we've just shared some good information about alternative education in general or some specifics in what might be a best practice.

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This is something that's very technical and is provided for the educators to better assist them. But in a way, it's also for other folks as well because they now see exactly what is required for an ALE program. We do appreciate you tuning into this episode and we'll see you next time on Alternative Education in Arkansas.