

REGULATION MONTGOMERY COUNTY PUBLIC SCHOOLS

Related Entries: ACG-RB, IKC-RA, IOE-RA, IOI-RA, JHC, JHC-RA
Responsible Office: Chief Academic Officer

Interim Instructional Services

I. PURPOSE

To set forth procedures governing Interim Instructional Services (IIS) in Montgomery County Public Schools (MCPS) to meet the instructional needs of students who are unable to participate in their MCPS school of enrollment due to a qualified physical or mental health condition for reasons set forth in Maryland law.

II. DEFINITIONS

- A. *Adult* (for IIS purposes) is anyone 21 years of age or older who is able to take responsibility for the student during an instructional session.
- B. *Authorized health provider*, for the purposes of this regulation, means –
1. a licensed physician or certified nurse practitioner, in the case of a student with a qualified physical health condition, or
 2. a licensed psychologist, licensed psychiatrist, or certified school psychologist, in the case of a student with a qualified mental health condition.
- C. *IIS case manager* is the MCPS IIS administrator/designee who coordinates services for students receiving IIS. This person implements and monitors instructional services for each student, in coordination with the counselor at the student's school, and is the primary contact for students, parents/guardians, and schools.

III. PROCEDURES

- A. Requirements for Eligibility and Enrollment
1. IIS may be provided to a student enrolled in Grades K through 12 who is unable to participate in the program at their school of enrollment due to a

qualified physical or mental health condition and who also meets eligibility criteria described below.

2. IIS is available to all MCPS students who are enrolled in Grades K through 12, or placed by MCPS in a nonpublic school.
3. To apply for IIS, the student's parent/guardian submits a statement from an authorized health provider as follows:
 - a) The parent/guardian and the authorized health provider complete MCPS Form 311-15B, *Application for Interim Instructional Services, with Qualified Physical Health Condition ONLY*, or MCPS Form 311-15C, *Application for Interim Instructional Services, with Qualified Mental Health Condition ONLY*.
 - b) The authorized health provider should anticipate at least a four-week absence from school from the time of referral in order for a student to be eligible for IIS. Following childbirth, a student may receive IIS for up to six weeks unless extenuating circumstances warrant further services (see MCPS Regulation IOE-RA, *Guidelines for the Continuing Education of Pregnant and Parenting Students*).
 - c) For absences of shorter duration, the school of enrollment should work with the parents/guardians to provide missed academic work.
4. In cases of emergency, the associate superintendent for the Office of Curriculum and Instructional Programs (OCIP)/designee may authorize services for students through IIS.
5. A completed MCPS Form 311-15B or MCPS Form 311-15C must be received by the IIS administrator/designee before IIS can begin.
6. In signing MCPS Form 311-15B or MCPS Form 311-15C, the student's parent/guardian authorizes a MCPS certified school psychologist and/or IIS case manager to consult with the authorized health provider treating the student.

B. Delivery of Services

1. The length of instruction is determined based on an evaluation of the student's needs, provided that students in a full-day program are provided a minimum of six hours of instruction per week, and students in a half-day program are provided a minimum of three hours of instruction per week.

2. Students receiving IIS are subject to the attendance guidelines for an approved lawful absence set forth in the *MCPS Student's Guide to Rights and Responsibilities*
 - a) Parents/guardians are to notify the IIS teacher in advance, per IIS guidelines, if a student is not available for a scheduled instructional service.
 - b) The IIS teacher may reschedule and make up time for a student's lawful absences. If the time is made up, the absence will not be reported on the student grade report form.
 - c) Time is not to be made up for unlawful absences.
 - d) Absences on the part of the IIS teacher must be made up.
 - e) Continued unlawful absences may result in suspension of instructional services.
3. Concurrent delivery of instructional services may be provided for a student whose qualified physical or mental health condition requires the student to be absent from the school of enrollment on an intermittent basis. These conditions include, but are not limited to, kidney failure, cancer, asthma, cystic fibrosis, sickle cell anemia, depression, and bipolar disorder.
4. The IIS administrator/designee will determine the manner in which instructional services shall be delivered.
 - a) A responsible adult must be present in the home during the IIS teaching sessions.
 - b) At the discretion of the IIS administrator/designee, arrangements may be made for teaching in a public library or other public building where other adults are within view. In this situation, an additional adult to supervise the teaching session may not be necessary.
5. Instructional services will begin as soon as possible, but not later than 10 school days following the verification of the need for services. The student's parent/guardian should make every effort to allow for instructional services to begin as soon as the IIS teacher and the instructional schedule are in place.

