

HOME-HOSPITAL INSTRUCTION, HOME INSTRUCTION AND INDEPENDENT STUDY

Ideally, all students would be educated with their peers within the school setting to the maximum extent possible. However, in the event that a student is unable to attend school due to a medical disability such as illness or hospitalization, the District may implement one of the following programs to meet the student's general and/or special education needs for the duration of their absence from the school setting: Home and Hospital Instruction, Home Instruction or Independent Study.

The purpose of this section is to outline which instructional program in the home is most appropriate based on the student's educational program and level of need.

What is Home and Hospital Instruction?

California state law affords all students enrolled in a public school the right to access the Home and Hospital Instruction (HHI) Program. The HHI Program serves students with temporary disabilities for whom it is impossible or unadvisable to attend regular classes, regardless of their disability status. For example, HHI may be appropriate when a general education student: is at home or in the hospital for a temporary period due to pneumonia, a communicable disease, a broken a limb significantly impacting mobility, or is temporarily unable to attend school due to the death of loved one and subsequent emotional impact (with medical documentation of return date).

A temporary disability is defined as, "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 without special intervention" A temporary disability does not include a disability for which a student is identified as an individual with exceptional needs pursuant to Education Code section 56026.

The primary outcome of HHI is to maintain a student at the student's former level of performance while recovering from the temporary disability so as not to jeopardize the student's future performance upon returning to a regular day class or alternative education program.

Home and Hospital Instruction: Eligibility and Services

The district where the home or hospital is located is considered the district of residence and is therefore required to provide HHI services. For example, if a student who attends a charter school in San Jose is hospitalized in Sacramento, the district in Sacramento where the hospital is located is considered the district of (temporary) residence and therefore required to provide HHI. If the student is admitted to a hospital or facility within the boundaries of the current district of residence, that district would be responsible for providing services. Services are not provided over the summer or holiday breaks. Additionally, electives such as foreign languages or PE are typically not provided through HHI.

It is the primary responsibility of the parent or guardian of a student with a temporary disability to notify the school district, in which the student is deemed to reside, of the request for Home and Hospital Instruction. Upon receiving notification of an HHI request from the parent/guardian, the district where the student resides (home or hospital) must determine the appropriateness of HHI services within five days of the request.

Determination of a temporary disability should be based on a physician's written description of the disabling condition for which the student is unable to attend school. While out of school due to a temporary disability, a student may receive individual instruction either in the home, hospital or other residential facility. A student may receive one clock hour of instruction per calendar day of school, up to five hours per week through the HHI program. Services are not provided over the summer or holiday breaks. Additionally, electives such as foreign languages or PE are typically not provided through HHI.

The school must then begin HHI services within five days of determining eligibility. Within five days of beginning such services, the district must notify the district of residence that the student is receiving HHI and the date on which HHI services began. While out of school due to a temporary disability, a student may receive individual instruction provided to the student either in the home, hospital or other residential facility. A student may receive one clock hour of instruction per calendar day of school, up to five hours per week.

The teacher providing HHI shall contact student's prior teacher to determine:

- The course work to be covered;
- Books or other materials to be used; and
- Who is responsible for issuing grades and/or promoting the student?

For grades 7-12, the school must also determine:

- Hours earned toward course credit in each subject;
- Student's grade in each subject; and
- Who will issue credit or diploma as work is completed.

Home and Hospital Instruction: Credentialing

HHI shall be provided only by teachers with valid California teaching credentials who consent to the assignment. As a reminder, there is no provision in statute that specifically addresses instructional content; however, the goal of home or hospital instruction should be maintenance of the pupil's former level of performance while recovering.

What is Home Instruction?

Home instruction is also known as *Homebound Instruction* or *Instruction in the Home* and is considered a placement on the continuum of services for special education students. This is true even if it is being recommended to address a short-term medical need. If a student with an IEP is deemed unable to access their educational program due to a temporary or ongoing medical disability, the school is obligated to continue to provide a program of special education and related services to the student during that time.

Home Instruction is also an educational program option available to students with disabilities who are hospitalized for medical or psychiatric purposes or who cannot be educated in the public school setting due to significant health or behavioral needs which may not be temporary in nature.

Home Instruction: Eligibility, Services and Teacher Requirements

In order to qualify for Home Instruction, a student must have an Individualized Education Program (IEP) or Section 504 plan. Home Instruction may only be provided under the following circumstances:

- Student has been identified as having exceptional needs (IEP or 504)
- IEP team has recommended Home Instruction
- IEP team recommendation is based on a medical report which is from the student's attending physician, surgeon or psychologist;
- States the diagnosed condition;
- Certifies that student's condition prevents attendance in a less restrictive setting; and
- Contains a "projected calendar date for student's return to school."

