

Adopted:
Revised:

Policy 707A
Orig: 2023

707A TRANSPORTATION OF STUDENTS PLACED IN IN-DAY TREATMENT PROGRAMS

1.0 PURPOSE

Consistent with the authority granted by Minnesota law, the purpose of this policy is to impose reasonable restrictions on the transportation of students who are temporarily placed for care and treatment in a day program and who continue to live within the boundaries of Independent School District No. 2143 (“District”) during the care and treatment. In adopting this policy, the School Board has given consideration to various social, political, economic, and educational factors.

2.0 APPLICATION

This policy applies to regular education and special education students who: (1) are legal residents of the District; (2) are temporarily placed for care and treatment in a day program by a person or entity other than the District, a Minnesota court, or a Minnesota governmental agency; and (3) continue to live in the District during the care and treatment.

3.0 DEFINITIONS

For purposes of this policy, the following definitions apply:

3.1 Care and Treatment: Students who are placed in any of the following facilities are considered to be placed for “care and treatment”: (1) chemical dependency and other substance abuse treatment centers; (2) shelter care facilities; (3) hospitals; (4) day treatment centers; (5) correctional facilities; (6) residential treatment centers; and (7) mental health program facilities. Such facilities must be licensed by the Minnesota Department of Human Services or the Minnesota Department of Corrections.

3.2 Sufficient to Meet the Needs of the Student: The phrase “sufficient to meet the needs of the student” means that the care and treatment facility provides treatment or services that are consistent with the established professional standard of care applicable to the individual needs of the student. In the event a student, parent, or legal guardian contends that a facility is not sufficient to meet the needs of the student, the student, parent, or legal guardian must provide a signed statement from a qualified physician explaining why the facility is not sufficient to meet the needs of the student.

3.3 Temporarily Placed for Care and Treatment: A student is “temporarily” placed for care and treatment if the placement is for less than sixty-five (65) consecutive school days or three (3) months, whichever is longer, in either a school year or a calendar year.

4.0 REASONABLE TRANSPORTATION RESTRICTIONS

4.1 Closer Facility: The District may refuse to transport a student to a care and treatment facility if another care and treatment facility is at least ten miles closer to the student's home and is sufficient to meet the needs of the student. The following exception applies: The District will provide transportation to the next closest facility that is covered by the student's insurer and has an opening if: (1) the student's parent or legal guardian submits written documentation to the District office showing that the insurer has formally denied coverage for a requested placement at the closest facility; or (2) the student's parent or legal guardian submits written documentation to the District office showing that the closest facility has denied a requested placement.

4.2 Forty Mile Radius: The District may refuse to transport a student to or from a care and treatment facility that is located more than forty (40) miles outside the District's geographic boundaries.

4.3 Regular Operating Hours: The District may refuse to transport a student to or from a care and treatment facility outside the District's regular operating hours. The District is not responsible for transportation when its schools are not in session, although transportation may be provided for special education students who receive extended school year services.

4.4 Temporary Placement: The District may refuse to transport a student to or from a care and treatment facility for more than sixty-four (64) school days or three consecutive months, whichever is longer, in either a school year or a calendar year.

Statutory References:

Minn. Stat. § 125A.15

Minn. Stat. § 125A.51

Other References:

MDE Q&A: Care & Treatment Placements and Transportation