

Adopted: August 22, 2016
Revised: July 19, 2021

707.1 TRANSPORTATION OF STUDENTS PLACED IN DAY TREATMENT PROGRAMS

I. 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 in the district during the care and treatment. In adopting this policy, the school board has given consideration to social, political, economic, and educational factors.

II. GENERAL STATEMENT OF POLICY

This policy applies to regular education and special education students who: (1) are legal residents of Independent School District No. 879; (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.

III. DEFINITIONS

For purposes of this policy, 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.

For purposes of this policy, the phrase “sufficient to meet the needs of the student” means that the 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.

IV. TRANSPORTATION RESTRICTIONS

Independent School District No. 879 may refuse to provide transportation to or from a care and treatment facility if another care and treatment facility is at least 10 miles closer to the student’s home and is sufficient to meet the needs of the student. The following exception

applies: If the closest care and treatment facility is not covered by the parent's or legal guardian's insurer (if any) or does not have any openings, and the student or 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 that the facility has denied a requested placement because it has no openings, the district will provide transportation to the next closest facility that is covered by the student's insurer and has an opening.

Legal References: Minn. Stat. § 125A.15
Minn. Stat. § 125A.51

Cross References: