



**HOMEBOUND AND HOSPITALIZED SERVICES
FOR MICHIGAN PUBLIC SCHOOL STUDENTS**

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This document provides information regarding the responsibility of public school districts, parents, and other primary care givers for pupils who are homebound or hospitalized. Section 388.1709 of the *State School Aid Act* requires the Department of Education on a biannual basis to provide information regarding homebound and hospitalized services.

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Purpose of Homebound and Hospitalized Service

Homebound and 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. The homebound and hospitalized teacher carries the curriculum from school to the home or treatment facility to enable pupils to continue with their studies. It is important to note that these are services designed to help the classroom teacher(s) communicate with the pupil while away from school.

For a pupil to qualify for homebound or hospitalized service, the pupil must be enrolled in a public school. The district is responsible for the content of the instruction, providing textbooks and other materials related to the instruction, providing assignments, and grading. A summary of responsibilities to implement homebound and hospitalized services is provided in Appendix A.

Legal Requirements

Section 388.1709 of the *State School Aid Act* provides legal requirements for homebound and hospitalized services. Administrative Code Rules governing *Pupil Accounting* provides requirements to count a pupil as a full-time pupil that is provided homebound or hospitalized services [R 340.5(1)(d)]. In addition, Administrative Code Rules governing *Special Education Programs and Services* provides requirements for homebound or hospitalized services provided to special education pupils [R 340.1746]. Legal references are provided in Appendix B.

Public School District Responsibility

Each local and intermediate school district and public school academy must provide homebound or hospitalized 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. General education pupils shall receive a minimum of two 45-minute periods of instructional service per week. Pupils receiving the service under the special education rules receive a minimum of two nonconsecutive hours of instruction per week. The two one-hour sessions for a special education pupil may be on the same day; however, there must be an adequate break between the two sessions.

When school district personnel are notified that a pupil has a medical condition that is expected to result in the loss of more than five consecutive school days, the district must take steps necessary to determine eligibility for homebound and hospitalized service. Arrangements must be made within three school days after being notified a pupil is or will be homebound or hospitalized. If the district becomes aware that a pupil will be homebound or hospitalized at some future date, the district is responsible to make prior arrangements so that the service is available when needed.

Eligibility

The district must, within three days after being notified by a parent or legal guardian, make arrangements to provide these services if the following conditions are met:

1. The pupil is enrolled in the public school district and assigned to an appropriate general or special education program.
2. The pupil is unable to attend school because of 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.
3. 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.² This includes pupils in psychiatric hospitals, substance abuse centers, or pupils placed in other medical facilities by the parent or medical practitioners.
4. The pupil is physically able to participate in instructional activities while at home or in the hospital.
5. It is anticipated that the pupil will be homebound or hospitalized for at least five consecutive school days.

Nonpublic School Pupils

Homebound and hospitalized programs are designed to help the pupil maintain a continuity of instruction in the school district where the pupil is enrolled. When pupils are enrolled in nonpublic schools, the responsibility for maintaining continuity of instruction falls to the parent and the nonpublic school. Parent(s) are responsible for working with the nonpublic schools to make arrangements for continuity of instructional services for their children when they are homebound or hospitalized for an extended period of time. Parent(s) may use the services of a teacher from the nonpublic school to help the child maintain instruction, may contract with a hospital or private care facility similar to what a public school would do, or may make other arrangements with the nonpublic school to help the child maintain their studies during recuperation.

Section 2 of Article 8 of the Michigan Constitution specifically prohibits public schools from supporting the basic program of nonpublic schools with the exception of "auxiliary services." Auxiliary services to nonpublic school pupils are described in section 380.1296 of the *Revised School Code* [MCL 380.1296]. They do not include homebound and hospitalized service.

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.

² The certification must be from a licensed physician. Counselors, psychologists, social workers, or other types of behavioral therapists are not able to certify eligibility. In addition, medical persons such as chiropractors or occupational or physical therapists cannot certify eligibility.

Part-time 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. Parent(s) or the nonpublic school are responsible for providing homebound and hospitalized services for those core curriculum courses that are provided at home or at the nonpublic school.

Delivery of Service

Homebound or Hospitalized services are designed to assist the classroom teacher(s) in communicating with the pupil during the pupil's absence from the classroom. The enrolling district is responsible for the content of the instruction, providing the textbooks and other materials related to the instruction, providing assignments, and grading the pupil's performance. To provide these services, a district may:

1. Assign the pupil's teacher(s) or other teacher(s) employed by the local district to provide the service.
2. Employ a substitute teacher to provide the services.
3. Contract with another district or an intermediate district for the provisions of services.
4. Contract with a hospital, treatment center, or other health care facility which employs a certificated teacher.
5. Use a telecommunication link with the school, or computer programming.
6. Use electronic equipment such as video recording equipment, talking books and equipment from the Library of Michigan, or voice activated tape recorders.

