

# Providing Homebound and Hospitalized Educational Services for Michigan Public School Pupils

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Michigan Department of Education



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### **Michigan Department of Education (MDE)**

P.O. Box 30008

Lansing, MI 48909

[MDE website](http://www.michigan.gov/mde) ([www.michigan.gov/mde](http://www.michigan.gov/mde))

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# Providing Homebound and Hospitalized Educational Services for Michigan Public School Pupils

*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. This information is provided as a service of the Michigan Department of Education and is distributed with the understanding that the Department of Education is not engaged in rendering legal advice. Those individuals desiring or requiring legal advice should seek the services of an attorney. Individuals should use this as a companion document in conjunction with the relevant statute(s), court case(s), Attorney General opinion(s), and administrative rule(s).*

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## **Purpose of Homebound and Hospitalized Service**

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Homebound and hospitalized services provide continuity of educational services for pupils with medical conditions that prevent them from physically attending school during the school year. The pupil's inability to attend school due to a medical condition must be certified by the pupil's licensed attending physician.

Homebound and hospitalized services are designed to be a self-study program that allows pupils to maintain their coursework and studies while they are unable to attend school. These services allow the classroom teacher to work through the homebound and hospitalized teacher to help distribute course materials, deliver instruction, and monitor pupil progress in the course.

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## **Legal Requirements**

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Section 109 of the State School Aid Act [MCL 388.1709] provides the legal requirements for homebound and hospitalized services for all pupils. Administrative Rules 340.2(11) and 340.2(12) provide the membership requirements for homebound and hospitalized services for all pupils. Programming homebound and hospitalized services for pupils with an individualized education program (IEP) must meet specific requirements in the *Michigan Administrative Rules for Special Education* at R 340.1746.

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## **Failure to Provide Services**

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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.

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## **Public School District Responsibility**

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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 five 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.

The school is responsible for the delivery of all content of the homebound and hospitalized instruction, the textbooks required for the course and related materials, as well as course assignments and grading.

The school district is required to provide a minimum of two 45-minute instructional periods per week for general education pupils; or, a minimum of two nonconsecutive 60-minute instructional periods per week for pupils with an IEP. The two one-hour sessions for a pupil with an IEP may be on the same day; however, there must be an adequate break between the two sessions.

These periods of instructional are the minimum requirements. When a district determines the amount of time for homebound and hospitalized services for a pupil with an IEP, the school district must consider a pupil's entitlement to a free appropriate public education under federal regulations implementing the Individuals with Disabilities Education Act (IDEA) at 34 CFR § 300.17.

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## **Homebound and Hospitalized Services Teacher Responsibility**

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The homebound and hospitalized services teacher will work with the pupil, parent or legal guardian, and attending physician on the following items:

1. Identify any physical limitations or learning impairments that will affect the pupil's ability to study, including those imposed by the treatment program.
2. Identify factors imposed by the treatment program that could limit or impede instruction.
3. Identify ways to maximize the instructional experience.
4. Determine precautions needed to protect the pupil and teacher from communicable disease. The local community health department is able to provide consultation.
5. Maintain contact with the pupil's classroom teacher to receive direction on instructional services provided.
6. Deliver coursework to and from the pupil's classroom teacher.

The homebound and hospitalized services teacher will provide a minimum of two periods of instruction per week through the duration of the prolonged absence. The homebound and hospitalized services teacher will take 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.

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## **Classroom Teacher Responsibility**

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The classroom teacher will identify the specific subject areas and content that the pupil should study while away from school. The classroom teacher will determine the priority of each subject matter, considering the pupil's present level of achievement and instructional needs. The classroom teacher will provide all relevant course material to the homebound and hospitalized services teacher while

the pupil is away from school. The classroom teacher will maintain the grade book, assignments, quizzes, and assessments for the teacher even if conducted using a separate homebound and hospitalized services teacher.

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## **Parent Responsibility**

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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.

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. Parents are responsible for notifying the school district when the pupil is going to be homebound or hospitalized for a period longer than five consecutive school days. Parents should notify the school administrator in writing with the name of the attending physician or 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 learning activities to the extent possible as agreed upon with the teacher.

While parents should encourage the child to keep up with schoolwork, 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, the parent should discuss this with the homebound and hospitalized service teacher or the classroom teacher.

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## **Pupil Responsibility**

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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.<sup>1</sup>

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## **Eligibility**

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Pupils must be enrolled in a public school in Michigan in order to receive Homebound and hospitalized services. An enrolled pupil who is certified by his or her 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 (5) consecutive school days, is eligible for services. This includes pupils in psychiatric hospitals, substance abuse centers, or pupils placed in other medical facilities by the parent or medical practitioners.

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.<sup>2</sup> Pupils who are able to attend school part-time are expected to do so and do not qualify for homebound and hospitalized service.

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<sup>1</sup> Adopted from the Michigan State Board of Education Policy on Homework, Michigan Department of Education, Lansing Michigan, 48909, November 1988

<sup>2</sup> 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

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.<sup>3</sup> 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.

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## **Nonpublic School Pupils**

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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.

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

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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.

<sup>3</sup> 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.

for providing homebound and hospitalized services for those core curriculum courses that are provided at home or at the nonpublic school.

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## **Part-Time Pupils**

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

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## **Delivery of Service**

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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 that employs a certified 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.

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## **Teacher Qualifications**

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All pupils may be provided homebound and hospitalized services by a teacher who is properly and is employed by the district, or by a properly certified substitute teacher.

