

Instruction

HOME AND HOSPITAL INSTRUCTION

Students temporarily disabled by accident or by physical, mental or emotional illness may receive individual instruction at home or in a hospital or residential health facility within the district. Such instruction may be given from one to five (5) hours a week.

Home or hospital instruction shall be provided only when a student is expected to be out of school for two (2) weeks or longer.

Home or hospital instruction shall be provided only by teachers with valid California teaching credentials.

Insofar as possible, the home teacher shall consult with the student's current classroom teacher or teachers so as to provide a continuity of instruction that enables the student to keep up with the regular school program.

When seeking instruction for a student at home or in a hospital located within the district, the parent/guardian shall present this request at the home school, together with a physician's written description of the disabling condition. The physician shall have determined that the student is unable to attend school and will not expose the home teacher to any contagious disease that can be transmitted by casual contact.

(cf. 5112.2 – Exclusions from Attendance)
(cf. 5141.22 – Infectious Diseases)

The district shall notify parents annually that (1) individual instruction is available for temporarily disabled student and (2) when a student becomes temporarily disabled, it is the parent/guardian's responsibility to notify the district in which the student is receiving care. (Education Code 48208)

An out-of-district student temporarily disabled and confined to a hospital or health facility within this district shall receive individual instruction when the district is notified by the student's parent/guardian. Within five (5) days of notification, the district shall determine whether the student is able to receive instruction and, if so, when it shall begin. If given, instruction shall begin within five (5) days of this determination.

(cf. 6158 – Independent Study Programs)

Legal Reference:

EDUCATION CODE

44865 Qualifications for home teachers

45031 Home teachers

48206.3 Pupils with temporary disabilities; individual instruction; definitions; computing average daily attendance

48206.5 Continuation of individual instruction programs for students with temporary disabilities

HOME AND HOSPITAL INSTRUCTION (continued)

Pupils with temporary disabilities in hospitals outside 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 Employment of home teachers

51801 Home teacher's duties

51802 Home teaching or instruction

CODE OF REGULATIONS, TITLE 5

423 Prolonged illness

Instruction

HOME AND HOSPITAL INSTRUCTION

A student with a temporary disability which makes school attendance impossible or inadvisable shall be entitled to receive individual instruction at home or in a hospital or other residential health facility, excluding state hospitals. (Education Code 48206.3)

(cf. 5112.2 - Exclusions from Attendance)

Temporary disability means 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)

(cf. 5141.22 - Infectious Diseases)

(cf. 6158 - Independent Study)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

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

(cf. 5145.6 - Parental Notifications)

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

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 through any reasonable means that the student is temporarily disabled and needs individual instruction.

HOME AND HOSPITAL INSTRUCTION (continued)

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)

(cf. 5111.1 - District Residency)

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)

(cf. 4112.2 - Certification)

(cf. 4113 - Assignment)

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 district's attendance supervisor shall 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)

(cf. 5113 - Absences and Excuses)

(cf. 5113.11 - Attendance Supervision)

HOME AND HOSPITAL INSTRUCTION (continued)

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)

Legal Reference:

EDUCATION CODE

44865 Qualifications for home teachers

45031 Home teachers

48200 Minimum school day

48206.3-48208 Students with temporary disabilities; individual instruction

48240 Supervisors of attendance

48980 Parental notifications

51800-51802 Employment of home teachers

56026 Individual with exceptional needs

CODE OF REGULATIONS, TITLE 5

421 Method of verification

423 Prolonged illness

3/87 6/89) 10/98

3/10/99

11/13/2019