
HOME INSTRUCTION

To provide uninterrupted education for pupils unable to attend their regular classes because of illness, disability, court order or administrative action, the board of education shall provide away-from-school instruction when proper application has been made and subject to the following restrictions:

- A. The period of absence must be expected to be longer than two weeks except in special circumstances.
- B. A parent/guardian or appropriate adult authority must be within call during the period of instruction.
- C. In cases of illness or disability, medical certification is required both of the necessity for the pupil's absence and his/her fitness to benefit from the instruction.

Each case must be approved by board action; all requirements for receipt of state aid must be fulfilled.

The board shall provide home or out-of-school instructional services no later than five (5) days after the student has left the general education program.

Temporary or Chronic Health Condition

The board is committed to providing home instruction to students who cannot participate in the regular education program due to temporary or chronic health conditions or treatment needs which preclude participation. The chief school administrator and/or designee shall select the instructors and oversee coordination between the home instructor and the regular classroom teacher in determining the student's instructional program. The home or out-of-school instructional services shall meet the minimum standards that are specified in N.J.A.C. 6A:16-10.1(c) including but not limited to:

- A. For general education students whose projected confinement will exceed 30 days, the school district shall develop an Individualized Program Plan (IPP) for delivery of instruction. The district shall maintain a record of delivery of instructional services and student progress;
- B. For general education students, the instruction shall meet the Core Curriculum Content Standards. Home instruction shall meet the requirements of the board for promotion at the grade level. When the provision of home instruction will exceed 60 calendar days, the school physician shall refer the student to the child study team for evaluation;
- C. For special education students, the home instruction shall be consistent with the student's Individualized Education Plan (IEP) to the extent appropriate. The home instruction shall meet the Core Curriculum Content Standards. When the provision of home instruction will exceed 30 consecutive school days in a school year, the IEP team shall convene a meeting to review and, if appropriate, revise the student's IEP;
- D. Teachers providing home instruction shall be appropriately certified for subject, grade level and special needs of the student;
- E. The teacher shall provide one-on-one instruction for no fewer than five hours per week on three separate days of the week. If the student is physically able, the instruction shall also include no fewer than five hours per week of additional guided learning experiences. This may include the use of technology to provide audio and visual connections to the student's classroom.

Reasons Other Than a Temporary or Chronic Health Condition

- A. The district shall provide home or out-of-school instruction for a general education student for reasons other than a temporary or chronic health condition when:
 - 1. The student is mandated by State law and rule for placement in an alternative education program for

firearms offenses and/or assault with weapons offenses but placement is not immediately available;

6173

2. The student is placed on short-term or long-term suspension;
 3. A court order requires that the student receive instructional services in the home or other out-of-school setting.
- B. The chief school administrator and/or designee shall select the instructors and oversee coordination between the home instructor and the regular classroom teacher in determining the student's instructional program. The home or out-of-school instructional services for reasons other than a temporary or chronic health condition shall meet the minimum standards that are specified in N.J.A.C. 6A:16-10.2(d) including but not limited to:
1. The school district shall develop an Individualized Program Plan (IPP) for delivery of instruction and maintain a record of delivery of instructional services and student progress (the IPP is not required for students on short-term suspension). The IPP shall be developed in accordance with law (N.J.A.C. 6A:16-10.2(d)1).
 2. The teacher providing instruction shall be appropriately certified for subject, grade level and special needs of the student,
 3. The teacher shall provide one-on-one instruction with no fewer than 10 hours each week on three separate days. The instruction shall also include no fewer than 10 additional hours per week of guided learning experience.
 4. The instruction shall meet the Core Curriculum Content Standards and board requirements for promotion and graduation.

Any student receiving home instruction is not considered absent.

Date: First Adoption: March 15, 1989

Revision and Second Adoption: June 26, 2008

Review Date: April 30, 2009

Revision and Adoption: May 28, 2009

Legal References:

N.J.A.C. 6A:14-4.8 sets guidelines for implementation of a disabled student's IEP through home instruction when all other less restrictive program options have been considered and deemed inappropriate.

N.J.A.C. 6A:14-4.9 describes home instruction procedures for students with or without disabilities who have been confined due to temporary illness or injury.

N.J.A.C. 6A:16-10.1 covers home instruction for general education students who are too sick to attend school. Basically, if a student is expected to miss two weeks of classes, the district should be providing home instruction so that the student does not fall behind in academic work.

N.J.A.C. 6A:16-10.2 (a) requires home or out-of-school instruction in these special circumstances:

1. When placement in an alternative program is not immediately available for firearms (N.J.A.C. 6A:16-5.5) and assaults with weapons offenses (N.J.A.C. 6A:16-5.6);
2. When a student is placed on short-term or long-term suspension from participation in general education program pursuant to N.J.A.C. 6A:16-7.2 and 7.3;
3. When a court order requires that the student receive instructional services in the home or other out

of school placement.

6173

N.J.A.C. 6A:16-10.2 (d) lists the minimum standards for these home or out-of-school instruction services.

N.J.A.C. 6A:14-1.1 et seq. Special education

See particularly:

N.J.A.C. 6A:14-4.8, 4.9

N.J.A.C. 6A:16-4.3

Reporting, notification and examination procedures for students suspected of being under the influence of alcohol or other drugs

N.J.A.C. 6A:16-5.5

Removal of students from general education for firearms offenses

N.J.A.C. 6A:16-5.6

Removal of students from general education for assaults with weapons offenses

N.J.A.C. 6A:16-10.1 et seq.

Home or Out-of-School Instruction for General Education Students

N.J.A.C. 8:61-1.1

Attendance at school by pupils or adults infected by Human Immunodeficiency Virus (HIV)

H.A. v. Board of Education Warren Hills Regional, 1976 S.L.D. 336

Plainfield Board of Education v. Cooperman, 105 NJ 587 (1987)

Somerset County Educational Services Commission v. North Plainfield Board of Education 1999 S.L.D. September 7 State in re G.S. 330 N.J. Super. 338 (Ch. Div. 2000)

Possible

Cross References:

- 4112.2 Certification
- 5113 Absences and excuses
- 5114 Suspension and expulsion
- 5131 Conduct/discipline
- 5131.6 Drugs, alcohol, tobacco (substance abuse)
- 5131.7 Weapons and dangerous instruments
- 5134 Married/pregnant pupils
- 5141.2 Illness
- 6146 Graduation requirements
- 6164.2 Guidance services
- 6164.4 Child study team
- 6171.4 Special education
- 6172 Alternative educational programs

Key Words

Bedside Instruction, Home Instruction