

16 NCAC 06G .0518 ALTERNATIVE CHARTER SCHOOL – ELIGIBILITY

(a) The following definitions apply for purposes of rules in this Chapter:

- (1) "Student at risk" means a child enrolled in a public school who, due to circumstances such as an unstable home life, poor socio-economic background, and other factors, either enter or continue in school from a disadvantaged standpoint, at least in relation to other students who are not burdened with such circumstances. *Hoke County Board of Education v. State*, 358 N.C. 605 at 632 n.13, 599 S.E.2d 365 at 387 n.13 (2004).
- (2) "Dropout" means any student who leaves school for any reason before graduation or completion of a program of studies without transferring to another elementary or secondary school.

(b) A charter school that desires to be designated an "alternative school" for purposes of determining and reporting school and student achievement and growth in accordance with G.S. 115C-83.15, 83.16 and 83.17 shall include the request in the charter school application or request for amendment to an approved application.

(c) The charter school application or request for amendment to be an alternative school shall state that the charter school will include grades 9-12, and that at least 75 percent of the school's population in grades 9-12 will be "students at risk" of academic failure.

(d) The charter school application or request for amendment shall also state that the charter school will meet one or more of the following indicators:

- (1) the students shall either be released from a juvenile justice facility within the last year, or otherwise be subject to and participating in the juvenile justice court;
- (2) the students shall be currently served by a treatment facility licensed pursuant to Chapter 122C of the General Statutes, or have been discharged from such a facility within the last year;
- (3) the students shall be currently under suspension for more than 10 days from a public or private school; or
- (4) the students shall be high-school dropouts as defined in Subparagraph (a)(2) of this Rule; or be "Student Chronic Absentee(s)" as defined in 16 NCAC 06E .0106.

*History Note: Authority G.S. 115C-12(24); 115C-218(a)(2); 115C-105.46; 115C-218.85(a)(3);
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