

Board of Education Agenda Item

Item: C.

Date: November 18, 2010

Topic: First Review of a Report on Homebound Instructional Services in Response to HB 257 Passed by the 2010 General Assembly

Presenter: Ms. Anne D. Wescott, Assistant Superintendent for Policy and Communications

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Origin:

Topic presented for information only (no board action required)

Board review required by
 State or federal law or regulation
 Board of Education regulation
 Other: _____

Action requested at this meeting

Action requested at future meeting: January 13, 2011

Previous Review/Action:

No previous board review/action
 Previous review/action
dates _____
actions _____

Background Information: The 2010 General Assembly passed [HB 257](#), which requires the Board of Education to review its [Regulations Establishing Standards for Accrediting Public Schools in Virginia](#) (SOA) as they relate to homebound instructional services. The legislation passed by the 2010 General Assembly states the following:

§ 1. That the Board of Education shall review its [Regulations Establishing Standards for Accrediting Public Schools in Virginia](#) (8 VAC 20-131) as they relate to homebound instructional services to address whether homebound instruction may be made available to students who are confined at home or in a health care facility for periods that would prevent normal school attendance based upon evidence submitted by any person licensed to diagnose and treat mental, emotional, or behavioral disorders by a health regulatory board within the Department of Health Professions.

Currently [8 VAC 20-131-180.A](#) of the SOA provides in part:

Homebound instruction shall be made available to students who are confined at home or in a health care facility for periods that would prevent normal school attendance based upon certification of need by a licensed physician or licensed clinical psychologist...

The delivery of homebound instructional services is the responsibility of the school divisions. To assist school divisions with the administration of the homebound instructional program, the Virginia Department of Education (VDOE) has issued [Homebound Instructional Services Guidelines](#). These VDOE guidelines cover areas such as:

1. The eligibility for homebound services;
2. The initiation, review, and termination of services;
3. The role of the teacher, physician, and licensed clinical psychologist;
4. Suggested guidelines as to the number of hours of instruction to be provided at the elementary and secondary level;
5. The use of online instruction; and
6. Reimbursement of costs by the Commonwealth.

Summary of Major Elements: In order to assist the Board in its review required by [HB 257](#), the VDOE administered a short survey to solicit information about homebound instructional services offered by school divisions during the 2009-2010 academic year. This survey was provided to school divisions in September, 2010, and it asked general questions about the number of students referred for homebound services, whether complaints were received from parents about the homebound program, including the certification process, and whether school divisions had any suggested changes to the current structure of the homebound program. Ninety-one school divisions responded to this survey.

None of the 91 school divisions responding indicated that there are any deficiencies with the current certification process. Three respondents indicated that the current certification structure is effective.

Many of the comments received from school divisions indicate that additional guidance from the VDOE would be helpful. The conclusions and recommendations section of the report suggests that the Board may want to consider directing the VDOE to review its [Homebound Instructional Services Guidelines](#) to determine whether revisions to the guidelines are necessary.

Superintendent's Recommendation: The Superintendent of Public Instruction recommends that the Board of Education accept the report for first review and authorize 30 days of public comment on the findings of the review.

Impact on Resources: The impact on resources will be dependent on final action taken by the Board but the impact of any actions is expected to be minimal.

Timetable for Further Review/Action: Final action will be requested at the January 13, 2011, Board meeting.



VIRGINIA DEPARTMENT OF EDUCATION

REPORT

INFORMATION ON HOMEBOUND INSTRUCTIONAL SERVICES

PRESENTED TO THE

VIRGINIA BOARD OF EDUCATION

NOVEMBER 2010

Introduction and Background

The 2010 General Assembly passed [House Bill 257](#), which requires the Board of Education to review its [Regulations Establishing Standards for Accrediting Public Schools in Virginia](#) (SOA) as they relate to homebound instructional services. The law states the following:

That the Board of Education shall review its [Regulations Establishing Standards for Accrediting Public Schools in Virginia](#) (8 VAC 20-131) as they relate to homebound instructional services to address whether homebound instruction may be made available to students who are confined at home or in a health care facility for periods that would prevent normal school attendance based upon evidence submitted by any person licensed to diagnose and treat mental, emotional, or behavioral disorders by a health regulatory board within the Department of Health Professions.

