

HOME AND HOSPITAL INSTRUCTION

A student with a temporary disability which makes school attendance impossible or inadvisable shall receive individual instruction in the student's home or in a hospital or other residential health facility, excluding state hospitals. This instruction applies to students incurring a physical, mental or emotional disability after which they can reasonably be expected to return to regular day classes or an alternative education program without special intervention. It does not apply to students identified as individuals with exceptional needs pursuant to Education Code 56026.

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

The district shall offer at least 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.

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 superintendent or designee may require verification through any reasonable means that the student requires home instruction, 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 or hospital instruction shall not be denied to students with Hepatitis B, herpes or HIV/AIDS, as long as the home or hospital practices current preventative protocol as determined by the U.S. Centers for Disease Control.

NON-DISTRICT STUDENTS

A student of another district who is temporarily disabled and confined to a hospital or health facility within this district shall be eligible to receive individual instruction in this district.

In such circumstances, it is the responsibility of the parent/guardian to notify the district of the student's presence in a qualifying hospital.

Upon receiving such notification the Superintendent or designee shall:

1. Within five working days of the notification, determine whether the student is able to receive individualized instruction and, if so, when it shall begin. Instruction shall begin no later than five working days after the Superintendent or designee has determined that the student is able to receive individualized instruction.
2. Within five working days of the beginning of the individualized instruction, the Superintendent or designee shall provide written notification to the district in which the student was previously enrolled stating that the student shall not be counted by that district for purposes of computing average daily attendance, effective the date on which individualized instruction began.

Alternatively, the Superintendent or designee may enter into an agreement with the district in which the student was previously enrolled to have that district provide the individualized instruction.

PARENTAL NOTIFICATIONS

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians that:

1. Individual instruction is available for temporarily disabled students as prescribed by Education Code 48206.3.
2. If a student becomes temporarily disabled, it is the parent/ guardian's responsibility to notify the receiving district of the student's presence in a qualifying hospital.

LEGAL REFERENCES**EDUCATION CODE**

44865	Qualifications for home teachers
45031	Home teachers
48200	Minimum school day
48206.3	Pupils with temporary disabilities; individual instruction; definitions; computing average daily attendance
48206.5	Continuation of individual instruction programs for students with temp. disabilities
48207	Pupils with temporary disabilities in hospitals out- side of school district; compliance with residency requirements
48208	Presence of pupils with temporary disabilities in qualifying hospitals; notice by parents or guardians; commencement of individualized instruction
48980	Required notification of rights and availability of nutrition and individualized instruction programs
51800-51802	Employment of home teachers

CODE OF REGULATIONS, TITLE 5

- 421 Method of verification
- 423 Prolonged illness