

Regulation 6183: Home And Hospital Instruction

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A student with a temporary disability, which makes school attendance **in regular day classes or alternative education program in which the student is enrolled**, impossible or inadvisable shall ~~be entitled to~~ receive individual instruction **in the student's** home or in a hospital or other residential health facility, excluding state hospitals. (Education Code 48206.3)

Temporary disability **means applies to** a physical, mental, or emotional disability incurred while a student is enrolled in regular day classes or an alternative education program, and after which the student can reasonably be expected to return to regular day classes or the alternative education program in which the student is enrolled. Temporary disability does not include a disability that would qualify a student for special education pursuant to Education Code 56026. (Education Code 48206.3)

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians of district students regarding: (Education Code 48206.3, 48208, 48980)

1. The availability of individual instruction for any student with a temporary disability, including information regarding student eligibility for, and the duration of, individual instruction
2. The rights and responsibilities of parents/guardians of any student with a temporary disability pursuant to Education Code 48207 and 48208

Parents/guardians shall notify the principal or designee when their child is temporarily disabled and needs individual instruction at home or in a hospital or other residential health facility.

Determination of Student Eligibility

Upon receiving such notification, the Superintendent or designee shall (Education Code 48208):

Not later than five working days after receiving notification from a parent/guardian that a student has a temporary disability, the Superintendent or designee shall determine whether the student will be able to receive individual instruction at home or in a hospital or residential health facility. (Education Code 48208)

The Superintendent or designee may require verification. **In addition, this verification shall also state that the disabling condition will not expose the teacher to a contagious disease that can be transmitted through casual contact. Home and Hospital Instruction shall not be denied to students with Hepatitis B, Herpes or HIV/AIDS, as long as the home or hospital practices current preventive protocol as determined by the U.S. Centers for Disease Control.**

Provision of Individual Instruction

Individual instruction at a student's home or in a hospital or other residential health facility shall begin no later than five working days after the Superintendent or designee makes the determination that the student is eligible to receive individual instruction. (Education Code 48207.5, 48208)

The district shall be responsible for providing individual instruction to any temporarily disabled student who is in a hospital or other residential health facility located within district boundaries, whether or not the student is enrolled in the district. If the student is enrolled in another district, the Superintendent or designee may enter

into an agreement to have the student's district of residence provide the individual instruction. The Superintendent or designee may also enter into an agreement to provide individual instruction to a district student who is in a hospital or other residential health facility located within the boundaries of another district. (Education Code 48208)

Whenever the district provides individual instruction to a non-district student who is in a hospital or other residential health facility located within district boundaries, the Superintendent or designee shall, within five working days of the beginning of the individual instruction, provide written notification to the student's district of residence that, effective on the date on which individual instruction began, the district of residence may not count the student for purposes of computing that district's average daily attendance. (Education Code 48208)

A student receiving individual instruction in a hospital or residential health facility for a partial week shall be entitled to attend school or receive individual instruction at home on days in which the student is not receiving individual instruction in the hospital or other residential health facility, if the student is well enough to do so. (Education Code 48207.3)

Home or hospital instruction shall be provided only by teachers with valid California teaching credentials who consent to the assignment. (Education Code 44865)

Insofar as possible, the teacher providing home or hospital instruction shall consult with the student's current classroom teacher(s) so as to provide a continuity of instruction that enables the student to stay abreast with the regular school program. **The Home and Hospital Instruction teacher functions as a liaison between the school site teachers and student, gathers the assignments, reviews and completes the coursework with the student.**

The district's attendance supervisor should ensure that the absences of any temporarily disabled student receiving individual instruction at home or in a hospital or other residential health facility are excused until the student is able to return to the regular school program. (Education Code 48240)

The district shall offer one hour of instruction for every day of instruction offered by the district in the regular education program. No student shall be credited with more than five days of attendance per calendar week or credited with more than the total number of calendar days that regular classes are offered by the district in any fiscal year (Education Code 48200, 48206.3). Home and Hospital Instruction is provided for a minimum of three (3) weeks and a maximum of nine (9) weeks while the regular school program is in session. If warranted, a medical health professional may request an extension of services by completing a request for extension of services form and providing updated medical findings and diagnosis.

Special Education Students

School-age special education students shall receive special education and related services in the Home and Hospital Instruction Program if the student's individualized education program ("IEP") team recommends such instruction or services. To be eligible for instruction in the Home and Hospital Instruction Program, the IEP team must have a medical report from the attending physician or the report of the psychologist, as appropriate, stating the diagnosed condition and certifying that the severity of the condition prevents the pupil from attending a less restrictive placement. The report shall include a specified date for the projected return of the student to the classroom. The IEP team must make home and hospital placement determinations.

Instruction in the Home and Hospital Instruction Program shall be provided by a regular class teacher, the service specific class teacher or the learning skills teacher, if the teacher or service specific or learning skills teacher is competent to provide such instruction and services and if the provision of such instruction and

services by the teacher or service specific or learning skills teacher is feasible. If not, the service specific or learning skills teacher shall provide such instruction.

For special education students with a medical condition related to surgery, accidents, short-term illness or medical treatment for a chronic illness, the IEP team shall review, and revise, if appropriate, the IEP whenever there is a significant change in the pupil's current medical condition. (5 CCR 3051.4)

Return to School

A student receiving individual instruction who is well enough to return to school shall be allowed to return to the school that the student attended immediately before receiving individual instruction, if the return occurs during the school year in which the individual instruction was initiated. (Education Code 48207.3)