

South Carolina General Assembly Appropriations for FY 2025-26

Proviso 1.89 (SDE: Alternative Education Programs Options)

Proviso 1.89 for Fiscal Year 2025-2026

The State Department of Education shall create, publish, and provide to all public schools in the State a list of alternative education programs that can award a high school diploma or high school equivalency credential. The list must include, but not be limited to, the Wil Lou Gray Opportunity School and the South Carolina Youth Challenge Academy. Schools shall distribute information provided by the Wil Lou Gray Opportunity School, the South Carolina Youth Challenge Academy, and any other appropriate alternative diploma-seeking education program to students age sixteen or older who are not on track for on-time graduation or who otherwise are at risk of dropping out of school. The names and addresses of all students age sixteen or older who are not on track for on-time graduation or who are otherwise at risk of dropping out of school, except for students who have opted out of disclosure of directory information under the Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g will be made available to these institutions. Parents or students age eighteen or older may complete a form to opt the student out of the disclosure of student contact information with these institutions. The department shall develop this opt-out and each district shall make the form available on its website.

The following resources have been provided by the SCDE:

1. List of [alternative education programs](#) that can award a high school degree or high school equivalency credential:
2. [Opt-out form](#) of disclosure of directory information under the Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g:

Frequently Asked Questions:

How has this Proviso changed?

Proviso 1.89 (SDE: Alternative Education Programs Options) was amended to:

- Apply to only students age sixteen or older who are not on track for on-time graduation or otherwise at risk for dropping out of school.
- Remove the requirement that school counselors distribute information related to Alternative Education Programs during each student's annual review of his Individualized Graduation Plan.

What are the criteria to determine “who are not on track for on-time graduation or who otherwise are at risk of dropping out of school”?

Districts are encouraged to reference:

- On track for on-time graduation: [EOC Accountability Manual](#) regarding High School Student Success.
- Risk of dropping out of school: [SBE Regulation 43-274.1: At-Risk Students \(sc.gov\)](#)

Does this proviso apply to SC High School Employability Credential and non-diploma track students?

Yes, this proviso applies to all students age sixteen and older.

- IEP teams may determine “on track for on-time graduation” and “risk of dropping out of school” for non-diploma seeking students with disabilities individually, according to their specific needs.

Does this proviso apply to Multilingual Learners (ex. the first year in the country)?

Yes, this proviso applies to all students age sixteen and older.

Is the list of alternative education programs distributed annually even if the student received the list the prior year(s).

This list should be discussed and distributed each year to students age sixteen or older who are not on track for on-time graduation or otherwise at risk for dropping out of school.

Does the opt-out form have to be renewed every year?

The opt-out form should be discussed and signed (if appropriate) by parents/guardians of students age sixteen or older (or students age eighteen or older) who are not on track for on-time graduation or otherwise at risk for dropping out of school.

Where are the opt-out forms stored and how long are they kept?

Schools should follow the same storage and retention procedures for other similar documents.

If a student is already enrolled in a district sponsored alternative program, like Graduation Alliance, are schools required to provide the list of alternative education programs and submit the student’s contact information to the other alternative programs?

There are no exceptions in the proviso for students currently enrolled in a similar program.

How do schools submit the names and addresses of students, except for students who have opted out?

Schools may submit the names and addresses of students, except for students who have opted out of disclosure of directory information under the Family Educational Rights and Privacy Act to the point of contact identified on the list of alternative education programs that can award a high school degree or high school equivalency credential.

When do schools submit this information?

Schools should submit this information at their discretion.