

5D – HOMEBOUND/HOSPITALIZED

Homebound/hospitalized service is a self-study program designed to help pupils, who are unable to attend school due to a medical condition, to keep up with their studies and to progress as far as possible given their medical condition. Each local or intermediate school district must provide **homebound/hospitalized instructional services** to an enrolled pupil who is certified by the pupil's attending physician, hospital, or licensed treatment facility as having a medical condition that requires the pupil to be hospitalized or to be confined to the home during regular school hours for a period longer than five school days. This includes pupils in psychiatric hospitals, substance abuse centers, or pupils placed in other medical facilities by the parent or medical practitioners.

A. School District's Responsibilities

The district must, within three days after being notified by a parent or legal guardian, make arrangements to provide homebound/hospitalized services. These services must begin within five school days after being notified if the following happens:

- The pupil is enrolled in the school district and assigned to an appropriate general or special education program.
- The pupil is unable to attend school because of a medical condition.¹ Pupils who are able to attend school part-time are expected to do so and do not qualify for homebound and hospitalized service.
- The pupil's attending physician certifies a medical condition that requires that the pupil be confined to the home or hospitalized during regular school hours. This includes pupils in psychiatric hospitals, substance abuse centers, or pupils placed in other medical facility placements by the parents or medical practitioner.
- The pupil is physically able to participate in instructional activities while at home or in the hospital.
- It is anticipated that the pupil will be homebound or hospitalized for more than five consecutive school days.

Homebound/Hospitalized services are to assist the classroom teacher(s) in communicating with the pupil during the pupil's absence from the classroom and to aid the pupil in keeping up with his/her courses. The resident district is responsible for the content of the instruction, providing textbooks and other materials related to the instruction, providing assignments, as well as grading the pupil's performance. To provide these services, a district may:

- Assign the pupil's teacher(s) or other teacher(s) employed by the local district to provide the service.
- Employ a substitute teacher to provide the services.

1. The State School Aid Act, MCL 388.1601, *et seq*, does not define the term "medical condition." But on the basis of federal law and federal regulations, that term, in this context, must be read to include pregnancy, childbirth, and recovery. Title IX, 20 USC § 1681(a), requires that no student may be denied participation, on the basis of gender, in any education program or activity receiving Federal financial assistance. The federal regulations that implement Title IX include a requirement that with respect to any service offered, pregnancy, childbirth, false pregnancy, termination of pregnancy and recovery must be treated in the same manner and under the same policies as any other temporary disability. Homebound/hospitalized service is an educational program offered for the benefit of students temporarily unable to attend school for medical reasons. In accordance with federal law and regulation, pregnancy, childbirth, and recovery must be treated as any other medical reason for prolonged absence from school.

- Contract with another district or an intermediate district for the provisions of services.
- Contract with a hospital, treatment center, or other health care facility that employs a certificated teacher.
- A non special education certificated teacher or properly certified substitute may provide homebound and hospitalized services to special education pupils unless the pupil's new individualized education program (IEP) requires that the services be provided by a special education certificated teacher.
- Any certificated teacher may be employed to provide service for general education pupils.
- Any certificated teacher may be contracted for the service for general education pupils when hospitalized out of state or in Canada.
- Use a telecommunication link with the school, or computer programming.
- Use electronic equipment such as video recording equipment, talking books and equipment from the Library of Michigan, or voice activated tape recorders.
- Homebound services will be provided during the regular school hours unless otherwise scheduled by the district.
- The homebound/hospitalized services must be available in September through June; except, a pupil who has been attending school year-round will receive services based upon the schedule of that building. Homebound/hospitalized pupils enrolled in programs for severe cognitive impairment and severe multiple impairment will have the service available for 46 weeks.
- The homebound/hospitalized services will assist the pupil in all courses the pupil was enrolled in at the district at the time of becoming homebound/hospitalized limited only by the pupil's medical condition. The teacher of record will evaluate the pupil's course performance and credit will apply toward the pupil's high school diploma or grade progression.

NOTE: Pupils who are able to attend school part-time are expected to do so and do not qualify for homebound and hospitalized services.

NOTE: It is not the purpose of homebound and hospitalized services to replace a public classroom teacher or to provide payment for nonpublic school programs housed in hospitals or treatment facilities. Pupils enrolled in these nonpublic school programs do not qualify for homebound or hospitalized services. Nonpublic school services are excluded from public funding under the provisions of Section 2 of Article 8 of the Constitution of Michigan of 1963.

B. Requirements for Counting Membership

A local or intermediate school district may count a pupil for membership as homebound/hospitalized if the district has evidence that all the following occurred:

1. An appropriate physician, hospital, or licensed treatment facility certified the pupil as homebound/hospitalized. Evidence must consist of one of the following:
 - A written certification from the pupil's attending physician verifying that the pupil has a medical condition that requires the pupil to be hospitalized or to be confined to the home during regular school hours for a period of longer than five school days. The certification must be by a physician who is either an M.D. or a D.O. Psychologists, chiropractors, or other professionals may not certify a person as eligible.

Example: A pupil's attending physician may certify that the pupil's pregnancy or recovery from childbirth will require that the pupil be homebound for more than five school days.

