

No. 117

SECTION: PROGRAMS

TITLE: TEMPORARY MEDICAL EXCUSAL

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No. 117 TEMPORARY MEDICAL EXCUSAL

Authority

Charter Arts, pursuant to the Pennsylvania School Code and State Board of Education regulations, will review and consider approval of temporary requests for excusals from the compulsory attendance requirements of the Commonwealth of Pennsylvania for students confined in the home or hospital for physical disability, acute illness, injury, urgent reasons or when such confinement is recommended for psychological or psychiatric acute reasons after ten (10) day consecutive absence as a result of said diagnosis upon receipt of satisfactory evidence. Charter Arts shall consider recommendations made by a student's physician, but such recommendations shall not automatically result in approval of TME. The period of Temporary Medical Excusal for an individual shall not exceed three (3) months.

The board reserves the right to withhold individual instruction when the instructor's presence in the place of a student's confinement presents a hazard to the health of the instructor; a parent/guardian or other adults in authority is not home with the student during the hours of instructional or the condition of the student is such as to preclude any benefit from such instruction; or the parent/guardian cancels instruction.

The Executive Director & CEO or designee reserves the right to obtain consent to share from the parent/guardian with the prescribing physician to exchange educationally relevant information before approving, extending, and during the TME.

The Executive Director & CEO or designee reserves the right to deny a TME or TME extension request after review with the educational team and prescribing physician, and may contact the district's school physician for consultation as needed. The Executive Director & CEO or designee reserves the right to speak with the prescribing physician at any time during the TME request.

Delegation of Responsibility

Application for Temporary Medical Excusal shall certify the nature of the illness, injury, or disability, state the probable duration of the confinement, if partial or full days are requested, provide reasoning for the need of the TME, provide a treatment plan with appointments that will occur during the TME to return the student to school as soon as possible and be recommended by the Principal(s).

In rare instances, the Principal(s) or designee may request approval from the Department of Education to extend the period of a temporary medical excuse for an individual, which shall be reevaluated every three (3) months, at a minimum, and as deemed necessary.

Guidelines

Eligibility

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

1. 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 (tutoring is not provided over holidays/vacations or after the last day of school).
 - b. It is a condition that will prevent the student from attending any part of the school day for a specific period of time. 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 Form, fully completed, including the statement verifying the need for a TME 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 form must include the following:
 - a. Describing the mental or physical condition using professionally recognized diagnostic criteria.
 - b. Explains specifically how the mental or physical condition of the student prevents school attendance.
 - c. Contains a clear recommendation that the student not attend school for a specific period of time.

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

1. Charter Arts 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 Charter Arts determines that additional information is required to make a decision with regard to whether to grant a TME, the school may contact the recommending physician, psychologist, and/or psychiatrist.
3. Charter Arts 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.

If the chosen Charter Arts 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 Superintendent 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 Charter Arts at any time. Where possible, Charter Arts will provide the parent/guardian with at least 48-hour notice of such TME termination.

Behavioral/Mental Health TME

Initial requests may be made by a licensed health care provider. Extensions must be completed by a psychologist/psychiatrist.

Approval & Renewal Period

A TME approved by Charter Arts shall be effective for a specified time period, not to exceed a maximum of ninety (90) calendar days. Upon expiration of the ninety (90) calendar 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 on page 2.

Attempts to transition the student back to school may be considered at any time during the request for a TME or TME extension. Requests for extension must be received two (2) weeks prior to the original TME termination date.

Participation in Cocurricular and Extracurricular Activities

Students on a TME are not eligible to participate in any clubs, field trips, and other extracurricular 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 the TME on a part-time basis must submit in writing that the student is able to participate in these co-curricular activities without risk to the student's health and/or safety nor that of the Charter Arts' school body.

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 Principal(s) on the 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 canceled 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 the provision of assignments and materials from the student's current courses, as provided by the student's teachers. Such teachers have the 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 Executive Director & 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, the 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 an 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 the student's confinement during TME tutoring.
13. It is expected that family members will not interfere with tutoring sessions.
14. It is expected that the 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 Principal 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 the 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. The 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.

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 the Principal(s) or Director of Specialized Services.

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 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 the Principal or Executive Director & CEO.

Legal

24 P.S. 1329

22 PA Code 11.25

Pol. 204

22 PA Code 11.34