

Procedure 17

Reporting Shared-Time Students

Data Elements: State Aid Category (SAC)
Status End

Overview

Shared time is a program that allows school districts and charter schools to provide instruction to nonpublic and home school students. Minnesota residents are eligible to generate basic revenue. Minnesota Statutes, section 126C.19, refers to this as shared time aid and the participating students as shared-time students.

Shared-time students are students who attend a nonpublic, nonsectarian or home school, and for part of the school day, are enrolled in classes at the public school. Shared time does not refer to students who attend two public schools and/or districts during the day. Refer to *Procedure 5* for a discussion of how to report students who attend more than one public school at the same time. Districts should have board-approved policies that describe the criteria by which shared time instruction will be provided.

A school district does not need to provide shared-time instruction to nonpublic school students, unless they have an individualized family service plan/individualized education plan (IFSP/IEP). However, once a district has allowed students from one nonpublic school to enroll in public school classes on a shared-time basis, all nonpublic school students in the district must also be eligible to participate.

The shared time program is optional on the part of the school district, except for providing special education evaluations and special education services under an IEP. The district should provide the same level of instruction for identified English learners (EL) enrolled in the nonpublic/home school as are provided to public school students. Refer to [Special Education](#) below for more information on providing special education services to nonpublic/home school students. Statute confirms that charter schools may also provide shared time instruction.

Because the program is optional for a school district or charter school, each board should have a policy that describes the school(s), grades and/or classes that are available to nonpublic/home school students on a shared-time basis.

Most instruction needs to occur at a public school site to be eligible for shared time aid. Refer below to the section *Location of Services*. Refer to the [Eligible Instruction/Services](#) section for a description of the types of services that are eligible to generate student membership for nonpublic/home school students.

Grades Served

Shared time is a program for students who fulfill the requirements of compulsory attendance by enrollment in a nonpublic or home school. Therefore, students in grades kindergarten to high school graduation are eligible to generate shared-time aid.

Children served in public preschool programs are not eligible to generate shared-time aid. Early childhood special education (ECSE) students are considered public school students, even though they may attend a private preschool program paid for by their parents. Early childhood special education students whose IEP/IFSP places them in a private preschool program paid for by the school district are also considered public school students, because the attendance at the preschool is a requirement of the IEP/IFSP.

A nonpublic/home school student who is younger than age 5 as of September 1 needs to meet the school district's/charter school's early kindergarten entrance policy to generate shared-time aid as a kindergarten student, just as a public school kindergarten student would need to meet the policy (Minn. Stat. § 120A.20, subd. 1).

Eligible Instruction/Services

Eligible activity that generates shared-time student membership includes academic instruction, e.g., classes that are required by public school students for grade promotion and/or graduation. Eligible instruction/services includes elective courses at the middle and high school level that are needed for grade promotion and/or graduation. Eligible instruction/services includes any elementary instruction that is provided during the traditional school day, including band/orchestra, and for which parents are not charged tuition.

Eligible instruction includes credits/courses offered to middle and high school students in a State-Approved Alternative Program (SAAP), whether or not the class is offered in the traditional school day, in the optional summer term, after school program or an evening program. However, the nonpublic school student must meet the at-risk criteria and have a year-round Continual Learning Plan (CLP) that includes services that the enrolling school, i.e., the nonpublic/home school, will provide to support the student, the same as for public school students.

A nonpublic/home school student generates membership only for instruction provided at the public school site. A nonpublic/home school student is ineligible to generate membership for independent study or work-based, project-based or online learning (OLL) that occurs outside the public school classroom. Only the instructional time with the teacher at the public school site during the core school day is eligible to generate shared-time student membership.

Nonpublic/home school students are eligible to participate in the Postsecondary Enrollment Options (PSEO) program, including classes offered as concurrent enrollment to public school students and taken at the high school. However, do not report the student as a PSEO or concurrent enrollment participant on Minnesota Automated Reporting Student System (MARSS). The PSEO application process is handled between the nonpublic/home school and Minnesota Department of Education (MDE). Nonpublic/home school students are

eligible to generate shared-time aid for concurrent classes taken at the high school for high school credit, but are ineligible to generate concurrent aid. The postsecondary institution determines whether the nonpublic/home school student is eligible to generate postsecondary credit. (Minn. Stat. §§ 124D.09 and 124D.091).

