



541 TELE-RELATED SERVICES POLICY

I. PURPOSE

Tele-related services are provided to students for the purpose of consultation, evaluation, and service delivery in the areas of Occupational Therapy, Physical Therapy, Mental Health, School Psychology, Speech/Language Pathology, and Social Work.

II. GENERAL STATEMENT OF POLICY

This policy provides a comprehensive protocol for the use of web-based tele-related services to students enrolled in Columbia Heights Public Schools.

III. DEFINITIONS

- A. “Tele-related service” means the use of technology for the delivery of related services at a distance by linking a professional to a student for assessment, intervention, provision of special education-related services and/or consultation.
- B. “Provider” means a Columbia Heights Public Schools District employee or contracted service provider.

IV. ASSURANCES

- A. Student Safety:

The parent, guardian or adult student has been informed that the student should have access to an adult to assure safety before, during and after a tele-related session.

- B. Discontinuation of tele-related services:

Students who have been determined appropriate candidates for tele-related services will follow the same Minnesota State criteria for entrance and exit from services as students receiving face to face services.

- C. Privacy and Security: The provider must ensure student data remains private data when tele-related services are utilized. This includes demonstrating knowledge of:

1. Health Insurance Portability and Accountability Act (HIPAA) as it applies to tele-related services;
2. Health Information Technology for Economic and Clinical Health Act of 2009 as it may apply to tele-related services;
3. Family Education Rights and Privacy Act (FERPA) of 1974 ;
4. State and federal regulations pertaining to electronic storage of data including the Minnesota Government Data Practices Act;
5. Type of technology utilized;
6. Knowledge of the tele-related software and hardware applications.

D. Required Documentation

1. Type of service provided.
 - a. This information is documented in the Individualized Education Program (IEP) or the Contingency Learning Plan (CLP), and on the Medical Assistance (MA) billing activity logs.
 2. Time service begins and time service ends.
 - a. This information is documented on the MA activity logs.
 3. Description of provider's basis for determining tele-related service is appropriate.
 - a. Related services are based on the unique needs of each individual student, and tele-related service may not be appropriate in all circumstances or for all students. Candidacy for receiving services via tele-related services will be assessed prior to initiating services. The student's education, culture, age, and abilities/ disabilities will be considered when determining if tele-related services may benefit the student.
 - b. Code of Ethics: Providers who hold the appropriate licensure or equivalent shall evaluate the effectiveness of services provided, technology employed and products dispensed, and they shall provide services or dispense products only when benefit can be expected.

Providers shall make use of technology and instrumentation consistent with accepted professional guidelines in their areas of practice. If proper technology is not available, an appropriate referral may be made.

4. Mode of transmission
 - a. The Columbia Heights Public School District determines the appropriate web-based platform utilized to transmit tele-related services that meet state and federal regulations.

Providers shall ensure that all technology and instrumentation used to provide services or to conduct research and scholarly activities are in proper working order and properly calibrated.

5. Location of originating and distant site

a. The originating site is the location of the student at the time the provider is providing the service via a tele-related session. Documentation of the site occurs on the MA activity log. The distant site is the location where the licensed provider is located while providing the tele-related service. Documentation of location occurs on the MA activity log.

V. APPLICABILITY

This policy applies to all providers utilizing a web-based platform to deliver tele-related services.

VI. ROLES AND RESPONSIBILITIES

Providers who deliver tele-related services must possess specialized knowledge and skills in selecting assessments and interventions that are appropriate to the technology and take into consideration the student and disorder variables.

Assessment and therapy procedures and materials may need to be modified or adapted to accommodate the lack of physical contact with the student. These modifications are reflected in the interpretation and documentation of the service.

Columbia Heights Public Schools is responsible for defining tele-related services in a school that will:

- A. Ensure the tele-related provider meets all state requirements to practice in the district.
- B. Ensure the tele-related providers have knowledge, skills and training in the use of tele-related services.

Legal References: MINN. STAT. §62A.671 (Definitions)
MINN. STAT. § 124D.03 (Enrollment Options Program)
MINN. STAT. § 125A.02 (Definition of Child with a Disability)
MINN. STAT. §§ 125A.027, 125A.03, 125A.08, 125A.15, and 125A.29 (District Obligations)
MINN STAT. 256B.0625, Subds. 3b and 26 (Telemedicine and Special Education Services)
MINN. STAT. Ch. 13 (Minnesota Government Data Practices Act)
MINN. Rules Parts. 1205.0100-1205.2000 (Data Practices)
20 U.S.C. 1400 *et seq.* (Individuals with Disabilities Education Improvement Act of 2004)
34 C.F.R. Part 300 (IDEA Regulations)
Pub. L. 110-325, 122 Stat. 3553 (ADA Amendments Act of 2008, § 7)
29 U.S.C. § 794 (Rehabilitation Act of 1973, § 504)
34 C.F.R. Part 104 (Section 504 Implementing Regulations)

20 U.S.C. § 1232g *et. seq.* (Family Educational Rights and Privacy Act)
34 C.F.R. §§ 99.1-99.67 (Family Educational Rights and Privacy)
42 U.S.C. § 1320d (Health Insurance Portability and Accountability Act of 1996)
See also Health Information Technology for Economic and Clinical Health Act of 2009

Cross References: CHPS Policy 402 (Disability Nondiscrimination)
CHPS Policy 508 (Extended School Year for Certain Students with Individual Education Plans)
CHPS Policy 509 (Enrollment of Nonresident Students)
CHPS Policy 515 (Protection and Privacy of Pupil Records)
CHPS Policy 521 (Student Disability Nondiscrimination)