

8470	Home, Hospital, and Institutional Instruction
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The Board of Education of the Ballston Spa School District adopts this policy to afford home, homebound or hospital or institutional instruction to resident students who are anticipated to be unable to attend school in person for at least ten (10) days in a three-month period due to physical, mental, or emotional illness or injury. This instruction ensures that students can continue learning and working towards mastery of learning standards while unable to attend school for a significant period of time for reasons beyond their control. Home, homebound or hospital instruction shall only be provided upon a determination by the District that it is necessary to enable the student to keep up with class work during a period of illness or other medical or health related circumstances that prevent the student's regular attendance.

The Board of Education designates the director of student support services to develop procedures for handling requests for home, homebound, hospital or institutional instruction and coordination of those services once approved.

Hospital instruction will be provided when the District receives documented evidence of the student's hospitalization or admission to a similar medical-based institution for care and treatment.

REQUESTING HOME, HOSPITAL OR INSTITUTIONAL INSTRUCTION

To request home, homebound, hospital or institutional instruction, the parent, guardian, or person in parental relationship must submit a written request to the school district of residence. The request must be accompanied by written medical verification from the student's treating health care provider(s), demonstrating the student's anticipated inability to attend school. The treating health care provider(s) must be licensed and otherwise authorized to provide diagnosis and currently treating the student to be qualified to provide a written medical verification. Relevant information for medical verification may include, but is not limited to the nature and/or diagnosis of the student's condition(s), the basis for the request for home instruction, the estimated length of time the student may require homebound instruction, related information about an anticipated treatment plan to facilitate the student's return and expected duration of such plan, and provide any relevant medical alerts which may impact the student's education, participation and attendance. In addition, the parent or guardian must sign consent to permit the District medical director to consult with the treating healthcare provider(s). Refusal to provide such written consent will result in automatic denial of the request for home, hospital, or institutional instruction.

REVIEW OF REQUEST BY DISTRICT MEDICAL DIRECTOR

The District will forward the application request and medical verification letter (and any supporting documentation provided) to the District medical director, who will review and determine the student's need for home, hospital, or institutional instruction. The District medical director may contact the treating healthcare provider(s) to obtain any additional information necessary to assist in their determination of whether or not the services requested are medically indicated. Final determination of the request will be made by the District medical director.

8470	Home, Hospital, and Institutional Instruction
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The District will arrange instructional services for the student within five (5) school days after receipt of notification of the student's medical condition or within five (5) school days from the parent/guardian's request for home, hospital, or institutional instruction, whichever comes first.

NOTICE OF DETERMINATION FROM DISTRICT AND APPEAL RIGHTS

The District shall notify the parent/guardian regarding the approval or reason(s) for denial within five (5) school days after receipt of written medical verification from the student's treating healthcare provider(s). A parent or guardian may appeal the denial of the request within ten (10) school days of receipt to the Board of Education. Instructional services will continue while an appeal of denial of home, hospital or institutional instruction is pending before the Board of Education.

HOME, HOSPITAL, OR INSTITUTIONAL INSTRUCTION- APPROVED

Upon a determination that home tutoring is required, the District shall make immediate arrangements for home tutoring. Effective July 1, 2023, for elementary level students, it must include a minimum of ten (10) hours of instruction per week, and for secondary level students, a minimum of fifteen (15) hours per week, on all days when the District's schools are in regular session.

The District will create an instruction delivery plan to continue the student's academic progress and will consider input from the parent/guardian and the student, if appropriate. The instruction plan will be reviewed by the District, as needed, based upon changed condition and/or needs of the student. The District will maintain a record of delivery of instructional services, including the dates, amount and type of instruction services received, the tutor's name, subjects taught, and the location where services are provided, as well as the student's progress.

The instructional delivery plan will include (but is not limited to):

1. Number of hours per week and per day the student will receive instructional services;
2. The method by which instructional services will be delivered;
3. The location where the instructional services will be provided, such as at the home, hospital, or institution; and
4. Explain how the instructional services will enable the student to maintain academic progress.

Unless the student's condition prevents the student from receiving such instruction in a public building or another location outside the home, every effort shall be made to arrange for such instruction outside the Student's home. Instruction may be provided through a variety of means, including remote or asynchronous instruction, if appropriate.

A student may receive less than the required minimal amount of instruction per week, if requested by the parents or guardians and supported by written documentation from the student's

8470	Home, Hospital, and Institutional Instruction
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treating healthcare provider(s). The District must ensure that the student is unable to receive the additional hours of instruction and document the reason why the student is receiving less than the instruction required in the instruction delivery plan. If a student is receiving less than the minimal instruction required, the District must ensure that the student's instruction delivery plan is reviewed regularly, but not less than once a month, to determine when the student's instructional hours may be increased. Continued communication with the District medical director and the student's treating health care provider(s) will be part of the review, to ensure that the instructional hours are reduced only while necessary to accommodate the student's individual circumstances.

The failure to attend such alternative instruction, more than three (3) school days without a medical excuse, shall constitute a basis for the suspension of such services until such time as an enforceable plan to maintain regular attendance is established. If home tutoring is suspended or terminated, the student will be expected to resume regular school attendance, or the parent/guardian must provide evidence of the student's enrollment in another public or private school, or comply with homeschooling requirements of the Commissioner at 100.10, if the student has not completed the school year in which they turn 16.

Under no circumstances shall home tutoring be approved for more than 30 calendar days without administrative review. The administrative review shall require, at a minimum, a review of the student's attendance and participation in the home tutoring, review of information from the child's teachers and tutor regarding educational performance, and may include, at the request of the District medical director, a medical update from the treating health care provider(s), supporting its continuation. Any medical update will be reviewed by the District medical director.

STUDENTS WITH DISABILITIES

If not previously referred to the Committee on Special Education or §504 Team for suspected disabilities, any student who remains on homebound instruction for more than 6 months due to a medical, physical and/or psychiatric condition shall be referred to the appropriate Team to determine the need for special education, related services and/ or accommodations.

Unless a request for home instruction is directly related to a student's special education needs, in which case such request must be addressed to the Committee on Special Education, homebound instruction may be provided without a modification in the student's IEP and shall not constitute a change of placement under Part 200 of Commissioner's Regulations.

Authority:

29 U.S.C. Sec. 794 (Section 504 of the Rehabilitation act of 1973)
NY Educ. Law. §§ 1709 (24); 3202(1), (6); 3204; 3205; 3210(2)
8 N.Y.C.R.R. §§175.21, 100.22, 200.1(w)(i); 200.1(w); 200.6(i)

Adoption Date: 5/21/2025