

Rule 6A-6.03020 is amended to read:

6A-6.03020 Specially Designed Instruction for ~~Special Programs~~
~~for~~ Students Who Are Homebound or Hospitalized.

(1) Homebound or hospitalized. A homebound or hospitalized student is a student who has a medically diagnosed physical or ~~mental~~ psychiatric condition which is acute or catastrophic in nature, or a chronic illness, or a repeated intermittent illness due to a persisting medical problem and which confines the student to home or hospital, and restricts ~~whose~~ activities are ~~restricted~~ for an extended period of time. The medical diagnosis shall be made by a licensed physician.

(2) The term licensed physician, as used in this rule, is defined in Chapters 458 and 459, Florida Statutes, and Rule 6A-6.03020, FAC., is one who is qualified to assess the student's physical or psychiatric ~~mental~~ condition.

(3) Criteria for eligibility. A student, who is homebound or hospitalized, is eligible for specially designed instruction ~~special programs for homebound or hospitalized~~ if the following criteria are met:

(a) A Certification by a licensed physician(s) must certify that the student: as specified in Rule 6A-6.03020(2), FAC.,

1. that the student is Is expected to be absent from school due to a physical or psychiatric ~~mental~~ condition for at least fifteen (15) consecutive school days, or the equivalent on a

block schedule, or due to a chronic condition, for at least fifteen (15) school days, or the equivalent on a block schedule, which need not run consecutively;

2. Is confined to home or hospital; ~~and~~

3. Will ~~will~~ be able to participate in and benefit from an instructional program; ~~and~~

4. ~~(b) Student is~~ Is under medical care for illness or injury which is acute, ~~or catastrophic, or chronic~~ in nature; and

5. ~~(c) Certification by a licensed physician as specified~~

~~in Rule 6A-6.03020(2), FAC., that the student can~~ Can receive an instructional ~~services program~~ without endangering the health and safety of the instructor or other students with whom the instructor may come in contact. ~~;~~ ~~and~~

~~(b)(d) The student~~ Student is enrolled in a public school in kindergarten through twelfth grade prior to the referral for ~~the~~ homebound or hospitalized services ~~or program~~, unless the student meets criteria for eligibility under Rules 6A-6.03011, 6A-6.03012, 6A-6.03013, 6A-6.03014, 6A-6.03015, 6A-6.03016, 6A-6.03018, ~~6A-6.03019, 6A-6.03021, 6A-6.03022, 6A-6.03023, 6A-6.03024, and 6A-03025, and~~ 6A-6.03027, FAC., and

~~(c)(e)~~ A parent, guardian or primary caregiver signs parental agreement concerning homebound or hospitalized policies and parental cooperation.

(4) Procedures for student evaluation.

(a) The minimum evaluation for a student to determine eligibility shall be

an annual medical statement from a licensed physician(s) as specified in Rule 6A-6.03020(2), FAC., including a description of the ~~disabling handicapping~~ condition ~~or diagnosis~~ with any medical implications for instruction. This report shall state ~~that the student is unable to attend school~~ describe the plan of treatment, provide recommendations regarding school re-entry, and give an estimated duration of condition ~~or prognosis~~. The team determining eligibility may require additional evaluation data. This additional evaluation data must be provided at no cost to the parent.

(b) A physical reexamination and a medical report by a licensed physician(s) ~~as specified in Rule 6A-6.03020(2), FAC.,~~ may be requested by the administrator of exceptional student education or the administrator's designee on a more frequent basis than required in paragraph (4)(a) of this rule ~~Rule 6A-6.0331(1)(e), FAC.,~~ and may ~~shall~~ be required if the student is scheduled to attend school part of a day during a recuperative period of readjustment to a full school schedule. This physical reexamination and medical report shall be provided at no cost to the parent.

(5) Procedures for determining eligibility. Procedures for determining eligibility shall be in accordance with Rule 6A-6.0331, FAC.

~~(a) — For a student who is medically diagnosed as chronically ill or who has repeated intermittent illness due to a persisting medical problem, staffing as required in Rule 6A-6.0331(2) and (4)(b), (c), (d), and (e), FAC., shall be held annually to establish continuing eligibility for homebound or hospitalized services.~~

~~(b) — A student may be alternately assigned to the homebound or hospitalized program and to a school-based program due to a severe, chronic or intermittent condition as certified by a licensed physician, as specified in Rule 6A-6.03020(2), FAC.~~

(6) Procedures for providing an individual educational plan.

~~(a) — For the homebound or hospitalized student who meets the eligibility criteria for programs as listed in Rule 6A-6.03020(3)(d), FAC., The individual educational plan shall be developed or revised prior to assignment to the homebound or hospitalized program placement as required in Rule 6A-6.03028, FAC. A student may be alternatively assigned to the homebound or hospitalized program and to a school-based program due to an acute, chronic, or intermittent condition as certified by a licensed physician, as specified in subparagraph (3)(a)1., of this rule. This decision shall be made by the individual educational plan (IEP) team in accordance with the requirements of Rule 6A-6.03028, FAC.~~

~~(b) — For the homebound or hospitalized student who does not meet the eligibility criteria for programs as listed in Rule 6A-6.03020(3)(d), FAC., whose physician expects the placement in the homebound or hospitalized program to exceed thirty (30) consecutive school days, the individual educational plan shall be developed prior to assignment but may be developed without a formal meeting, as required in Rule 6A-6.0331, FAC.~~

~~(c) — For the homebound or hospitalized student who does not meet the eligibility criteria for programs as listed in Rule 6A-6.03020(3)(d), FAC., whose~~

~~physician expects the placement in the homebound or hospitalized program not to exceed thirty (30) consecutive school days, the individual educational plan may be developed after assignment and without the formal meeting required in Rule 6A-6.0331, FAC.~~

(7) Instructional services program. The following settings and instructional modes, or a combination thereof, are acceptable for this program appropriate methods for providing instruction to students determined eligible for these services:

(a) Instruction in a home. The parent, guardian or primary caregiver shall provide a quiet, clean, well-ventilated setting where the teacher and student will work; ensure that a responsible adult is present; and establish a schedule for student study between teacher visits which takes into account the student's medical condition and the requirements of the student's coursework.

(b) Instruction in a hospital. The hospital administrator or designee shall provide appropriate space for the teacher and student to work and allow for the establishment of a schedule for student study between teacher visits.

(c) Instruction through telecommunications or computer devices. When the individual education plan (IEP) team determines that instruction is by telecommunications or computer devices ~~telephone, the parent, guardian, or primary caregiver shall provide~~ an open, uninterrupted telecommunication link shall be provided at no additional cost to the parent, telephone line during the instructional period, ~~and~~ The parent shall ensure that the student is prepared to actively participate

in learning.

~~(8) — Funding. Students shall be counted for the homebound or hospitalized cost factor when instruction is by any of the following methods: individual instruction on a one-to-one basis, group instruction when all students in the group are members of the same family, and instruction provided through telecommunications.~~

Specific Authority 1001.02(1)(2)(n), 1003.01(3)(a), 1003.57(5) ~~228.041(18)(19), 229.053(1), 230.23(4)(m)~~ FS. Law Implemented 1001.42(4)(1), 1003.01(3)(a)(b), 1001.03(8), 1003.57(5), 1011.62(1)(c) ~~228.041(18)(19), 229.565(3)(b)(c), 230.23(4)(m)4., 232.01(1)(e), 236.081(1)(e)~~ FS., PL 105-17, (20 USC 1401, 1412, 1414, 1415). History - New 7-1-77, Amended 7-2-79, 4-27-82, Formerly 6A-6.3020, Amended 5-18-86,