The following services are ineligible to generate student membership for shared time aid:

- Targeted services offered by SAAPs to students in kindergarten through eighth grade are ineligible for shared-time, because these are non-academic by design, occur outside the required school day, and do not result in grade promotion, credit and/or graduation.
- Study hall is ineligible to generate shared-time aid because it is not academic and does not result in grade promotion, credit and/or graduation.
- OLL is ineligible to generate shared time aid because these courses are not provided at the public school site. Shared-time students enrolled in hybrid OLL classes (classes meet periodically with the teacher at the school site, but during some/many class periods, students are off-site working independently) are eligible to generate shared time membership only for the time they meet with the teacher at the public school site during the core school day.
- Extracurricular and other after- or before-school activities are not required and do not provide grade promotion, credit and/or graduation.
- Title I services are ineligible because they are funded with federal money.
- Guidance, counseling, diagnostic and health services are ineligible to generate shared-time aid. Diagnostic services are defined as “speech, hearing, vision, psychological, medical and dental diagnostic services...” Health services is defined as “physician, nursing or optometric services provided to pupils in the field of physical and mental health.” (Minn. Stat. § 126C.19, subd. 4.)
- Work-based learning, in which the student is at a job site rather than at a public school building, is ineligible to generate shared-time membership, because the instruction does not occur at the public school site.
- Project-based learning is eligible only for the time that the student meets with the teacher at a public school building during the core school day.
- Student travel time between the nonpublic school and the public school, as well as staff travel time to provide services at other than the public school site, are ineligible to generate shared-time aid.
- Homebound instruction is ineligible to generate shared-time aid. When a nonpublic/home school student is medically confined to the student’s home, the enrolling school is responsible for homebound instruction. However, if the nonpublic/home school student withdraws from the nonpublic/home school and enrolls in the public school, the public school is responsible for the homebound instruction and the student generates state aid as a public school student.

Indirect services are not considered eligible instruction for shared-time membership.

Special Education

For parentally placed nonpublic school students, the district in which the school is geographically located is responsible for the identification, evaluation and provision of special education and related services, per Code of Federal Regulations (C.F.R.), sections 300.131 and 132. In Minnesota, a student who is eligible for special instruction and services may not be denied instruction and services on a shared-time basis because of attending a nonpublic/home school (Minn. Stat. § 125A.18).

A shared-time student with an IEP must be reported on MARSS by the school district in which the nonpublic/home school is located. That school district may purchase services from another district or cooperative/joint powers/intermediate district, but the student membership must be reported on MARSS by the district in which the nonpublic/home school is located. Report the student with State Aid Category (SAC) 16 if the student is a resident of the district in which the nonpublic school is located, i.e., the district providing special education services. The SAC for a nonresident shared-time student would be either 16 or 17, depending on the arrangement with the resident district:

- SAC 16 if the resident district chooses to collect the shared-time aid; or,
- SAC 17 if the resident district has granted the providing district permission to generate the shared-time aid.

Each district in which a nonpublic school is located must include non-Minnesota resident, parentally-placed, nonpublic school children in their child find requirements (34 C.F.R. 300.131(f)). Report non-Minnesota residents enrolled in Minnesota nonpublic schools and who receive special education services from the public school district with SAC 18. These students are ineligible to generate shared-time aid; however, the staff time is eligible for special education aids.

All shared-time students with an IEP must have Special Education Service Hours reported on their MARSS enrollment record. Shared-time students with an IEP who require only indirect special education services will have no attendance and membership reported.

Location of Services

Academic instruction that occurs at the public school site is eligible to generate shared-time aid. Special education and English learner services can be provided at the public school site, a neutral site, the nonpublic school or at any mutually agreed-upon site (Minn. Stat. § 126C.19, subd. 4).

A public school district can lease instructional space at a nonpublic school and provide shared-time instruction in that space, as long as the space is used to instruct public school students at the same time. The lease needs to be the means by which the public school district fulfills its education requirements to public school students in the district. The space cannot be used solely to provide shared-time instruction.

Dates/Times of Services

Eligible shared-time students can generate student membership in an academic school program or for special education services during the regular required school year. If the nonpublic school starts prior to Labor Day, shared-time membership is not generated until after Labor Day, unless the school district has a state-approved Flexible Learning Year program that allows a pre-Labor Day start or is otherwise eligible for a pre-Labor Day start, under Minnesota Statutes, section 120A.40.

