

## Instruction

### Home and Hospital Instruction <sup>1</sup>

A student who is absent from school, or whose physician, physician assistant, or advanced practice registered nurse anticipates that the student will be absent from school, because of a medical condition may be eligible for instruction in the student's home or hospital.<sup>2</sup> Eligibility shall be determined by State law and the Illinois State Board of Education rules governing (1) the continuum of placement options for students who have been identified for special education services or (2) the home and hospital instruction provisions for students who have not been identified for special education services.<sup>3</sup> Appropriate educational services from qualified staff will begin no later than five school days after receiving a [written statement from: \(1\) a physician licensed to practice medicine in all of its branches, \(2\) a licensed physician assistant, or \(3\) a licensed advanced practice registered nurse's written statement](#).<sup>4</sup> Instructional or related services for a student receiving special education services will be determined by the student's individualized education program.

**The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.**

<sup>1</sup> State or federal law controls this policy's content. The following State laws and ISBE rules govern homebound and hospital instruction: 105 ILCS 5/14-13.01 (reimbursement for home and hospital instruction along with factors to qualify for it); 105 ILCS 5/18-4.5 (reimbursement for home and hospital instruction); ~~105 ILCS 5/18-8.05, amended by P.A. 100-465 (for purposes of apportioning general state aid through the 2016-2017 school year, 105 ILCS 5/10-19.05(e), added by P.A. 100-12 (an instructional session of one clock hour may be counted as ½ day of attendance, however, a student must receive four or more instructional clock hours to count as a full day of attendance); 23 Ill.Admin.Code §226.300 (home/hospital service for a special education student); 23 Ill.Admin.Code §1.520; [ISBE General State Aid Claim form](#).~~

See ISBE guidance, *Home/Hospital Instruction and Reimbursement Questions and Answers* available at: [www.isbe.net/Documents/Home-Hospital\\_QA.pdf](http://www.isbe.net/Documents/Home-Hospital_QA.pdf)~~[https://www.isbe.net/Documents/Home-Hospital\\_QA.pdf](https://www.isbe.net/Documents/Home-Hospital_QA.pdf)~~~~[www.isbe.net/Documents/home-hospital-ga.pdf](http://www.isbe.net/Documents/home-hospital-ga.pdf)~~.

<sup>2</sup> 105 ILCS 5/14-13.01, amended by P.A. 100-443, defines the standards for determining when a student is eligible to receive home or hospital instruction. A student qualifies when a physician, physician assistant, or advanced practice nurse anticipates a student's absence due to a medical condition. The law defines "ongoing intermittent basis" to mean a medical condition of such a nature and severity that it is anticipated that the student will be absent from school due to the medical condition for periods of at least two days at a time multiple times during the school year totaling at least 10 days or more of absences. 225 ILCS 65/520-10, amended by P.A. 100-513, revised the Nurse Practice Act to add *registered* to the definition of *advanced practice registered nurse*; accordingly, this policy reflects that change in terminology, even though Section 5/14-13.01 similarly has not been amended.

<sup>3</sup> 105 ILCS 5/14-13.01(a), amended by P.A. 100-443, requires that all students provide a written statement from a physician, physician assistant, or advanced practice registered nurse stating the existence of a medical condition, the impact on the child's ability to participate in education, and the anticipated duration or nature of the child's absence from school. However, ISBE rules at 23 Ill.Admin.Code §226.300 (students qualifying for special education services) and 23 Ill.Admin.Code §1.520 (students not qualifying for special education services) have not yet been amended to reflect that this written statement may come from a physician assistant or an advanced practice registered nurse; they still state that such a written statement must come from a physician. ISBE's *Medical Certification for Home/Hospital Instruction* form, form 34-58, reflects that the written statement may come from a "physician licensed to practice medicine in all its branches, APRN, or PA." Available at: ~~[www.isbe.net/Documents/Medical-certification-home-hospital-instruction.pdf](https://www.isbe.net/Documents/Medical-certification-home-hospital-instruction.pdf)~~~~<https://www.isbe.net/Documents/34-58-home-hospital-inst.pdf>~~.

A student with health needs may be protected by the Individuals with Disabilities Education Act (20 U.S.C. §1401(3) or Section 504 of the Rehabilitation Act (29 U.S.C. §794(a)).

<sup>4</sup> [105 ILCS 5/14-13.01\(a-5\)](#), amended by P.A.s 100-443 and 100-863. There is no requirement that a student be absent from school for a minimum number of days before he or she qualifies for home or hospital instruction. 105 ILCS 5/14-13.01(a). The statute, amended by P.A. 100-443, allows schools to begin home or hospital instruction upon receipt of a written statement from a physician, physician assistant, or advanced practice registered nurse but requires it to begin no later than five school days after receipt of the written statement.

A student who is unable to attend school because of pregnancy will be provided home instruction, correspondence courses, or other courses of instruction (1) before the birth of the child when the student's physician, physician assistant, or advanced practice registered nurse indicates, in writing, that she is medically unable to attend regular classroom instruction, and (2) for up to three months after the child's birth or a miscarriage. <sup>5</sup>

Periodic conferences will be held between appropriate school personnel, parent(s)/guardian(s), and hospital staff to coordinate course work and facilitate a student's return to school.

LEGAL REF.: 105 ILCS ~~5/10-19.05(e)~~, 5/10-22.6a, 5/14-13.01, and 5/18-4.5.  
23 Ill.Admin.Code §§1.520, 1.610, and 226.300.

CROSS REF.: 6:120 (Education of Children with Disabilities), 7:10 (Equal Educational Opportunity), 7:280 (Communicable and Chronic Infectious Disease)

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Both 23 Ill.Admin.Code §§226.300(g) and 1.520(f) require home or hospital instructors to meet the requirements listed in 23 Ill.Admin.Code §1.610, i.e., proper licensure as required by Section 21B-15 of the School Code (105 ILCS 5/21B-15).

<sup>5</sup> 105 ILCS 5/10-22.6a, amended by P.A. 100-443. Number (2) does not require a written statement from a physician, physician assistant, or advanced practice registered nurse.