

No. 117

SECTION: PROGRAMS

TITLE: TEMPORARY MEDICAL EXCUSAL

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No. 117 TEMPORARY MEDICAL EXCUSAL

Authority

Pursuant to the Pennsylvania School Code and State Board of Education regulations, Charter Arts will review and consider approval of temporary requests for excusals from the compulsory attendance requirements of the Commonwealth for students confined in the home or hospital for physical disability, illness, injury, or when such confinement is recommended for psychological or psychiatric reasons.

Temporary Medical Excusals (TMEs) are to be provided only where the condition is temporary in nature and where the student is unable to attend any part of the school day.

TME may not be used as a way to avoid compulsory school attendance and must be based on a certified/licensed medical doctor, psychologist, and/or psychiatrist's recommendation. Parental consent is required to verify a physician, psychologist and/or psychiatrist's recommendation and for continual communication with the referring physician, psychologist and/or psychiatrist. The school shall consider recommendations made by a student's physician, psychologist and/or psychiatrist, but such recommendation shall not automatically result in an approval of TME.

Guidelines

Eligibility

A student will be considered for a TME under the following conditions:

1. Student suffers from a temporary medical and/or psychiatric condition considered medically urgent and so severe that:

- a. It is likely to persist for more than two (2) weeks when school is in session.
 - b. It is a condition that will prevent the student from attending any part of the school day for a specific period of time.
 - c. The specific period is not to exceed three (3) months, or ninety (90) days, in one period as per the Pennsylvania Code.
2. The school has received the Request for Temporary Medical Excuse from School Form, including the statement verifying the need for a TME fully completed by a properly-certified and/or licensed medical doctor, psychologist, and/or psychiatrist. Signatures of Licensed Nurse Practitioners or Registered Nurses will not be accepted.

The following additional conditions, rules and/or restrictions apply:

1. The school must have ongoing permission of the parent/guardian to contact the recommending physician, psychologist and/or psychiatrist for verification and/or updates of information within the TME application form.
2. If the school determines that additional information is required to make a decision with regard to whether to grant a TME, the school may, with the consent of parent/guardian, contact the recommending physician, psychologist and/or psychiatrist.
3. The school reserves the right to refer a student to a physician, psychologist and/or psychiatrist of the school's choice, at the school's expense, if it so chooses.
4. The school, upon consideration of a TME request, may refer a student to its own physician, psychologist and/or psychiatrist to determine the necessity for a TME. If the school's physician, psychologist or psychiatrist's opinion is contrary to the recommending physician, psychologist or psychiatrist, or the recommending physician, psychologist or psychiatrist is unable to substantiate the recommendation, it will be left to the determination of the school's administration whether to grant a TME.

Any breach of these conditions, in whole or in part, may result in the withdrawal of approval of a TME. An approved TME may be revoked by the school at any time. Where possible, the school will provide the parent/guardian with at least 48-hour notice of such TME termination.

90-Day Approval Period

A TME approved by the school shall be effective for a specified time period, not to exceed a maximum of 90 days. Upon expiration of the 90-day period, the student will no longer be lawfully excused from school. However, parents/guardians may apply for a renewal of the temporary medical excusal by following the approval process outlined above.

Tutoring During a Temporary Medical Excusal

At the school's discretion, tutoring during a TME may be provided. Tutoring is a temporary instructional program and should not be considered as a replacement to attendance. A TME is not intended to take the place of a regular or special educational program obtained through regular school attendance and is not an educational placement. The purpose of tutoring is to maintain current skill levels and prevent regression, if possible, until the student can return to school. Credit received during a TME is discretionary and is based upon a student's completion of all necessary coursework provided by a student's teacher. If TME is requested and approved beyond the first ninety (90) days allowed by law, the student may receive partial or no credit, at the discretion of the school.

Once TME eligibility is determined, tutoring will be considered. Tutoring is discretionary and may be refused or terminated at any time for any reason.

Applications for individual instruction must be submitted to the Superintendent & CEO on school form: Request for Temporary Medical Excuse from School.

If approved, tutoring will only be provided under the following limitations and conditions:

1. Tutoring shall be provided only where TME is expected to exceed ten (10) consecutive school days.
2. Assigned tutor shall be of the school's choosing.
3. The hours of tutoring shall not exceed five (5) hours per week maximum or the maximum that the health and well-being of the student will allow, whichever is less.
4. The availability and amount of instruction is subject to the availability of certified teachers to provide such services. If a certified teacher is not available, then tutoring will not be provided. The school will attempt to reschedule missed sessions but is under no obligation to do so.
5. Sessions cancelled by parents/guardians may be rescheduled at the discretion/convenience of the school but are not required to be rescheduled.
6. Tutoring during a TME is based upon provision of assignments and materials from the student's current courses, as provided by the student's teachers. Such teachers have discretion to substitute alternate assignments if the regular assignments are not appropriate for tutoring.
7. The school, at its sole discretion, may permit a student to complete coursework for credit if a student is physically and mentally able to independently complete schoolwork in a satisfactory manner while on a TME. This is completely discretionary on the part of the school and should not be viewed as an automatic right by students and/or parents of students on temporary medical excusals. If permission to complete coursework for credit is granted, the student must keep up with the class's regular assignments and schoolwork in a timely fashion in order to earn credit. The tutor may administer tests if deemed appropriate by the

