

2481 HOME OR OUT-OF-SCHOOL INSTRUCTION FOR GENERAL EDUCATION PUPILS

~~The district will provide general education pupils with an appropriate program of home or other out-of-school instruction when:~~

- ~~A. Placement in an alternative education program is not immediately available for violations of N.J.A.C. 6A:16-5.5 (firearm offenses) and 6A:16-5.6 (assault with weapons offenses);~~
- ~~B. Home or other out-of-school placement has been ordered by the courts; or~~
- ~~C. There is an exclusion from school for non-medical health or rehabilitation related purposes.~~

~~The district is responsible for the costs of providing the home or out-of-school instruction if the pupil resides in the district. Instructional services to the pupil will be initiated no later than five working days after the pupil has left the general education program.~~

~~The Superintendent or designee will assure a multidisciplinary approach to planning the delivery of the following services, and ensure that professionals with appropriate instructional and educational services certificates are consulted. The functions of the multidisciplinary team shall be to assess and evaluate pupil needs and establish an appropriate program of home or other out-of-school instruction.~~

~~The multidisciplinary team will develop an Individualized Program Plan (IPP) that addresses the pupil's individual educational and behavioral needs and places the pupil in an appropriate educational program, including transition back to the general education setting. The multidisciplinary team will conduct periodic assessment of the placement, instructional services and pupil progress and make appropriate revisions to the Individualized Program Plan (IPP) every sixty days to determine progress and facilitate a transition to another appropriate educational program, if appropriate.~~

~~A record of the pupil's home or other out-of-school instruction will be maintained by the building Principal or designee. The teacher(s) providing the instruction will be appropriately certified for the subject or level in which the instruction is given. Instruction will be provided for no fewer than ten hours per week and may be provided by direct communication to a classroom program by distance learning devices.~~

~~Pupils will receive a program that meets the Core Curriculum Content Standards in accordance with N.J.A.C. 6A:8 and that meets the requirements for promotion and graduation. The instructional program shall be in accordance with the pupil's Individual Program Plan (IPP).~~

~~If instruction is delivered in the pupil's home, a parent or other adult 21 years of age or older who has been designated by the parent shall be present during all periods of home instruction. If instruction is provided in the home, refusal or failure by a parent to comply with the provisions of this policy and N.J.A.C. 6A:16-9 shall be deemed a violation of compulsory education laws, pursuant to N.J.S.A. 18A:38-1 and N.J.S.A. 18A:38-25, and child neglect laws, pursuant to N.J.S.A. 9:6-1 et seq.~~

~~The district will provide the pupil with the home or out-of-school placement until the pupil is placed in another appropriate educational program. Nothing in this Policy shall supersede N.J.A.C. 6:9, under the State Facilities Education Act.~~

The Board of Education will provide instructional services to an enrolled general education pupil at the pupil's home or other suitable out-of-school setting pursuant to N.J.A.C. 6A:16-10.2.

A. Conditions for Providing Instructional Services – N.J.A.C. 6A:16-10.2(a)

1. The pupil is mandated by State law and rule for placement in an alternative education program for violations of N.J.A.C. 6A:16-5.5 and 5.6 but placement is not immediately available;
2. The pupil is placed on short-term or long-term suspension from participation in the general education program pursuant to N.J.A.C. 6A:16-7.2 and 7.3; or
3. A court order requires the pupil receive instructional services in the home or other out-of-school setting.

B. Providing Services

1. The school district shall provide services no later than five school days after the pupil has left the general education program.
2. The school district in which the pupil resides shall be responsible for the costs of providing instruction in the home or out-of-school setting either directly or through contract with another Board of Education, Educational Services Commission, Jointure Commission or approved clinic or agency.

C. Standards For Home or Out-Of-School Instruction

1. The principal shall coordinate the development of an Individualized Program Plan (IPP) for delivery of instruction and maintain a record of delivery of instructional services and pupil progress.
  - a. For a pupil expected to be on home instruction for thirty calendar days or more, the IPP shall be developed within thirty calendar days after placement;
    - (1) For a pupil on short-term suspension from the general education program pursuant to N.J.A.C. 6A:16-7.2, development of an IPP is not required.
    - (2) For a pupil on long-term suspension from the general education program pursuant to N.J.A.C. 6A:16-7.3, the IPP shall be developed within thirty days following a determination by the school district.
  - b. The IPP shall be based upon consultation with the pupil's parent(s) or legal guardian(s) and a multi-disciplinary team of professionals with appropriate instructional and educational services credentials to assess the educational, behavioral, emotional, social, and health needs of the pupil and recommend a program to address both educational and behavioral goals;
  - c. The IPP shall incorporate any prior findings and actions recommended through the school building system of Intervention and Referral Services, pursuant to N.J.A.C. 6A:16-8, Intervention and Referral Services;
  - d. The IPP shall recommend placement in an appropriate educational program, including supports for transition back to the general education setting; and
  - e. The principal shall review the pupil's progress, consult with the pupil's parent(s) or legal guardian(s), and coordinate the revision of the IPP no less than every sixty calendar days.
2. The teacher providing instruction shall be appropriately certified for the subject and grade level of the pupil pursuant to N.J.A.C. 6A:9, Professional Licensure and Standards.
3. The teacher shall provide one-on-one instruction for no fewer than ten hours per week on three separate days of the week and no fewer than ten hours per week of additional guided learning experiences that may include the use of technology to provide audio and visual connections to the pupil's classroom.
  - a. If home instruction is provided to pupils in a small group rather than through one-on-one instruction, direct instruction, that may include guided learning experiences, shall be provided for no fewer than twenty hours per week provided on no fewer than three separate days during the week and the pupil to teacher ratio shall not exceed 10:1.
4. The instruction shall meet the Core Curriculum Content Standards in accordance with N.J.A.C. 6A:8 and the district's requirements for promotion and graduation.

5. If instruction is delivered in the pupil's home, a parent(s) or legal guardian(s) or other adult twenty-one years of age or older who has been designated by the parent(s) or legal guardian(s) shall be present during all periods of home instruction.
6. Refusal or failure by a parent(s) or legal guardian(s) to participate in the development and revision of the pupil's IPP as required or to be present in the home as required in 5. above may be deemed a violation of compulsory education laws, pursuant to N.J.S.A. 18A:38-25 through 31, and child neglect laws, pursuant to N.J.S.A. 9:6-1 et seq.

D. Record Keeping

1. The principal shall maintain a summary record concerning pupils receiving home or out-of-school instruction because they could not be placed in the setting recommended as most appropriate in the pupils' IPPs.
  - a. The summary record shall provide information concerning the number of pupils categorized by age, grade and gender, the number of weeks on home instruction before placement in the recommended setting, and the reasons for delay.
  - b. The Superintendent shall provide the summary report annually to the County Superintendent of Schools.

N.J.S.A. 18A:38-1 through 18A:38-25

N.J.A.C. 6A:16-10.2

~~N.J.S.A. 18A:38-1 through 18A:38-25~~

~~N.J.A.C. 6A:16-9 et seq.~~

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