

# **POLICY**

## **Board of Education**

### **Bernards Township**

**File Code: M 2481**

### **HOME OR OUT-OF-SCHOOL INSTRUCTION FOR GENERAL EDUCATION PUPILS**

The district will provide instructional services to enrolled general education pupils at the pupil's home or other suitable out-of-school setting under the following conditions:

- A. 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 (firearm offenses) and 6A:16-5.6 (assault with weapons offenses), but placement is not immediately available;
- B. 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
- C. A court order requires the pupil receive instructional services in the home or other out-of-school setting.

The district in which the pupil resides is 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. The district shall provide services no later than five school days after the pupil has left the general education program.

The services to be provided shall meet the minimum standards as required in N.J.A.C. 6A:16-10.2(d). The district will develop an Individualized Program Plan (IPP) for the delivery of instructional services and pupil progress in accordance with requirements of N.J.A.C. 6A:16-10.2(d)1. For a student expected to be on home instruction for 30 calendar days or more, the IPP shall be developed within 30 calendar days after placement. 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. The IPP shall incorporate any prior findings and actions recommended through the school building's system of Intervention and Referral Services pursuant to N.J.A.C. 6A:16-8 and recommend placement in an appropriate educational program. The school district shall review the pupil's progress, consult with the pupil's parent(s) or legal guardian(s), and revise the IPP no less than every sixty calendar days.

The teacher(s) providing the instruction will be appropriately certified for the subject and grade level of the pupil. One-on-one instruction will be provided 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. 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

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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.

Pupils will receive instruction that meets the Core Curriculum Content Standards in accordance with N.J.A.C. 6A:8 and that meets the school district's requirements for promotion and graduation.

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. Refusal or failure by a parent(s) or legal guardian(s) to participate in the development and revision of the pupil's IPP or to be present in the home as required 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. resulting in a referral to the Division of Youth and Family Services (DYFS).

The administrator responsible for maintaining home instruction records shall maintain a summary record, pursuant to N.J.A.C. 6A:16-10.2(g)1, 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. The Superintendent shall provide the summary report annually to the County Superintendent pursuant to N.J.A.C. 6A:16-10.2(g).

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

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

**ADOPTED:** January 23, 2012