

§ 115C-390.9. Alternative education services.

(a) Students who are long-term suspended shall be offered alternative education services unless the superintendent provides a significant or important reason for declining to offer such services. The following may be significant or important reasons, depending on the circumstances and the nature and setting of the alternative education services:

- (1) The student exhibits violent behavior.
- (2) The student poses a threat to staff or other students.
- (3) The student substantially disrupts the learning process.
- (4) The student otherwise engaged in serious misconduct that makes the provision of alternative educational services not feasible.
- (5) Educationally appropriate alternative education services are not available in the public school unit due to limited resources.
- (6) The student failed to comply with reasonable conditions for admittance into an alternative education program.

(b) If the superintendent declines to provide alternative education services to the suspended student, the student may seek review of such decision by the governing body of the public school unit as permitted by G.S. 115C-45(c)(2). If the student seeks such review, the superintendent shall provide to the student and the governing body, in advance of the governing body's review, a written explanation for the denial of services together with any documents or other information supporting the decision. (2011-282, s. 2; 2022-74, s. 7.7(g).)