

**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/Principal 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/Principal 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/Principal 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/Principal 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/Principal or designee may enter into an agreement to have the student's district of residence provide the individual instruction. The Superintendent/Principal 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/Principal 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)

**HOME AND HOSPITAL INSTRUCTION (continued)**

*(cf. 5113 - Absences and Excuses)*  
*(cf. 5113.11 - Attendance Supervision)*

**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*