

INDEPENDENT SCHOOL DISTRICT 196
Rosemount-Apple Valley-Eagan Public Schools
Educating our students to reach their full potential

Series Number 602.8.2.1AR Adopted September 1983 Revised October 2015

Title Instruction for Students Unable to be in School

1. **Definition** – District 196 provides instruction for enrolled or resident students who are unable or not allowed to remain in their regular school setting for a period of time.
2. **Eligibility for Instruction** – To receive instruction from District 196, a student must be enrolled in the district during the period of instruction. A student’s eligibility for instruction is based on one of the following and documented on Procedure 602.8.2.1P, Application for Instruction for a Student Unable to be in School:
 - 2.1 His or her absence or anticipated absence for more than 15 consecutive or intermittent days due to accident or illness. Placement must be supported in writing by the placing authority (e.g. medical doctor, psychologist, psychiatrist, judge or other court-appointed authority) and agreed to by the school district;
 - 2.2 A student with a disability may be placed outside the regular school setting as determined necessary by the student’s Individualized Education Plan (IEP) or 504 team, or
 - 2.3 A student who is expelled pursuant to the Pupil Fair Dismissal Act or subject to other disciplinary consequences as authorized by the Director of Secondary Education may receive educational services outside the regular school environment.
3. **Duration and Amount of Instruction**
 - 3.1 The district shall typically provide one hour of direct instruction per day of absence for regular education students who must be out of school for less than 171 days.
 - 3.2 The district shall typically provide two hours of direct instruction per day of absence for regular education students who must be out of school for more than 171 days.
 - 3.3 Students with disabilities who have an IEP or 504 Plan and who are unable to be in school shall receive instruction as determined by their IEP or 504 team.
 - 3.4 If a student has some entitlement remaining when he or she returns to school, that remaining entitlement may be met through instruction provided as a supplement to school attendance if the student's educational needs warrant such action. The principal shall determine the educational need by consulting with his or her staff or, in the case of a student with an IEP or 504 Plan, as determined by the IEP or 504 team.
 - 3.5 The service levels described herein relate to direct instruction and shall not include a teacher’s preparation or travel time.
 - 3.6 All instruction of students unable to be in school due to accident or illness as described under Section 2.1 terminates automatically at the end of each school year. A new application must be processed for instruction to resume the following school year.

4. Methods for Delivery of Instruction

- 4.1 Students Who Are in the District – The principal or designee assigns an appropriately licensed teacher to deliver the instruction. The student continues to be enrolled throughout the period of instruction.
- 4.2 Students Who Are Temporarily Placed in Day Treatment Programs Outside of the District – The district may assign an appropriately licensed teacher to provide the instruction at the student's residence, or the district may enter into a tuition agreement with the district in which the day treatment program is located to provide services to the student. School personnel shall coordinate efforts with the Department of Special Education.
- 4.3 Students Who Are Temporarily Placed in a Residential Program or Hospital for Care and Treatment Outside of the District – The school district in which the facility is located is responsible for providing educational services to the student. The providing district may bill tuition to the resident district.

5. Responsibilities of the Teacher of Students Unable to be in School Where the School District is Providing Educational Services.

- 5.1 The teacher gathers texts, assignments, etc., from the student's teacher(s).
- 5.2 The teacher arranges times for the delivery of instruction with the student's parents or guardian. (The instruction may be provided in blocks of time such as two, 2-1/2 hour periods per week.) If instruction occurs at home, another adult must be present; where possible a neutral location (e.g. a library) should be used.
- 5.3 If the student has an IEP or 504 Plan, the IEP or 504 team shall meet and revise the IEP or 504 Plan to reflect the change in placement. The teacher providing the instruction must implement the IEP or 504 Plan.
- 5.4 Teachers are paid for direct student contact at the rate specified in the master agreement. Teachers shall either be paid via timesheet (Procedure 401P, Employee Timesheet) or per individual contract.
- 5.5 If a timesheeted teacher is providing the homebound instruction, the instruction must be delivered outside of the teacher's regular work day. Travel and preparation time (such as gathering materials) are not reimbursed.
- 5.6 When the instruction is completed, the teacher submits the signed instruction log (Procedure 602.8.2.1.1P, Instruction Log for a Student Unable to be in School) and timesheet (Procedure 401P, Employee Timesheet) to his or her principal. The principal files the log in the student's cumulative folder and forwards a copy to the Office of Student Records. The principal sends the timesheet to Special Education.

6. Attendance Records

- 6.1 The principal signs the timesheet (Procedure 401P, Employee Timesheet) to verify that appropriate instruction has occurred.
- 6.2 When the district directly provides or intends to provide instruction for a District 196 student unable to be in school due to reasons cited in Section 2, Eligibility for Instruction, the student is not withdrawn from the roster. The attendance secretary will use the appropriate code to indicate the type of instruction received.

6.3 Tuition Agreements With Other Districts

- 6.3.1 When the student is educated through a tuition agreement with another district, the student is withdrawn from membership while the other district is providing the instruction.
- 6.3.2 The effective date of withdrawal is after the 15th consecutive day of absence or the date indicated in the written notice that instruction is being provided by the district where the hospital or other facility is located.
- 6.3.3 When the student returns to school in District 196, the student is re-enrolled. State aid for the period of instruction is retrieved through the principal's report from the district providing instruction.
- 6.3.4 If the student returns home to District 196 for a period of convalescence, an application (Procedure 602.8.2.1P, Application for Instruction for a Student Unable to be in School) is processed and the student is re-enrolled effective upon the date of his or her return home. District 196 provides the instruction during the student's convalescence in his or her home.

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- References:**
- Minnesota Statute 121A.40-121A.56, Pupil Fair Dismissal Act
 - Minnesota Statute 125A.11, Special instructions for nonresident children
 - Minnesota Statute 125A.15, Placement in another district; responsibility
 - Minnesota Statute 125A.515, Placement of students; approval of education program.
 - Minnesota Rule 3525.2325, Education Programs For K-12 Pupils And Regular Students Placed In Centers For Care And Treatment