

Sec. 10-76d-15 Homebound and hospitalized Instruction

A board of education shall provide homebound and hospitalized instruction when recommended by the planning and placement team.

(a) **Requirements of individualized education program.** Homebound and hospitalized instruction shall be as specified in the child's individualized education program, subject to the following.

(1) In the case of a child not otherwise in need of special education and related services, homebound or hospitalized instruction shall maintain the continuity of the child's regular program. The requirements of evaluation and an individualized education program shall not apply and a planning and placement team meeting need not be convened.

(2) In the case of a child not previously receiving special education and related services, the requirements of evaluation and an individualized education program Sec. 10-76 page 20 (11-09) § 10-76d-15 State Board of Education shall apply if there is reason for the planning and placement team to believe that the child will continue to require special education and related services.

(3) In the case of a child receiving special education and related services, the planning and placement team shall, where necessary, modify short-term instructional objectives in the child's individualized education program

(b) **Necessary conditions.** Homebound and hospitalized instruction shall be provided only when the planning and placement team finds that one or more of the following conditions applies.

(1) A physician has certified in writing that the child is unable to attend school for medical reasons and has stated the expected date the child will be able to return to the school.

(2) The child has a handicap so severe that it prevents the child from learning in a school setting, or the child's presence in school endangers the health, safety or welfare of the child or others.

(3) A special education program recommendation is pending and the child was at home at the time of referral.

(4) The child is pregnant or has given birth and a physician has certified that homebound or hospitalized instruction is in the child's best interest and should continue for a specified period of time.

(c) **Length of absence.** Homebound or hospitalized instruction shall be provided when a child's condition will cause an absence of at least three weeks' duration. Provided nothing in the child's condition precludes it, such instruction shall begin no later than two weeks from the first day of absence.

(d) **Time and place.** Homebound and hospitalized instruction shall be provided for at least one hour per day or five hours per week for children in grades kindergarten through six and at least two hours per day or ten hours per week for children in grades seven through twelve. Where evaluative data indicates that these time requirements are too great for the child, the planning and placement team may decrease instruction time. Instruction shall be provided in the setting of the child's home or the hospital to which the child is confined.