**Section 1.520 Home and Hospital Instruction**

The provisions of this Section apply to any student who has not been identified as eligible for special education services, in accordance with 23 Ill. Adm. Code 226 (Special Education), and who receives services at home or in a hospital or other setting because he or she is unable to attend school elsewhere due to a medical condition, and for which the resident school district is seeking reimbursement under Section 14-13.01(a) of the School Code [105 ILCS 5/14-13.01(a)]. Requirements pertaining to home and hospital instruction for students with disabilities shall be as set forth in 23 Ill. Adm. Code 226.300 (Continuum of Placement Options).

a) When a student has a medical condition that will cause an absence for two or more consecutive weeks (i.e., 10 school days) of school or ongoing intermittent absences, as defined in Section 14-13.01(a) of the School Code, the school district for that child shall consider the need for home or hospital services. The provision of home or hospital services shall be based upon a written statement from a physician licensed to practice medicine in all its branches that specifies:

1) the child's medical condition;

2) the impact on the child's ability to participate in education (the child's physical and mental level of tolerance for receiving educational services); and

3) the anticipated duration or nature of the child's absence from school.

b) The amount of instructional or related service time provided through the home or hospital program shall be determined in relation to the child's educational needs and physical and mental health needs. The amount of instructional time shall not be less than five hours per week unless the physician has certified in writing that the child should not receive as many as five hours of instruction in a school week. In the event that the child's illness or a teacher's absence reduces the number of hours in a given week to which the child is entitled, the school district shall work with the child's teachers and the child's parents to provide the number of hours missed, as medically advisable for the child.

c) A child whose home or hospital instruction is being provided via telephone or other technological device shall receive not less than two hours per week of direct instructional services.

d) Instructional time shall be scheduled only on days when school is regularly in session, unless otherwise agreed to by all parties.

e) For the purpose of determining average daily attendance, school districts shall calculate days of attendance for hospitalized or homebound students in accordance with the provisions of Section 18-8.05(F)(2)(e) of the School Code.

f) Home or hospital instructors shall meet the requirements of 23 Ill. Adm. Code 1.610 (Personnel Required to be Qualified), except that the use of an individual who holds only a substitute teaching license is permissible if the individual provides instruction under the supervision of an individual who holds a professional educator license endorsed in a teaching field and is the teacher in whose class the student is enrolled. A school district using the services of a substitute teacher for home or hospital instruction pursuant to this subsection (f), however, is not eligible for reimbursement under Section 14-13.01 of the School Code.

g) A school district is not obligated to provide home and hospital instruction when the referral for the services is presented when two weeks or less remains in the school year.

h) Homebound instruction shall be provided for students who are pregnant according to the provisions set forth in Section 10-22.6a of the School Code.

(Source: Old Section repealed at 29 Ill. Reg. 15789, effective October 3, 2005; new Section added at 38 Ill. Reg. 6127, effective February 27, 2014 )