Currently [8 VAC 20-131-180.A](#) of the SOA provides in part:

Homebound instruction shall be made available to students who are confined at home or in a health care facility for periods that would prevent normal school attendance based upon certification of need by a licensed physician or licensed clinical psychologist....

The delivery of homebound instructional services is the responsibility of the school divisions. In its [Homebound Instructional Services Guidelines](#), the Virginia Department of Education (VDOE) states that "...homebound instruction is designed to provide continuity of educational services between the classroom and home or health care facility, for students whose medical needs, either physical or psychiatric, do not allow school attendance for a short period of time. It is not intended to supplant school services and is by design temporary. The school division is responsible for providing instructional services for all public school students who must be temporarily confined at home or in a health care facility. The school division is also responsible for providing homebound services to a student enrolled in the school division who is confined in another county or city in Virginia and to qualified students confined in another state, if those students meet all the homebound eligibility requirements."

These VDOE guidelines cover areas such as:

1. The eligibility for homebound services;
2. The initiation, review, and termination of services;
3. The role of the teacher, physician, and licensed clinical psychologist;
4. Suggested guidelines as to the number of hours of instruction to be provided at the elementary and secondary level;
5. The use of online instruction; and
6. Reimbursement of costs by the Commonwealth.

The Commonwealth reimburses school divisions for costs incurred from the delivery of homebound services. School divisions receive this reimbursement as a percentage of hourly payments to teachers employed to provide homebound instruction to eligible children. A maximum hourly rate is established annually and the reimbursements received by a school division are adjusted for that division's local composite index of ability-to-pay.

State funding available for homebound services reimbursement is approximately \$5.6 million in fiscal year 2011 and \$5.9 million in fiscal year 2012. Based on the amount of state funding available in fiscal year 2010 compared to the amount of homebound expenditures reported by school divisions for the 2009-2010 academic year, it appears that school divisions were reimbursed by the Commonwealth for less than 30 percent of their total expenditures.

This report provides information on data collected from school divisions regarding homebound instructional services. These data are provided to assist the Virginia Board of Education in assessing the need for amending its existing regulations to address any changes that may be needed to the current certification process so that other individuals licensed by a health regulatory board may certify the need for a student to have homebound services. Currently, only physicians and licensed clinical psychologists can certify the need for a student to have homebound services.

Review Process

In order to assist the Board in its review of this legislation, the VDOE administered a short survey to solicit information about homebound instructional services offered by school divisions during the 2009-2010 academic year. This survey was provided to school divisions in September, 2010, and it asked general questions about the number of students referred for homebound services, whether complaints were received from parents about the homebound program, including the certification process, and whether school divisions had any suggested changes to the current structure of the homebound program. The appendix to this report contains the superintendent's memo and survey questions distributed to school divisions.

This report presents a summary of the survey responses received from 91 school divisions, representing almost 70 percent of all Virginia school divisions.

General Survey Response Information

Data

School divisions were asked the following questions about the number of students referred for homebound services.

- 1. For the 2009-2010 school year, please provide the total number of students approved for homebound due to:**

Category	Total Reported by School Divisions	Percent of Total
Physical Illness	4,135	54%
Mental Illness	984	13%
Discipline Program	1,828	24%
Other	723	9%

2. For the 2009-2010 school year, how many of these students had an individualized education program (IEP)?

Total Reported by School Divisions
2,757

3. For the 2009-2010 school year, how many of these students had a 504 plan?

Total Reported by School Divisions
207

4. For the 2009-2010 school year, how many of these students were approved for homebound services by one of the following?

Category	Total Reported by School Divisions	Percent of Total Number of Students Reported to Have Received Homebound Services
Physician	4,285	56%
Licensed Clinical Psychologist	560	7%

Narrative Information

School divisions were asked the following questions regarding the receipt of complaints and changes that could be made to the homebound program.

1. Has your school division received complaints from parents who have been unable to secure a homebound certification from either a licensed clinical psychologist or a physician? If so, what was the resolution?