Teacher Qualifications

1. A non special education certificated teacher or properly certified substitute may provide homebound and hospitalized services to special education pupils unless the pupil's Individualized Education Program (IEP) requires that the homebound or hospitalized services be provided by a special education certificated teacher.
2. Any certificated teacher may be employed to provide service for general education pupils.
3. Any certificated teacher may be contracted for the service for general education pupils when hospitalized out of state or in Canada.
4. A substitute teacher may provide the services.

Hours and Duration of Instruction

General education pupils must receive a minimum of two 45-minute periods of instructional service per week [R 340.5]. Special education pupils must receive a minimum of two nonconsecutive one-hour periods of instructional service per week [R 340.1746]. The two one-hour sessions for a special education pupil may be on the same day; however, there must be an adequate break between the two sessions.

Homebound services will be provided during regular school hours unless otherwise scheduled by the district. The district is responsible to make homebound and hospitalized service available when a pupil's classes are in session. For most pupils, the program will begin in September and end in June with Christmas and spring breaks. Pupils attending school year-round will receive service based on the schedule of the buildings. Homebound and hospitalized pupils enrolled in programs for severe cognitive impairment and severe multiple impairment will have the service available for 46 weeks, since these programs operate that long by rule.

Time Lines

The enrolling district is responsible to initiate service. When it is anticipated the pupil will be out of school for more than five consecutive school days, the district will have the service begin as soon as possible but not later than three school days after being notified.

Special education Rule 340.1746 requires a school district to convene an Individualized Education Program Team (IEP Team) meeting and to identify a certified special education teacher who can provide the service within fifteen school days. Special education pupils who spend the majority of the day in the general education classroom may have their homebound and hospitalized service provided by a general education teacher, when agreeable to the parent. The requirements for special education homebound and hospitalized under Rule 340.1746 apply to pupils whose disability requires intervention from a special education teacher.

Example 1: A third grade pupil has been determined eligible for special education and receives two hours of speech and language per week. The pupil must be homebound to recuperate from an accident for an extended period of time. The district contracts with the pupil's third grade teacher to provide the homebound and hospitalized service, since there is no need for intervention from a special education teacher. Rule 340.1746 addresses related services.

Example 2: A pupil with a cognitive impairment must be hospitalized for a surgical procedure. The pupil will be in the hospital for an extended period of time. The school district is notified prior to the hospitalization so arrangements can be made for homebound and hospitalized service for the pupil during recuperation. Since this is a full-time special education pupil, the district is required to convene an IEP Team meeting for the purpose of arranging for homebound and hospitalized service under Rule 340.1746.

Teacher Responsibility

The homebound and hospitalized teacher is responsible to do the following:

1. Contact the parent(s) and/or physician to:
 - a. Identify any physical limitation or any learning impairment on the pupil's ability to study.
 - b. List any study limitations imposed by the treatment program.
 - c. Identify any extraneous factors that should be taken into consideration to help maximize the pupil's instructional experience while away from school.

- d. Determine what precautions must be used, if any, when the pupil has a communicable disease (rubella, TB, etc.). The local community health department is able to provide consultation.
2. Contact the pupil's classroom teacher(s), hereafter referred to as "teacher(s) of record," to identify the specific subject areas and content that the pupil should study while away from school. The teacher(s) of record should determine the subject matter that should be given priority, considering the pupil's present level of achievement and instructional needs.
3. Meet with the pupil a minimum of two periods per week. The purpose of these meetings are to take the assignments to the pupil, provide support to the parents or other care givers so they can help guide the pupil in the instruction, provide tutorial services to help the pupil gain basic information to complete assignments, and to provide other support that might be useful in helping the pupil maintain as much academic progress as possible while temporarily away from school.

Parent Responsibility

Michigan law requires a parent, legal guardian, or other person having control or charge of a child age six to sixteen to send the child to school during the entire school year, except under certain limited circumstances [MCL 380.1561]. The exceptions include, but are not limited to, sending a child to a state-approved, nonpublic school or educating the child at home in an organized educational program.