- Written certification from a hospital or a licensed treatment facility verifying that the pupil has a medical condition that requires the pupil to be hospitalized in the facility during regular school hours for a period of longer than five school days.
2. A certificated teacher provided a minimum of two 45-minute periods of instructional service per week for a regular education pupil; or, a certificated teacher provided a minimum of two one-hour non-consecutive periods of instructional service per week for a special education pupil whose IEP calls for homebound/hospitalized services. A certificated special education teacher must provide instructional service if required by the individualized educational planning committee (IEPC).

NOTE: A Michigan pupil who is hospitalized outside of the State of Michigan is eligible to be counted for membership purposes provided the pupil is seen by a teacher who is certificated in the jurisdiction where the hospital is located.

3. The pupil received instructional service during the count period, and there must be appropriate attendance records showing the dates and the amount of time the pupil received homebound/hospitalized services. Attendance records must be signed by the certificated teacher providing the service.

4. The teacher(s) of record must:

- Record the pupil as having an absence on the count day. It is also helpful if the teacher(s) of record make a note in the attendance book that the pupil was receiving homebound/hospitalized instructional service.
- Provide the instructional content to the pupil through the homebound/hospitalized teacher.
- Provide all necessary instructional materials such as textbooks and work pages.
- Give the grade for the class or subject.

The teacher(s) of record is the district program or classroom teacher(s) the enrolled pupil was originally assigned to within the district.

C. Nonpublic Pupils

A pupil from a nonpublic school, or home school, that is enrolled part-time in a public school may receive homebound and hospitalized services **only for** those nonessential elective courses that the nonpublic or home schooled pupil is enrolled in at the public school at the time of the pupil's absence due to the certified medical condition. Parents or the nonpublic school are responsible for providing homebound/hospitalized services for those core curriculum courses that are provided at home or at the nonpublic school.

D. Regulatory References

State Aid Act Section:

388.1709

Administrative Rules:

340.2(11 and 12)

340.1746

Revised School Code:

380.627a

"Homebound and Hospitalized Services for Public School Pupils" issued by Michigan Department of Education

Special Education Pupil's IEP

Q #1

A special education pupil has an IEP that states that he can only attend school for three hours each day. Does he qualify as homebound?

A #1

No, a physician's statement is required that certifies the student is confined to the home or is hospitalized during the regular school hours for at least five consecutive school days. An IEP cannot replace the physician's statement. A student who is presently attending school part-time is not eligible for homebound/hospitalized services.

Q #2

The special education pupil's attending physician has signed a statement recommending that the student only attend school for half-day sessions. May the district IEP this special education pupil for homebound services for the remaining half-day and count him for a full FTE?

A #2

To qualify for "homebound" services, the pupil must be unable to attend school during the normal school hours. This pupil is attending school half days; thus, the pupil is ineligible to be counted as homebound and hospitalized. The pupil's IEP may stipulate that the pupil is capable of only attending half-a-day sessions due to a documented medical condition and therefore could possibly qualify for a full FTE. The qualification is not "homebound and hospitalized" but is due to a medical or emotional condition. The documentation must come from medical or psychological personnel. The pupil's records must be well documented to qualify for this full FTE. If the medical condition is not well documented, the FTE would be pro-rated.

Contracting Homebound/Hospitalized Services

Q #3

There is a rehabilitation facility located in our district. Some students are housed there for several weeks while others may reside at home and attend the rehabilitation center each day. May the district where the facility is located count these students under homebound/hospitalized and pay the rehabilitation center for educating them?

A #3

No, it is the responsibility of the district where the student is enrolled to provide a certified teacher and provide homebound/hospitalized services. The district of enrollment may contract with another district, intermediate school district, or the rehabilitation center to provide the certified teachers and the required pupil instruction.

Q #4

A second grade student is at Mayo Clinic with a serious medical condition. The parents are certified teachers and would like to provide the two 45-minute periods of instruction per week to their child. They are willing to discuss the lessons and send the child's work to the teacher of record. Can the district count the student for a full FTE?

A #4

Yes, a district may contract with a certified teacher to provide the homebound/hospitalized services. In this case the contract would be with the pupil's parent(s).

Using the Virtual Learning Medium

Q #5

The district received a signed statement from a physician that a tenth grade general education pupil is going to be hospitalized for several weeks. May the student be enrolled in virtual learning classes and be counted for a full FTE?

A #5

The district is required by law to provide two 45-minute periods of instruction with a certificated teacher per week in order to count the pupil for a full FTE. Virtual learning may be in addition to the two 45-minute sessions but cannot replace the homebound and hospitalized requirements. The virtual learning would not generate any additional FTE.

Nonpublic and Home Schooled Pupils

Q #6

A home-schooled student is enrolled at the public school for band and physical education. The parents submit a physician's statement that this child is homebound and the parents want homebound/hospitalized services for this child. Do we have to provide homebound services to this child?

A #6

If the student meets the requirements qualifying him/her for homebound services, then the district must provide the homebound service for those subjects in which the child is enrolled in at the public school. For example: a child is enrolled in a nonessential elective course at the public school, a medical physician signed a statement that the child has a medical condition confining the child to home for more than five school days, the child cannot attend the district due to this medical condition, and the child is still able to participate in his/her school work. In this case, the district would be required to provide homebound services for nonessential elective course. However, the district can only count this student for the partial FTE that the student qualified for prior to the homebound services.

Using Skype

Q# 7

To meet homebound/hospitalized requirements, can a district use Skype?

A#7

Yes, Skype is acceptable since the process is a two way interactive with a teacher.