6. If a student has an Individualized Education Program (IEP), IEP meetings must be held to reflect the change in placement, as well as to develop a return to school transition plan.
 - a) The IEP team identifies the goals for IIS, and any accommodations and/or related services required.
 - b) The IEP team submits a copy of the IEP to IIS.
 - c) The IIS administrator/designee determines the weekly number of instructional hours. The length of instruction provided to students with disabilities is based upon individual student needs as set forth in the student's IEP, subject to the minimum requirements set forth in section III.B.1.
 - d) An IEP meeting also must be held when IIS is discontinued and the student returns to their school of enrollment.
7. For students who require hospitalization outside of Montgomery County, IIS may be provided subject to the following:
 - a) An application is submitted to and approved by the MCPS IIS administrator/designee prior to services.
 - b) The student meets the criteria for IIS.
 - c) A qualified teacher is available, as determined by the MCPS IIS administrator/designee. Under certain circumstances and with approval from the MCPS IIS administrator/designee, instructional services may be provided by another local education agency.

C. Continuation of Service Need

1. Continuation of service need is subject to review and requires reverification of the qualified physical or mental health condition of the student.
2. Service need shall be reverified as follows:
 - a) 60 calendar days after the initial determination of eligibility and every 60 days thereafter; or
 - b) Sooner at the request of the parent/guardian or MCPS.

3. Service need shall be reverified annually for students who receive concurrent delivery of instructional services.
4. For a student with an IEP who is determined to be in need of IIS due to a qualified mental health condition, instructional services provided by IIS may not exceed 60 consecutive school days.
5. IIS may not be used as a temporary placement for a student with a disability waiting for –
 - a) placement in a nonpublic special school, or
 - b) a change of placement.

D. Responsibilities of the Student's School of Enrollment

1. Students receiving IIS services remain enrolled in their school. They are marked absent from their school with the reason of IIS, unless IIS notifies the school that the student is not meeting with the IIS teacher. The attendance designation converts to present for reporting purposes to indicate that the student is receiving educational services from MCPS, but is not present at school. For students who are concurrently enrolled, both the school and IIS maintain attendance. IIS instruction will operate consistent with the MCPS calendar.
2. The student's school of enrollment remains responsible for scheduling and conducting all IEP meetings for a student receiving IIS.
3. The school counselor receives the application (MCPS Form 311-15B or MCPS Form 311-15C) from the parent/guardian. This person also will be the point of contact for the IIS case manager for any school information and issues.
4. The school of enrollment must provide books and necessary instructional materials for the student receiving IIS as well as other appropriate services such as college counseling or course guidance, when necessary.
5. IIS provides grades for assignments and assessments during the period in which the student is enrolled in IIS. IIS teachers will follow Board of Education grading and reporting policies, and MCPS regulations, and guidelines. The school of enrollment averages the student's grades with their IIS grades, when applicable, to determine the student's report card

grades. The student's school of enrollment makes the final determination regarding report card grades.

6. Course credit for work completed in the IIS program is granted by the administrator/designee at the school of enrollment.
7. After 30 days of beginning IIS, the student's counselor and/or school team must develop a return to school plan.

E. IIS Teachers

1. The IIS teachers' contract is included in the negotiated Agreement between the Montgomery County Education Association and the Montgomery County Board of Education.
2. Every two weeks during the school year, the Office of Human Resources and Development sends an updated list of qualified IIS teachers to the IIS administrator/designee. IIS teacher candidates are interviewed by the IIS administrator/designee and participate in an IIS orientation prior to employment.
3. IIS teachers are not to transport IIS students at any time.
4. IIS teachers are subject to the following reporting requirements:
 - a) IIS teachers must report suspected or observed child abuse or neglect to Child Protective Services, as indicated in MCPS Regulation JHC-RA, *Reporting and Investigating Child Abuse and Neglect*.
 - b) Any suspected or observed substance abuse is to be reported as appropriate to the parent/guardian and/or the IIS administrator/designee.
 - c) Any suggestion of suicidal ideation must be addressed immediately, following the steps of MCPS Form 335-54, *Suicide Risk Reporting Form*. In a medical emergency, 911 is to be contacted, followed by contact with the student's parent/guardian and the IIS administrator/designee. In a nonmedical emergency, the IIS teacher follows the steps listed on MCPS Form 335-54.
5. MCPS Form 311-13, *Teacher's Biweekly Report of Interim Instructional Services*, must be signed after each instructional session by an adult or the

student (if meeting in a public location) to verify the duration of teaching time at the time services are rendered.

6. IIS teachers are responsible for maintaining the confidentiality of student information. Sharing student information with parents/guardians or MCPS staff working with the student is appropriate.

F. Appeals

Disagreements that arise in the implementation of IIS that cannot be resolved by the IIS administrator/designee will be referred to the Associate Superintendent for OCIP/designee for resolution.

Related Sources: *Code of Maryland Regulations*, §13A.03.05.01-.05; and §13A.05.01.10.C(5)

Regulation History: New Regulation, May 10, 1990; revised July 1, 1995; revised September 21, 2006; revised November 6, 2009; revised July 18, 2011; revised June 28, 2016; non-substantive revisions December 13, 2016; revised June 13, 2018.