Parents are responsible, under the compulsory school attendance law, to ensure the school district is notified when the pupil is homebound or hospitalized for a period longer than five school days. It is suggested that parents notify the school administrator in writing. The parent must provide the name of the attending physician or the hospital and authorize the release of sufficient information to allow the school district to determine eligibility.

When the pupil is homebound, the parent should:

1. Provide access to the pupil's home, and help schedule teacher visits so they do not conflict with medical treatments.
2. Provide an appropriate environment and the necessary supervision for their child to complete assignments.
3. Help the child schedule time for study, ensuring appropriate instructional materials are available and at hand.
4. Support the child with the learning activities to the extent possible and as agreed upon with the teacher.

While parents should encourage the child to keep up with school work, they should not do the work for the child. If the parent feels assignments are too difficult, or feels the child does not have the prerequisite skills needed to carry out the assignments, this information should be communicated to the teacher of the homebound and hospitalized service and/or the pupil's classroom teacher.

Pupil Responsibility

To ensure successful completion of the course or assignment(s), the pupil should:

1. Ask for assistance and/or clarification as needed to complete assignments.
2. Attend to the class activities to the extent that they are physically capable.
3. Return materials and supplies after completing assignments.
4. Continue to work with the teacher(s) of record to do any extra work needed so that the pupil has minimum competencies needed to complete the subject or grade, after returning to school.³

Requirements for Counting Membership

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

1. An appropriate physician, hospital, or licensed treatment facility certified the pupil as homebound and 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.⁴

³ Adopted from the Michigan State Board of Education Policy on Homework, Michigan Department of Education, Lansing Michigan, 48909, November 1988

⁴ Under federal law, school districts must "treat pregnancy, childbirth, false pregnancy, termination of pregnancy and recovery there from as a justification for a leave of absence for so long a period of time as is deemed medically necessary by the student's physician, at the conclusion of which the student shall be reinstated to the status which she held when the leave began" 34 C.F.R. 106.40(b)(5). The law does not require districts to excuse non-medically necessary "maternity leave" for pupils and or absences due to the illness or the medical appointment of a child for whom pupils are the custodial parents. However school districts are encouraged to develop an attendance policy that would authorize a reasonable period of time away from school immediately after delivery, even where medical need does not so require, and during the illness or medical appointments of a pupil's child. Such "excused" absences would allow pupils to be eligible to be counted in attendance under the pupil accounting rules. For those pregnant or parenting pupils ineligible for homebound/hospitalized instruction, either because their excused absences are not medically necessary or because the pupils are anticipated to be absent for five or fewer days, it would be up to the district to determine how the pupil would make up lost course work during the excused period, provided that the process adopted by the district is consistent with that applied to all other types of excused absences or course withdrawals. It is recommended that school districts have a written policy that describes: a) The procedures the pupil must follow to make up the course work consistent with those applied to all other types of excused absences or course withdrawals; b) The conditions that must be met for the pupil to achieve the grade or credit, consistent with those applied to

- b. 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 general education pupil; or, a minimum of two one-hour nonconsecutive periods of instructional service per week for a special education pupil whose Individualized Education Program (IEP) calls for homebound and hospitalized service. The two one-hour sessions for a special education pupil may be on the same day; however, there must be an adequate break between the two sessions. A certified special education teacher must provide instructional service as required by the Individualized Education Program Team (IEP Team).

Pupils who are hospitalized outside of the state of Michigan are eligible provided they are seen by a teacher who is certificated in the state or province where the hospital is located.

3. The pupil received instructional service during the count period. There must be appropriate attendance records showing the dates and the amount of time the pupil received homebound and hospitalized service. Attendance records must be signed by the certificated teacher providing the service.
4. The teacher(s) of record is the district program or classroom teacher(s) the enrolled pupil was originally assigned to within the district. The teacher(s) of record must:
 - a. Record the pupil as having an excused absence on the count date. It is also helpful if the teacher(s) of record made a note in the attendance book that the pupil was receiving homebound and hospitalized instructional service.
 - b. Provide the instructional content to the pupil through the homebound and hospitalized teacher.
 - c. Provide the necessary instructional materials, such as textbooks and work pages.
 - d. Give the grade for the class or subject.

State Special Education Categorical Aid

The *State School Aid Act* outlines the requirements for school districts to collect categorical aid for special education services provided to students with a disability. School districts that employ special education personnel to provide homebound and hospitalized service to both general and special education pupils may only charge special education for the time spent working with students with a disability [MCL 388.1651a(7)(a) and Attorney General's Opinion No. 5870].

all other types of excused absences or withdrawals and; c) The pupil's full range of educational options during and after the leave, including the unconditional return to regular schooling.

