

2412 HOME INSTRUCTION DUE TO HEALTH CONDITION

The Board of Education shall provide instructional services to an enrolled pupil, whether a general education pupil in Kindergarten through grade twelve or special education pupil age three to twenty-one, when the pupil is confined to the home or another out-of-school setting due to a temporary or chronic health condition or a need for treatment that precludes participation in their usual education setting, whether general or special education.

A parent's/legal guardian's request for home instruction shall include a written determination from the pupil's physician documenting the projected need for confinement at the pupil's residence or other treatment setting for more than ten consecutive school days or twenty cumulative school days during the school year. The written determination from the pupil's physician shall be forwarded to the school physician, who shall either verify the need for home instruction or provide reasons for denial. The parent/legal guardian shall be notified concerning the school physician's verification or reasons for denial within five school days after receipt of the written determination by the pupil's physician.

The school district shall be responsible for the costs of providing instruction in the home or out-of-school setting either directly, or through online services, including any needed equipment, or through contract with another district Board of Education, Educational Services Commission, Jointure Commission, or approved clinic or agency. The school district shall provide instructional services within five school days after receipt of the school physician's verification or, if verification is made prior to the pupil's confinement, during the first week of the pupil's confinement to the home or out-of-school setting.

The home or out-of-school instruction shall meet the minimum standards as required in N.J.A.C. 6A:16-10.1(c). The school district shall establish a written plan for delivery of instruction and maintain a record of delivery of instructional services and pupil progress. The teacher providing instruction shall be a certified teacher. The teacher shall provide instruction for the number of days and length of time sufficient to continue the pupil's academic progress and dependent upon the pupil's ability to participate.

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For a pupil with disabilities, the home instruction shall be consistent with the pupil's Individualized Education Plan (IEP) to the extent appropriate, and shall meet the standards adopted by the State of New Jersey. When the provision for home instruction for a pupil with disabilities will exceed thirty consecutive school days in a school year, the IEP team shall convene a meeting to review and, if appropriate, revise the pupil's IEP.

For a pupil without a disability, the home instruction shall meet the standards adopted by the State of New Jersey, and the requirements of the Board for promotion to the next grade level. When the provision for home instruction for a pupil without a disability will exceed sixty calendar days, the school physician shall refer the pupil to the Child Study Team for evaluation, pursuant to N.J.A.C. 6A:14.

The Board reserves the right to withhold home instruction when the reason for the pupil's confinement is such as to expose a teacher to a health hazard or dangerous home situation; when a parent/legal guardian or other adult twenty-one years of age or older, who has been designated by the parent/legal guardian, is not present during the hours of instruction; or when the condition of the pupil is such as to preclude benefit from such instruction.

Pupils on home instruction will be accounted for on the attendance register as required by the Department of Education. The name of a pupil on home instruction will not be released at a public Board meeting or placed in a public record.

N.J.S.A. 18A:38-1 through 18A:38-25

N.J.A.C. 6A:14-4.8; 6A:14-4.9; 6A:16-10.1

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A. Request for Home Instruction Due to a Temporary or Chronic Health Condition

1. The parent/legal guardian shall submit a request to the Assistant Superintendent for Pupil Personnel Services that includes a written determination from the pupil's physician documenting the projected need for confinement at the pupil's residence or other treatment setting for more than ten consecutive school days or twenty cumulative school days during the school year.
2. The Assistant Superintendent for Pupil Personnel Services shall forward the written determination to the school physician, who shall verify the need for home instruction. The school physician may contact the pupil's physician to secure additional information concerning the pupil's diagnosis or need for treatment, and shall either verify the need for home instruction or shall provide reasons for denial to the Assistant Superintendent for Pupil Personnel Services
3. The Assistant Superintendent for Pupil Personnel Services shall notify the parent/legal guardian concerning the school physician's verification or reasons for denial within five school days after receipt of the written determination by the pupil's physician.

B. Providing Services

1. The school district shall provide instructional services within five school days after receipt of the school physician's verification or, if verification is made prior to the pupil's confinement, during the first week of the pupil's confinement to the home or out-of-school setting.

2. The school district shall be responsible for the costs of providing instruction in the home or out-of-school setting either directly, through online services, including any needed equipment, or through contract with another district Board of Education, Educational Services Commission, Jointure Commission, or approved clinic or agency for the following categories of pupils:
 - a. A pupil who resides within the area served by this Board of Education and is enrolled in a public school program; or
 - b. A pupil who is enrolled in a nonpublic school that is located within the area served by this Board of Education pursuant to N.J.S.A. 18A:46A-1 et seq.

C. Minimum Standards for Home or Out-of-School Instruction

1. The district shall establish a written plan for the delivery of instruction to continue the pupil's academic progress and to maintain a record of delivery of instructional services and pupil progress.
2. The teacher providing instruction shall be a certified teacher.
3. The teacher shall provide instruction for the number of days and length of time sufficient to continue the pupil's academic progress and dependent upon the pupil's ability to participate.
4. For a pupil with disabilities, the home instruction shall be consistent with the pupil's Individualized Education Plan (IEP) to the extent appropriate, and shall meet the standards adopted by the State of New Jersey. When the provision of home instruction will exceed thirty consecutive school days in a school year, the IEP team shall convene a meeting to review and, if appropriate, revise the pupil's IEP.
5. For a pupil without a disability, the home instruction shall meet the standards adopted by the State of New Jersey and the requirements of the Board of Education for promotion to the next grade level. When the provision of home instruction will exceed sixty calendar days, the school physician shall refer the pupil to the Child Study Team for evaluation pursuant to N.J.A.C. 6A:14.