

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 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. (Education Code 48206.3)

Home or hospital instruction shall be provided only by teachers with valid California teaching credentials who consent to the assignment. (Education Code 44865)

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. (Education Code 48200, 48206.3)

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 preventive protocol as determined by the U.S. Centers for Disease Control.

Nondistrict 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. (Education Code 48207)

In such circumstances, it is the responsibility of the parent/guardian to notify the district of the student's presence in a qualifying hospital. (Education Code 48208)

Upon receiving such notification, the Superintendent or designee shall: (Education Code 48208)

HOME AND HOSPITAL INSTRUCTION (continued)

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. (Education Code 48208)

Parental Notifications

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians that: (Education Code 48208, 48980)

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.

(cf. 5145.6 - Parental Notifications)

(cf. 6158 - Independent Study)

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

(cf. 4112.2 - Certification)

(cf. 4113 - Assignment)

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

(cf. 5112.2 - Exclusions from Attendance)

(cf. 5141.22 - Infectious Diseases)

Legal Reference:

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 temporary disabilities

48207 Pupils with temporary disabilities in hospitals out- side of school district; compliance with residency requirements

HOME AND HOSPITAL INSTRUCTION (continued)

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