Recordkeeping requirements for split funded special education personnel can be found in the special education Interpretation II-013 entitled, "Accounting for the Time of Special Education Personnel Who Are Assigned Part Time to Regular Education Programs." Copies are also available upon request from the Office of Special Education and Early Intervention Services within the Michigan Department of Education.

Special Equipment for Students with a Disability

School districts are required under the provisions of the *Individuals with Disabilities Education Act* and Section 504 of the *Rehabilitation Act* to provide reasonable accommodations for students with a disability. Where special accommodation equipment is needed to accommodate learning for students with a disability, it may be reimbursable with state or federal special education funds.

Program Suggestions

School districts are encouraged to make special accommodations for pupils whose medical condition requires that they be homebound or hospitalized for an extended period of time. The following is a list of possible accommodations that can be made for homebound and hospitalized pupils.

1. The district can provide or contract for more than the minimum two contact periods per week. This option is especially recommended when pupils are hospitalized in facilities which provide full time instructional staff and classroom space to accommodate their clientele. The hospitals usually charge a minimal daily fee which allows the pupil staff accessibility up to five days a week, depending on the child's treatment schedule and physical ability to attend school.
2. A telecommunications link with the school may be established. Pupils who are physically capable of benefiting from instruction for all or most of the school day can have access to the classroom through a telephone link. This method is especially useful for elementary pupils who would spend most of the day in the same classroom. The telephone company will make arrangements for the hookup upon request. While there is an installation charge and daily line fee, the benefit to the pupil far outweighs the expense for setting up this type of a system.
3. Most hospitals and school districts have email and facsimile machines which can be used for the electronic transmission of data. Teachers can send emails or use the facsimile machines to quickly communicate with the home district. Assignments can be transferred, papers can be sent back to the teacher of record for review and correction, and other information can be shared using this technology. Email or the facsimile machine can be especially helpful for pupils who are hospitalized outside of their geographic area where a time delay in the transmission of information may have a negative impact on the pupil's instructional program.
4. Many parents have or can make available video recording equipment for their homebound and hospitalized pupil. Arrangements can often be made for supplemental materials to be provided in recorded form either from school instructional materials centers or other sources. In cases where it is difficult for pupils to do independent reading, their teachers might work out assignments that would require book reports on movies or other materials that are available through video.

5. Pupils on long-term convalescence who are not physically able to read, either because of vision problems or inability to turn pages, can be certified for free talking books and equipment through the Library of Michigan. The toll free telephone number is 1-800-992-9012.
6. In cases where a medical condition makes it impossible for the pupil to write, arrangements can be made for the use of a note taker or voice-activated tape recorder for the pupil to communicate ideas to the teacher of record.
7. Districts have had success with lending homebound and hospitalized pupils computers or using the pupil's home computer with programmed instructional materials to reinforce classroom assignments.

School administrators are encouraged to work with parents or primary care givers to pursue other technological innovations that might help homebound and hospitalized pupils maximize achievement while away from school. Some equipment may be readily available to the school district, parent or care giver. While the school district is generally not obliged to provide special equipment for homebound and hospitalized pupils, districts are encouraged to work with the parents to make arrangements to have this provided. If the school district, the parent, or the primary care giver can not provide the equipment, then the district is encouraged to work with fraternal groups, libraries, or other private organizations to see if such equipment could be made available either on a donation or loan basis.

Appendix A
MICHIGAN DEPARTMENT OF EDUCATION

Summary of Michigan's
Homebound and Hospitalized Service Requirements
State School Aid Act, MCL 388.1709

What is it?	Homebound and Hospitalized Service is provided to pupils unable to attend school because of a medical condition. The provider brings the curriculum from the teacher of record to pupils in the home or in the hospital to help the pupils keep up with their studies.
Who is eligible?	<p>Public school pupils certified by their attending physician or a hospital as having a medical condition that requires the pupil to be homebound or hospitalized for a period longer than five school days are eligible.</p> <p>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.</p>
Where do parents apply?	Parents notify the school district their child attends when the pupil is homebound or when plans are being made for a future hospitalization that will result in the loss of more than five consecutive school days.
When does this service begin?	The educating district must make arrangements for the service to begin as soon as possible but no later than three schools days from the date of being notified or the date when the pupil is physically capable of benefiting from instruction.
How much service is provided?	General education pupils will receive a minimum of two 45-minute periods per week. Pupils receiving the service under the special education rules receive a minimum of two nonconsecutive hours of instruction per week. The two one-hour sessions for a special education pupil may be on the same day; however, there must be an adequate break between the two sessions.
Who can provide the service?	<p>The district may use any certified teacher to provide the service for general education pupils. When a pupil is hospitalized outside the state, the district may contract with a certified teacher in another state or Canada.</p> <p>A certified special education teacher must provide the service for a student with a disability where specified by the Individualized Education Program Team (IEP Team).</p>

