

# INFINITY CHARTER SCHOOL

POLICY NUMBER	208
SECTION	Special Education
TITLE	Instruction Conducted in the home and homebound instruction policy
ADOPTED	August 24, 2021
REVISED	

The Board of Trustees directs Administration to comply with applicable state and federal requirements, including the following as directed by the Pennsylvania Department of Education:

## **INSTRUCTION CONDUCTED IN THE HOME**

Instruction conducted in the home is included in the definition of special education located in the federal regulations and is recognized as a placement option on the continuum of alternative placements for students with disabilities. It is highly restrictive and should only be considered when less restrictive placements are not appropriate in accordance with applicable state and federal laws.

The use of instruction conducted in the home is typically restricted to students whose needs require full-time special education services and programs outside the school setting for the entire day.

Although a student placed by his or her Individualized Education Program ("IEP") team on instruction conducted in the home does not receive his or her program in the school setting, he or she remains entitled to a free appropriate public education equal to his or her non-disabled peers, unless this amount of instruction would jeopardize the child's health or welfare. In such cases, the IEP team can agree on fewer hours of instruction so long as the student still receives a free appropriate public education.

In all circumstances involving the placement of a student on instruction conducted in the home, the school must file the form attached to the PDE's Basic Education Circular, 22 Pa. Code §342.42(c), issued September 1, 1997, or any form promulgated after this Policy has been passed, with the PDE within 5 days of the placement. The school must supply the PDE with information about the student, his or her disability, and the anticipated length and reason for the placement. In addition, the school must provide information regarding the person in the school whom the PDE can contact to discuss the placement if necessary.

Instruction conducted in the home is not an appropriate option if the IEP team is experiencing difficulty in arranging the program or placement that a student requires. In such cases, the school should continue to serve the student in accordance with his or her IEP while taking steps

to promptly arrange for the services that the student requires. These steps may include seeking assistance from the PDE or from other child-serving agencies involved with the student.

Although instruction conducted in the home is not ordinarily permitted when the student has no condition preventing him or her from leaving the home, there are occasional, exceptional cases in which the parents and school agree to instruction conducted in the home as a short-term option. In these cases, the school must immediately file a report with the PDE utilizing the form attached to the PDE BEC cited above. As indicated on the form, the school is also responsible for informing the PDE when the short-term placement has concluded.

### **HOMEBOUND INSTRUCTION**

"Instruction conducted in the home," which is listed in the continuum of special education alternative placements in federal regulations, should not be confused with "homebound instruction," which describes the instruction a school may provide when a student has been excused from compulsory attendance under 22 Pa. Code §11.25 due to temporary mental or physical illness or other urgent reasons.

Although homebound instruction is not a special education placement option for students with disabilities, there are occasions when a student with a disability may receive homebound instruction due to a temporary excusal from compulsory attendance in the same manner as the student's non-disabled peers. Schools must also file the report referenced above with the PDE for students with disabilities for whom homebound instruction is approved and must also file a follow up report when the temporary placement has concluded and the student has returned to school. In addition, as indicated on the form, schools must attach to the form the physician's recommendation for homebound instruction.

If the temporary condition that precipitated the excusal from attendance for a student with disabilities results in a change in the student's need for specially designed instruction, the school may need to reevaluate the student. The school may also need to reconvene the student's IEP team to determine whether it is necessary to revise the IEP and change the student's placement to instruction conducted in the home.

Administration is directed to implement procedures necessary to effectuate this policy, including obtaining any forms required by the Pennsylvania Department of Education and updating any forms and information as necessary.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.