Special education services that are provided during the summer under an IEP that requires Extended School Year (ESY) are reported on MARSS with SAC 46. It is irrelevant that the student is a nonpublic/home school student

for purposes of ESY. ESY services do not generate general education revenue or shared-time aid, but are used to calculate tuition billing.

Nonresident Shared-time Students

Nonpublic/home school students are not eligible for open enrollment—open enrollment is a program for public school students only. No open enrollment form is needed. However, with the exception of special education services, a family can request shared-time instruction in other than their resident district or the district in which the nonpublic school is located and, with the resident district's approval, the students can generate shared-time aid.

The resident district is obligated to allow the serving district/charter school to generate the shared-time aid directly for a resident student (SAC 17). The resident district is not obligated to pay additional costs to the serving district/charter school except by prior agreement.

Joint powers/cooperatives/intermediate districts can provide shared-time instruction with the resident district's permission at a public school building, as long as the nonpublic/home school student does not have an IEP. *Refer to the [Special Education section](#).* However, a joint powers/cooperative/intermediate district must report the student with SAC 16 so that the resident district generates the shared-time aid. The resident district is not obligated for tuition without a prior agreement. The joint powers/cooperative/intermediate district is ineligible to generate shared-time aid.

Tuition billing applies to all shared-time students with an IEP and who are residents of Minnesota.

Nonpublic school students must be residents of Minnesota to be eligible to generate shared-time aid.

State-Approved Alternative Programs

Shared-time students who meet the at-risk criteria described in Minnesota Statutes, section 124D.68, subdivision 2, are eligible to enroll in a state-approved alternative program (SAAP) for academic/credit purposes. Both middle and high school students who are residents of Minnesota are eligible. However, nonpublic/home school students are ineligible to generate state aid for participation in a targeted services program, because these activities occur outside the school day and are nonacademic, i.e., they do not result in credit or grade promotion.

Shared-time students are eligible to generate student membership only for instruction provided at the public school site. They are ineligible to generate membership for independent study or for work-based, project-based or online learning (OLL), except for the time the shared-time teacher meets with the student at a public school site.

Nonpublic/home school students who participate in shared-time instruction at the traditional middle or high school, and who also take classes for-credit at a SAAP, must be reported with the same MARSS SAC at both schools; otherwise, a MARSS error will result. Specifically, the student cannot be reported as a public school student at one site and as a shared-time student at another site at the same time.

Student Membership/Percent Enrolled

The attendance and membership for shared-time students can be reported in terms of membership hours and Percent Enrolled equal to 999. This would be the easiest and most accurate method for students who do not receive eligible shared-time instruction on a daily basis.

The attendance and membership for shared-time students with the same daily schedule could be reported in terms of days. The Percent Enrolled equals the portion of the day that the student is receiving eligible instruction.

Example: A shared-time student who attends one 50-minute class each day for one semester, and the school day for full-time public school students, excluding meals, is 360 minutes, report Percent Enrolled 014 ($50 \text{ minutes} / 360 \text{ minutes} = 14 \text{ percent of the day}$). The student's Membership Days are the Number of Instructional Days in the semester, assuming that the shared-time student was enrolled for the entire semester. Reduce the number of Membership Days if the student was not enrolled for the entire semester—report the Number of Instructional Days between the student's enrollment (Status Start Date) and the student's withdrawal date (Status End Date).

The attendance and membership for shared-time students enrolled in a middle or high school level SAAP must be reported in terms of hours with Percent Enrolled (Minn. Stat. § 126C.19):

- 998 if the student is also taking shared-time classes at the traditional public school, or
- 999 if the student is not taking shared-time classes at a traditional public school.

State Aid Categories to Use

Shared-time students generate shared-time foundation aid for the resident district. However, the resident district may agree to allow the serving district to receive the shared-time foundation aid for nonresident students receiving shared-time instruction (Minn. Stat. § 126C.19). Shared-time students are identified on MARSS using one of SAC 16, 17 or 18.