Appendix B
HOMEBOUND AND HOSPITALIZED SERVICES
LEGAL REQUIREMENTS

State School Aid Act

Sec. 388.1709 (1) Subject to subsection (2), in order to receive funds under this act, each district or intermediate district shall provide appropriate instructional services, as determined by the district or intermediate district, to an enrolled pupil who is certified by the pupil's attending physician as having a medical condition that requires the pupil to be hospitalized or confined to his or her home during regular school hours and that is expected to require the hospitalization or confinement for a period longer than 5 school days. The district or intermediate district may provide the services itself or may contract with an intermediate district, a hospital, a treatment center, or another district to provide the services. In choosing a provider for the instructional services, the district or intermediate district shall consider which of those potential providers is best able to deliver the appropriate instructional services. The district or intermediate district shall pay reasonable costs as agreed upon between the district or intermediate district and the provider for services provided to a pupil under this section

(2) A district or intermediate district is required to provide instructional services under subsection (1) to a pupil placed in a hospital, treatment center, or other treatment facility without the district's or intermediate district's prior knowledge only if the district or intermediate district is notified of the pupil's placement by the hospital, treatment center, facility, or the pupil's parent or legal guardian. Upon being notified, the district or intermediate district shall make arrangements to provide instructional services under subsection (1) within 3 school days after being notified.

(3) Not later than October 15 of each odd numbered year, the department shall prepare and distribute to each district and intermediate district a written explanation of the operation of this section and the respective duties of all affected parties. The department shall provide a copy of the explanation to any other person upon request.

Penalty for Failure to Provide Services

The district educating the pupil is required to provide homebound and hospitalized service to resident pupils as a condition for receiving state aid. Failure to provide service may result in withholding funding due the district under the *State School Aid Act* until such time the district comes into compliance. Willful failure to implement this act is also subject to a penalty for school officials or board members under the provisions of section 161 of the *State School Aid Act* [MCL 388.1761] and sections 1804, 1806, and 1813 of the *Revised School Code* [MCL 380.1804, 380.1806, and 380.1813]. Failure to provide the service does not relieve the district of the liability to pay for service if initiated by a third party. Failure to meet program or pupil accounting requirements may also result in the loss of foundation allowance for the pupil in question.

Pupil Accounting Rules

Rule 340.2 states:

Rule 2. (11) A homebound or hospitalized pupil receiving instruction as a result of a medical condition under section 109 of 1979 PA 94, MCL 388.1709, from either the district the pupil is enrolled in or the intermediate school district in a non-special education homebound program may be counted in membership if both of the following provisions are satisfied:

(a) A minimum of 2 45-minute periods of individualized instruction per week are given.

(b) The instruction is provided by a certificated teacher.

(12) An eligible special education pupil who is receiving homebound or hospitalized instruction from either the district in which the pupil is enrolled or the intermediate school district pursuant to R 340.1746 may be counted in membership.

Special Education Rules

Rule 340.1746 states:

Rule 46. The following homebound and hospitalized services are required:

(a) Homebound services shall be initiated within 15 school days after verification, by a licensed physician, of a medical impairment which requires the eligible special education student to be confined to the home. Such verification shall indicate the anticipated duration of the required confinement.

(b) Hospital service shall be provided for eligible special education students who cannot attend school because of hospitalization for a physical or medical impairment. These services shall be initiated when determined medically feasible.

(c) A special education teacher employed for homebound or hospitalized services, or for a combination of these services, shall be assigned not more than 12 students at any 1 time.

(d) Students receiving homebound or hospital services shall receive a minimum of 2 nonconsecutive hours of instruction per week. Related services personnel may supplement, but not substitute for, the teacher's instruction.

(e) The district in which the hospital is located shall make homebound and hospital services available to eligible students. If the student is hospitalized outside of the district of residence, the district of residence is responsible for delivering services or for contracting with the operating district and making payment for the services.

(f) Homebound and hospitalized services shall not be substituted for special education programs. Instead, the service provider shall endeavor, to the extent appropriate, to present curricular experiences which are being provided in the program where the student is currently enrolled.