Merchantville Board of Education 130 South Centre Street Merchantville, NJ 08109	File Code : 6173 Adopted : 09/27/1988 Revised : 09/28/1993 Revised : 04/25/2017 Reviewed : 07/15/2024

Home Instruction

To provide uninterrupted education for pupils unable to attend their regular classes because of illness, disability, court order or administrative action, the board of education shall provide away-from-school instruction, subject to the following restrictions:

A. The period of absence must be expected to be longer than ten consecutive or twenty cumulative school days, except in special circumstances;

B. A parent/guardian or appropriate adult authority must be present during the period of instruction; and

C. In cases of illness or disability, medical certification is required documenting the necessity for the pupil's absence.

Each case must be approved by board action; all requirements for receipt of state aid must be fulfilled. Home instruction shall be available to all qualifying students regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, English proficiency, housing status or socioeconomic status.

Temporary or Chronic Health Condition

The board shall provide instructional services to an enrolled student when the student is confined to the home or another out-of-school setting due to a temporary or chronic health condition or a need for treatment that precludes participation in their usual education setting, whether general education or special education.

The parent/guardian shall submit a request for home instruction in writing. The request shall include a written determination from the student's physician documenting the projected need for confinement at the student's residence or other treatment setting. The projected confinement period shall be for more than 10 consecutive school days or 20 cumulative school days during the school year.

The principal or his or her designee shall forward the request with the physician’s written determination to the school physician, who shall verify the need for home instruction. The school physician may contact the student's physician to secure additional information concerning the student's diagnosis or need for treatment, and shall either verify the need for home instruction or shall provide the board with the reasons for denial. The parent/guardian shall be notified concerning the school physician's verification or reasons for denial within five school days after receipt of the written determination by the student's physician.

The district shall provide instructional services within five school days after receipt of the school physician's verification. If the school physician’s verification is made prior to the student's confinement instructional services shall be provided during the first week of the student's confinement to the home or out-of-school setting. Instructional services shall at a minimum meet the following standards:

A. A written plan for delivery of instruction shall be established to continue the student's academic progress and to maintain a record of delivery of instructional services and student progress;

B. Teachers providing home instruction shall be certified;

C. The teacher shall provide one-on-one instruction for the number of days and length of time sufficient to continue the student's academic progress and dependent upon the student's ability to participate;

D. For a student with disabilities, the home instruction shall be consistent with the student's

individualized education plan (IEP) to the extent appropriate and shall meet the Core Curriculum Content Standards including the New Jersey Student Learning Standards When the provision of home instruction will exceed 30 consecutive school days in a school year, the IEP team shall convene a meeting to review and, if appropriate, revise the student's IEP;

E. For a student without a disability, the home instruction shall meet the New Jersey Student Learning Standards and/or the student's IEP as appropriate, and the requirements of the board for promotion to the next grade level. When the provision of home instruction will exceed 60 calendar days, the school physician shall refer the student to the child study team for evaluation;

F. The district shall be responsible for the costs of providing instruction in the home or out-of-school setting either directly, through online services, including any needed equipment, or through contract with another district board of education, educational services commission, jointure commission, or approved clinic or agency. Students who are eligible to receive home instruction as needed at the district's expense are as follows:

1. A student who resides within the area served by the board and is enrolled in a public school program; or

2. A student who is enrolled in a nonpublic school that is located within the area served by the board.

Reasons Other Than a Temporary or Chronic Health Condition

A. The district shall provide home or out-of-school instruction for a general education student for reasons other than a temporary or chronic health condition no later than five school days after the student has left the general education program when:

1. The student is mandated by State law and rule for placement in an alternative education program including firearms offenses and/or assault with weapons offenses but placement is not immediately available;

2. The student is placed on short-term or long-term suspension (see board policy 5114 Suspension and Expulsion);

3. A court order requires that the student receive instructional services in the home or other out-of-school setting.

The district shall be responsible for the costs of providing instruction in the home or out-of-school setting either directly, or through online services, including any needed equipment, or through contract with another board of education, educational services commission, jointure commission, or approved clinic or agency for resident students.

B. The home or out-of-school instructional services for reasons other than a temporary or chronic health condition shall meet the minimum standards that are specified in N.J.A.C. 6A:16-10.2(d) including but not limited to:

1. The district shall establish a written plan for delivery of instruction and maintain a record of instructional services and student progress;

2. The teacher providing instruction shall be a certified teacher;

3. The teacher shall provide one-on-one instruction with no fewer than 10 hours each week on three separate days of the week and no fewer than 10 hours per week of additional guided-learning experiences that may include the use of technology to provide audio and visual connections to the student's classroom;

4. The instruction shall meet the New Jersey Student Learning Standards and board requirements for promotion and graduation;

5. If instruction is delivered in the student's home, a parent or other adult 21 years of age or older who has been designated by the parent shall be present during all periods of home instruction.

Any student receiving home instruction is not considered absent.

Key Words

Bedside Instruction, Home Instruction, Out-of-School Instruction

Legal References

- N.J.A.C. 6A 7-1.7 Equality in school and classroom practices
- N.J.A.C. 6A 14-1.1 General requirements
- N.J.A.C. 6A 14-4.8 Program criteria: home instruction
- N.J.A.C. 6A 14-4.9 Exceptions
- N.J.A.C. 6A 16-4.3 Reporting, notification, and examination procedures for students suspected of being under the influence ...
- N.J.A.C. 6A 16-5.5 Removal of students for firearms offenses
- N.J.A.C. 6A 16-5.6 Removal of students for assaults with weapons offenses
- N.J.A.C. 6A 16-10.1 Home or out-of-school instruction due to a temporary or chronic health condition
- N.J.A.C. 8 61-1.1 Attendance at school by pupils or adults infected by HumanImmuno-Deficiency Virus (HIV)
- H.A. v. Board of Education Warren Hills Regional, 1976 S.L.D. 336
- Plainfield Board of Education v. Cooperman, 105 NJ 587 (1987)
- Somerset County Educational Services Commission v. North Plainfield Board of Education
- Jacobson v. Jackson School District, 2013, Feb. 27; OAL Dkt. No. CRT4100-08; Agency No. P211WE-02944; EDS15092-12
- Comprehensive Equity Plan, New Jersey State Department of Education

Cross References

- 4112.2 - Sample Policy: Certification
- 4119.26 - Sample Policy: Electronic Communication by School Staff
- 5113 - Sample Policy: Attendance, Absences and Excuses
- 5114 - Sample Policy: Suspension and Expulsion
- 5131 - Sample Policy: Conduct and Discipline
- 5131.6 - Sample Policy: Drugs, Alcohol, Tobacco
- 5131.7 - Sample Policy: Weapons and Dangerous Instruments
- 5134 - Sample Policy: Married Pregnant Students
- 5141. 2 - Sample Policy: Illness
- 6146 - Sample Policy: Graduation Requirements
- 6164.2 - Sample Policy: Guidance Services
- 6164.4 - Sample Policy: Child Study Team
- 6171.4 - Sample Policy: Special Education
- 6172 - Sample Policy: Alternative Education Programs