Note: As a reminder, in developing an IEP for a home instruction student, procedures followed by the IEP team are the same as those followed for any other student with special education services. Therefore the IEP or 504 team decides duration and type of instruction needed to address student's unique needs (may be more than five hours per week of instruction). If Home Instruction is intended to be temporary, please include an end-date.

Any Home Instruction program must be individually designed to assure that the student continues to make progress on goals and objectives. The law also requires that students have access to and make progress in the general education curriculum. Home Instruction may be provided over the summer if required to provide a free appropriate public education (FAPE.)

Equipment or technology necessary to enable the child to benefit from home instruction, to access and make progress in the general curriculum, or to ensure progress on IEP or 504 goals must be provided as part of FAPE.

Home Instruction: Credentialing

Home Instruction services may include individual, small group, or virtual instruction and must be provided by a regular education teacher or a specialist with the appropriate teaching or related services credential. Furthermore, it must be feasible for a teacher or specialist to provide the instruction. There is currently no law in California requiring a parent to be home during periods

of instruction, however whenever possible, it may be within the best interest of the educator and student to schedule instruction while parent/guardian is home.

What is Independent Study?

The purpose of independent study is to provide an alternative education program that is available to all students across all grade levels. Independent study programs are voluntary and use alternative instructional strategies that respond to individual student needs and learning styles. Instruction may be provided in the home, on a school site, or virtually. While a student is participating in independent study, the District is responsible for the provision of general education as well as special education and related services, as deemed appropriate by the IEP team.

Per the California Department of Education, (CDE), examples of when independent study may be appropriate include students who have health problems, are traveling for a period of time, are parents, need to work, or are child actors. As a reminder, the option to take courses via independent study must be continuously voluntary.

[Ed. Code, § 51747; 5 C.C.R. § 11700(d)(2)(A)]

For students with Special Education services, Independent Study must be stipulated in the IEP and must be developed and approved prior to the placement of the student in independent study. The IEP must specify the appropriate content including:

- The percentage of time the student will participate in independent study.
- The percentage of time to be spent in regular education, if any.
- The percentage of time the student will receive special education support.
- Discussions of the placement options and supports considered in developing an independent study program for a student with special needs.
- The academic goals and services that are unique to the needs of the special education student.
- The accommodations and related services needed to maximize access in an independent study placement.
- A plan that outlines the course of study as it relates to the independent study curriculum.

Independent Study, HHI, HI: Quick Reference			
	Independent Study	Home-Hospital	Home Instruction
Brief Description	The purpose of independent study is to provide an alternative education program that is available to all students across all grade levels.	Serves general education students with temporary disabilities for whom it is impossible or unadvisable to attend regular classes.	Home Instruction is considered a placement on the continuum of services for special education students.
Eligibility	Independent study programs are voluntary. For students with Special Education services, Independent Study must be stipulated in the IEP and must be developed and approved prior to the placement of the student in independent study.	It is the primary responsibility of the parent or guardian of a student with a temporary disability to notify the LEA/district in which the student is deemed to reside of the request for Home and Hospital Instruction, or notify of the student's presence in a qualifying hospital. Medical documentation of need and return date are required.	In order to qualify for Home Instruction, a student must have an Individualized Education Program (IEP) or Section 504 plan. Placement in the Home Instruction program is the joint decision of the IEP team. Please refer to the section above for specific eligibility requirements.
Function of General Ed.	X	X	
Function of Special Ed.	X		X

<p>Timelines</p>	<p>For a student who has an IEP and wants to participate in independent study, a determination as to whether independent study is appropriate must be made within 30 days and written into the IEP.</p>	<p>Upon receiving notification of an HHI request from the parent/guardian, the district where the student resides (home or hospital) must determine the appropriateness of HHI services within five days of the request.</p> <p>The school must then begin HHI services within five days of determining eligibility. Within five days of beginning such services, the LEA/district must notify the prior LEA/district that the student is receiving HHI and the date on which HHI services began.</p>	<p>If a parent requests Home Instruction based on medical documentation, or if Home Instruction is deemed appropriate due to other medical or mental health need(s), it is recommended that the IEP team respond to the request within five days by offering IEP dates for scheduling and/or IEP meeting notice to participants.</p> <p>Based on student need, convene an IEP meeting as soon as possible to formally recommend Home Instruction, if applicable.</p> <p>Services begin upon receipt of the signed IEP. Include planning for transition to return to school, if applicable. IEP timelines apply.</p>
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