HOMEBOUND INSTRUCTION

Homebound instruction is a service provided to students who are unable to participate in their usual educational setting, at home or in a hospital or other institution for the treatment of children (other than a school), due to temporary or chronic illness or injury for physical, mental or emotional reasons. Homebound instruction is provided to students anticipated to be unable to attend school in person for at least ten days during a three-month period, as documented by the student's treating healthcare provider (who is licensed or authorized to provide diagnosis under Title 8 of the Education Law).

Parents/guardians must make a request for homebound instruction to the district's Medical Director or designee. Such request must include written medical verification from the student's treating healthcare provider (who is licensed or authorized by the state to provide diagnosis), and consent for the Medical Director or designee to contact the treating healthcare provider. The Medical Director will review the request, and may contact the treating healthcare provider to obtain additional information. The Medical Director must notify the parent/guardian of the district's approval or denial within five school days after receiving the written medical verification. The parent may appeal denials to the Board of Education within ten school days of receiving the denial notification. If the request is approved, or if the request is denied and an appeal is pending before the Board, the district will provide instructional services within five school days after receiving notification of the student's medical condition or request for homebound instruction.

When approved for homebound instruction, secondary students receive instruction for at least fifteen hours per week, for at least three hours per day. Elementary students receive at least ten hours per week, for at least two hours per day. Students receive credit for their work while on homebound instruction.

The higher minimum hours of instruction listed above may be reduced upon parent/guardian request, supported by documentation by the treating healthcare provider, but may not be lower than the lower minimum hours listed above. In such cases, the district must ensure that the student is unable to receive the minimum hours of instruction, must document the reason in the instruction delivery plan described below, and must review the plan at least once a month to determine when the hours can be increased.

Once approved, the district makes provisions for homebound instruction for all students residing in the district attending public and nonpublic schools in grades Kindergarten to age 21. Homebound instruction may be provided by the district, or by a tutor, who must hold a New York State teaching certificate and who may be employed by a BOCES. Hospital or institutional instruction may be provided via contract with a school connected with that hospital or institution, or the district where it is located. Homebound instruction may include remote instruction as defined in state regulations 8 NYCRR §100.1(u).

The district will establish a written instruction delivery plan, with input obtained and considered from the parent/guardian and, if appropriate, the student. The plan will include at least: the number hours per week and per day of instruction, the method instruction will be delivered, the location of services, and an explanation of how the services will enable the student to maintain academic progress. The district will review the plan as needed based on the needs of the student, or if conditions have changed. The district will maintain a record of the dates, amount, and type of instructional services the student received, including the instructor's name, subjects taught, and location where services were provided.

Students with Disabilities

Students with disabilities may request home, hospital or institutional instruction as outlined above. In order for the district to provide a student with a disability with the programs and/or services outlined in their IEP in a home, hospital or institutional setting, the Committee on Special Education must meet and determine that the student's educational placement should be "home and hospital" as defined and described in 8 NYCRR sections 200.1 and 200.6.

Once the district has granted a request for home, hospital or institutional instruction for a student with a disability, the CSE will meet to make the determination of the special education programs and related services the student will receive in the home, hospital or institutional setting, and will indicate that in the student's IEP. Any related services so provided would be in addition to the minimum hours of instruction required by state regulations.

Students Instructed Out of School Due to Suspension

Students who have been suspended from school will be provided with alternative instruction, as described in the district's Code of Conduct. Such instruction may be provided in the student's home or other location, including remotely, as determined by the district, balancing the best interests of the student, the safety of district personnel, and the district's resources. The district's homebound instructors may be utilized, if available. Such instruction is not subject to the requirements of state regulations for homebound instruction (8 NYCRR §100.22) referenced in the rest of this policy. However, students of compulsory education age must receive the same minimum hours of instruction required for homebound instruction outlined above. Any such instruction will be substantially equivalent to the instruction the student would have received in the regular education environment, to be determined by the district on a case-by-case basis.

Cross-ref: 5300, Code of Conduct

Ref: Education Law §§1709(24); 4401 et seq.
8 NYCRR §§100.1(u); 100.22; 175.21; 200.1; 200.6
Appeal of Camille S. 39 EDR 574 (Dec. No. 14,316) (2000)
Formal Opinion of Counsel No. 243, Office of Counsel, NYSED, https://www.counsel.nysed.gov/sites/counsel/files/243.pdf (10/3/23)
Home, Hospital, or Institutional Instruction Frequently Asked Questions, NYSED (Jan. 2023), https://www.p12.nysed.gov/sss/ssae/AltEd/documents/home-hospital-or-institutional-instruction-faqs.pdf

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