1. SAC 16 is used for:
 - a. Resident shared-time students.
 - b. Nonresidents for whom the resident district should receive the shared-time aid. This is used when the resident district has agreed to pay tuition to the nonresident district.
2. SAC 17 is used when the resident district has agreed to allow the serving district to receive the shared-time foundation aid directly for nonresident students; students with IEPs will fall under the tuition billing process.
3. SAC 18 is used for nonresident students who:
 - a. The serving district has no agreement with the resident district; or
 - b. The parents pay the tuition for; or
 - c. Are not residents of Minnesota.

Status End Codes to Use

Shared-time students should be assigned Status End codes similar to regular public school students. However, shared-time students who leave the public school should be assigned a Status End code of 03, instead of the dropout Status End codes, whether or not they drop out of school or return full time to the nonpublic school. Shared-time students who remain enrolled through the end of the school year, **whether or not they graduate**, should be assigned a Status End code of 40. Shared-time students who graduate or drop out are not included in the district's count of graduates and/or dropouts, as they are considered nonpublic school students. These students are working toward the graduation requirements of the nonpublic school, not the public school.

Optional Data Items for Shared Time Students

Data for shared-time students are needed only to calculate ADM, and special education and EL counts, not for civil rights reporting. Therefore, the following data items are optional for shared-time students:

- Economic Indicator
- Gifted/Talented Participation
- Homebound Service Indicator
- Primary Disability and Instructional Setting are required because many shared-time students are in the program because of an IFSP/IEP. Special Education Service Hours are required for all shared-time students with an IEP.

Refer to *Procedure 3* to calculate and report Percent Enrolled, Attendance Days and Membership Days for shared-time students.

MARSS Reporting Procedure Change for Shared-Time Students

Federal special education reporting requirements specify the district that is responsible for reporting shared-time students. The district in which a nonpublic or private school is located is responsible for child find (i.e., the identification of students with disabilities), conducting evaluations and providing services for students with disabilities, per federal special education law. Federal special education law also requires Minnesota to report the number of parentally placed private school children:

1. evaluated
2. determined to be children with disabilities
3. with disabilities served

This data can be obtained from districts' MARSS file. However, it is imperative that the district in which the private or nonpublic school is located report the student on MARSS, so that MDE can associate the nonpublic school students with the district in which the private school is located. Therefore, the MARSS reporting procedure is: The district in which the nonpublic school is located must report on MARSS the nonpublic school students receiving special education evaluation and/or special education services under an IEP, even though the

district must do a purchase of service with the resident district to deliver the services. Thus, the serving district number/type on the MARSS file will be the district in which the nonpublic school is located.

Shared-time Aid

Shared-time students are reported on MARSS for the number of membership hours or portion of the day that they receive eligible shared-time instruction. The ADM for these membership hours or partial Membership Days are computed as a portion of the instructional hours available to public school students in the school and grade of enrollment. The ADM is weighted based on the pupil unit weighting factor for the student's grade level, which is multiplied by the basic formula amount, as defined in Minnesota Statutes, section 126C.10, subdivision 2.

Pupil Unit Weighting Factors

- Kindergarten students with an IEP: 1.00
- Kindergarten students without an IEP enrolled in a half-day, daily or full-day, alternate day kindergarten program: 0.55
- Kindergarten students without an IEP enrolled in a full-day, daily kindergarten program: 1.00
- Grades 1-6: 1.00
- Grades 7-12: 1.20

Shared-time aid is paid 100 percent in the fiscal year following the year in which shared-time students generated the state aid, per Minnesota Statutes, section 127A.45, subdivision 11. Estimated revenue should be set up as a receivable on June 30 of the year in which the revenue was earned, i.e., the year the students generated the shared-time ADM (Minn. Stat. § 123B.75, subd. 6).



Placed Into Nonpublic School

Students who are placed in a nonpublic school by the parents or a school district are ineligible to generate general education revenue or shared time aid. Special education services provided by the nonpublic school are ineligible for special education reimbursement even if the district is paying the student's tuition. These students would not be reported on MARSS.

If the resident or local district is providing special education services directly to students placed in a nonpublic school, the hours of direct instruction by appropriately licensed public school special education staff can generate membership hours and Special Education Service Hours. Use SAC 16 if the student is a resident of the district providing special education services. Use SAC 17 if the serving district is not the resident district but has permission of the resident district to generate the shared time aid.

Related Statutes

- Minnesota Statutes, section 124D.10, subdivision 8
- Minnesota Statutes, section 126C.01, subdivisions 6-8
- Minnesota Statutes, section 126C.19