If the pupil is a Michigan resident and is hospitalized out of state or in Canada, a teacher who is properly certified in the jurisdiction where the hospital is located may be contracted by the district to provide homebound and hospitalized services.

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## **Hours and Duration of Instruction**

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General education pupils must receive a minimum of two 45-minute periods of instructional service per week [R 340.5]. Pupils with an IEP 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 pupil with an IEP 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 or on a balanced calendar will receive service based on the schedule of the buildings.

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## **Time Lines**

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When a school learns of a pupil with a medical condition that could result in more than five consecutive days of absence, the school must first determine if the pupil is eligible for homebound and hospitalized service, and if eligible, arrange to provide services within three school days. If a school learns of a pupil who may require services in the future, it is the school's responsibility to plan for providing those services.

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.

The MARSE rule 340.1746(a) states that homebound services shall be initiated within 15 school days after verification, by a licensed physician, of a medical impairment which requires the eligible pupil with a disability to be confined to the home. Rule 340.1746(b) states that hospitalized services shall be initiated when determined to be medically feasible.

Placement changes for a pupil with an IEP must occur in accordance with 34 CFR § 300.116 that states that a placement decision is made by a group of persons, including the parents, and other persons knowledgeable about the pupil, the meaning of the evaluation data, and the placement options; and is made in conforming with the least restrictive environment provisions.

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## Requirements for Counting Membership

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The following requirements must be met if the pupil will be counted for a full membership:

1. The pupil must meet pupil membership eligibility requirements pursuant to Section 6(4) or 6(6) of the State School Aid Act (MCL 388.1606) and any other applicable statute.
2. The pupil shall be registered, enrolled, and participating in the course(s) pursuant to Section 6(4), Section 6(8) and Section 6a of the State School Aid Act (MCL 388.1606 and MCL 388.1606a).
3. 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 consecutive 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 consecutive school days. <sup>4</sup>

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<sup>4</sup> 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 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.

- 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 consecutive school days.
4. A certified teacher provided a minimum of two 45-minute periods of instructional service per week for a general education pupil; or, a certified teacher provided a minimum of two one-hour non-consecutive periods of instructional service per week for a pupil with an IEP. A certified special education teacher must provide instructional service if required by the IEP.

Pupil instruction is required each week of the count period if the pupil is being counted for membership unless the pupil has a documented excused absence that prevents the pupil from receiving services during a week, or if instruction has been canceled district-wide for three or more days during a week of the count period.

If a pupil is temporarily unable to receive homebound/hospital services, the teacher must document the reason for the interruption in services and have the parent initial the documentation for the district's records. If a pupil is unable to participate in homebound/hospitalized services during all four weeks of the count period, no membership may be claimed.

5. 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 certified teacher who provided the service.
6. The teacher(s) of record must:
  - a. 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.
  - b. Provide the instructional content to the pupil through the homebound/hospitalized teacher.
  - c. Provide all necessary instructional materials such as textbooks and work pages.
  - d. Give the grade or credit for the class or subject.

The teacher(s) of record for each class remains the teacher originally assigned to the pupil for the course.

Note: Pupils who are hospitalized outside of the state of Michigan remain eligible for membership provided the assigned teacher is certified in the state or province where the hospital is located.

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## **State Special Education Categorical Aid**

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

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 Michigan Department of Education Office of Special Education.

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## **Special Equipment for Pupils With a Disability**

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

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## **Program Suggestions**

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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 that 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 that 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 caregiver. 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 cannot 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.

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## **Appendix A: Summary of Homebound and Hospitalized Services Requirements**

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### **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?**

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 consecutive school days are eligible.

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 homeschooled pupil is enrolled in at the public school at the time.

### **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 school 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 pupil with an IEP may be on the same day; however, there must be an adequate break between the two sessions.

### **Who can provide the service?**

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.

A certified special education teacher must provide the service for a pupil with a disability where specified by the IEP.

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## **Appendix B: Homebound and Hospitalized Services Legal Authority**

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### **THE STATE SCHOOL AID ACT OF 1979 (EXCERPT)**

Act 94 of 1979

388.1709 Providing appropriate instructional services to pupil requiring hospitalization or confinement at home.

Sec. 109.

- (1) Subject to subsection (2), in order to receive funds under this article, 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 five 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 three school days after being notified.
- (3) Not later than October 15 of each odd-numbered year, the department shall prepare and distribute electronically to each district and intermediate district and make available on its website an explanation of the operation of this

section and the respective duties of all affected parties. The department shall provide a copy of the explanation electronically to any other person upon request.

History: Add. 1991, Act 118, Imd. Eff. Oct. 11, 1991 ;-- Am. 1993, Act 175, Eff. Oct. 1, 1993 ;-- Am. 1994, Act 283, Eff. Oct. 1, 1994 ;-- Am. 2011, Act 62, Eff. Oct. 1, 2011

## **School District Pupil Accounting for Distribution of State Aid**

R 340.2 Pupils to be counted in membership.

Rule 2 (excerpt)

"...(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 two 45-minute periods of individualized instruction per week is given.

(b) A certified teacher provides instruction.

(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..."

History: 1979 AC; 1984 AACCS; 2008 MR 18, Eff. Sept. 22, 2008.

## **Special Education Programs and Services**

Part 3: Administration of Programs and Services

R 340.1746 Homebound and hospitalized services.

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 pupil 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 pupils 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 hospital services, or for a combination of these services, shall be assigned not more than 12 pupils at any 1 time.
- (d) Pupils 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 pupils. If the pupil 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 pupil is currently enrolled.

History: 1979 AC; 1980 AACS; 1987 AACS; 2002 AACS; 2005 AACS.