tutor. If a student is permitted to complete coursework for credit, the tutor will collect classroom work from the student's regular teacher. It shall, however, be the responsibility of the student to complete the course work satisfactorily. Lack of independent work on the part of the student or non-completion of assignments may result in the loss of credit or the student's receipt of an "incomplete" for the course. Charter Arts shall make the final decision on an award of credit for a course. The decision to provide modified assignments and/or course requirements due to a student's TME status shall be made by the individual teachers as well as the administration. The provision of course/class credit based upon such modified assignments and/or course requirements shall not generally be granted and must be approved by the Superintendent & CEO or designee.

8. Due to the nature of course content, such as in the arts curriculum, it may not be possible for the TME tutor to deliver or teach the course content. Where this is the case, the student may be permitted an excusal of course content due to medical reasons for one (1) quarter of the school year only, with Student's final grade being calculated by averaging his/her quarter grades for the other three (3) quarters. Otherwise, Student will be required to reschedule the course(s) during the next available semester.
9. Each hour of tutoring provided during a TME is expected to be supported by one (1) to three (3) hours of independent study, depending on the grade level and as permitted by the student's medical condition.
10. Tutoring is provided in accordance with the school calendar and will not be provided on snow days or weekends.
11. The parent/guardian is required to provide the TME tutor with an educational learning environment conducive to conducting the assigned course work. The school may terminate tutoring where appropriate workspace and/or an appropriate work environment is not provided.
12. A parent/guardian or other responsible caretaker must be present in the place of student's confinement during TME tutoring.
13. It is expected that family members will not interfere with tutoring sessions.
14. It is expected that student will be prepared for sessions.
15. Eating during a session is not permitted unless necessary for medical reasons.
16. If an environment conducive to learning is not provided, a TME tutoring may be terminated. The student will be excused without instruction or course credit until the student's condition allows him/her to return to school.

The Superintendent & CEO or designee reserves the right to discontinue tutoring at any time and for any reason, including when:

1. The teacher's presence in the place of a student's confinement presents a hazard to the health and/or safety of the teacher.
2. A parent/guardian or other responsible caretaker is not present in the place of student's confinement with the student during the hours of instruction.
3. Parent/guardian and/or student routinely cancels tutoring sessions.
4. The medical condition of the student is such as to preclude any benefit from such instruction.
5. Student is routinely unprepared for tutoring.
6. The environment is not conducive to learning (loud noise or other distractions; family members interfering with work; no suitable place to work; unsanitary conditions; etc.)

In the event that tutoring is terminated or refused by the school, work may be picked up in the main office upon providing at least two (2) days' notice to the school so that assignments may be gathered from the teachers.

Participation in Co-Curricular and Extracurricular Activities

Per school policy, students who are absent from school are not permitted to participate in any events, clubs, athletics, field trips, and/or other extracurricular activities. Students on a TME are not eligible to participate in any clubs, athletics, field trips, and other extra-curricular activities. A student must be participating in the regular school day program at least part-time to become eligible to participate, and the physician that is recommending a TME on a part-time basis must submit, in writing, that the student is able to participate in these co-curricular activities without a risk to the student's health and/or safety nor that of other students. An exception to this may be made where a student's Section 504 Team deems such participation appropriate and where the school has received written verification by the student's physician, psychologist and/or psychiatrist and/or the school's physician, psychologist and/or psychiatrist that the student's condition would enable him/her to participate safely.

Disability Accommodations

TMEs are designed for students with temporary medical conditions and are not intended to be and may not be substituted for appropriate in-school accommodations for students with disabilities who are able to attend some part of the school day. Students with disabilities may be entitled to accommodations during the school day under Section 504 and the ADA. Parents seeking accommodations for their students should contact Director of School Counseling.

Temporary Medical Excusal is NOT a Special Education Placement

In some cases, a student may receive special education in the home through his/her IEP. This is called "Instruction in the Home" and it is not the same as TME. "Instruction in the Home" is a

placement within the special education continuum that may be chosen by an IEP team when an eligible student cannot properly receive a Free Appropriate Public Education (FAPE) in any other setting. A special education placement in the home or “instruction in the home” can be obtained only by going through the normal IEP process. Any placement determination, including a placement of “Instruction in the Home” must be determined to be appropriate by the IEP Team, and an IEP must be implemented that is specifically designed for such a placement. The nature of “Instruction in the Home” as well as the process for obtaining such instruction is distinctly different from a TME. Any parent/guardian who has additional questions about “Instruction in the Home” or needs further clarification of the differences between the two and which is appropriate for a particular student should contact the Principal or her/his designee.

If a parent/guardian believes his/her student may be eligible for special education services, the parent has the right to request that the student be evaluated for special education services. Requests for evaluation should be made to Director of Special Education.

Legal

24 P.S. 1329

22 PA Code 11.25

Pol. 204

22 PA Code 11.34