Approximately 12 percent of the school divisions responding to the survey indicated that complaints have been received from parents. Eighty-eight percent of the school divisions responding indicated that they have not received any complaints regarding this issue. The following information highlights the responses received:

- Only one school division referenced the certification process addressed in [House Bill 257](#). In its response, this school division indicated support of the current certification structure.
- The other responding school divisions had no complaints directly related to the certification issues raised in [House Bill 257](#).
- Some school divisions reported parental complaints about the certification process. The complaints were usually related to delays in the physician's office, misunderstanding of the requirements, or the physician's determination that homebound services were not necessary.
- Three school divisions indicated that some parents had concerns about difficulty in securing the appropriate certification. However, this issue was usually resolved by seeking the assistance of another physician or licensed clinical psychologist. In one school division, the child did not get the certification because homebound was not the appropriate placement. In another school division, the child was able to receive homebound services through his Individualized Education Program (IEP). In the third case, truancy was an issue and the child was required to attend class.

2. Has your school division received any other complaints about the homebound program from parents? (If the answer is yes, please describe the complaints.)

Approximately 40 percent of the school divisions responding to the survey indicated that complaints have been received from parents about the program. Sixty percent of the responding school division indicated that they have not received any complaints. The following information highlights the responses received:

- None of the school divisions referenced the certification process addressed in [House Bill 257](#) in the responses.
- Some of the school divisions reported complaints about the certification process. Some school divisions reported that parents were reluctant to follow the process. School divisions also reported that the extension of services is sometimes difficult. One school division reported that a parent of a private school student wanted to have homebound services provided by the public school division.
- School divisions reported that complaints were received when parents asked for homebound instructional services without valid medical reasons.
- One school division reported complaints due to denial of homebound instruction even when the parent provided a certification from a physician or licensed psychologist.
- Some of the school divisions reported complaints about the quality of instruction, the amount of instruction, the difficulty in getting instruction started, scheduling difficulties, problems with the teacher, and the inability to cover the laboratory requirements for related science courses and some advanced level classes.

3. Does your school division have any changes you would like to make to the homebound program to facilitate academic enhancement?

Approximately 20 percent of the school divisions responding to the survey commented on the need to make changes to the program. The following information highlights the responses received:

- Only two school divisions referenced the certification process addressed in [House Bill 257](#) in their response and both school divisions support the current certification structure.
- One school division expressed interest in having a maximum number of hours of homebound instruction provided per grade level of instruction. Another school division expressed interest in increasing the number of instructional hours provided for high school students.
- Some school divisions reported concerns about the lack of teachers available to teach homebound instruction. One school division asked that any licensed teacher be allowed to teach any student. Another school division suggested the use of a regional pool of teachers who could provide homebound instruction.
- One school division expressed concern about teacher safety.
- Several school divisions mentioned the use of virtual education as a means to meet the needs of students requiring homebound instruction. However, one school division mentioned the challenge in using virtual instruction because many of the students' homes are not equipped with "wifi" or with "hotspots."
- One school division mentioned that many students are on home-based instruction for disciplinary reasons. This school division reported that if it received financial reimbursement for these students, it could hire additional staff.
- Another school division asked for reimbursement for students placed on homebound instruction by the IEP team.

Other General Comments

School divisions that submitted information to the VDOE commented on other issues surrounding the homebound program. The following information highlights the responses received:

- No school division reported that they would support certification for homebound instruction by any person licensed to diagnose and treat mental, emotional, or behavioral disorders by a health regulatory board within the Department of Health Professions.
- One school division reported that a child receiving homebound services was not allowed to participate in extracurricular activities.
- One school division asked for a better definition of mental health issues as students with these issues are a significant percentage of those students receiving homebound services.

- Several school divisions mentioned the need for a greater emphasis on services plans and transition plans for students receiving homebound services.
- One school division reported frustration because personnel were unable to speak to the physician about a homebound referral.
- One school division reported that parents could not understand the need for a nine week review of the homebound services provided.

Conclusions and Recommendations

No school divisions responding to the survey indicated that there are any deficiencies with the current certification process, which is the issue under examination under [HB 257](#). Three respondents indicated that the current certification structure is effective.

During 2009, VDOE received a request from the Virginia Association of Clinical Counselors to expand the professionals that may refer a student for homebound instruction to include licensed professional counselors, licensed clinical social workers, and licensed marriage and family therapists. In response to this request, VDOE indicated that it maintains a medical orientation to homebound instruction and also indicated that it had received no requests from school divisions to expand referral authority beyond what is currently in Board regulations.

Many of the comments received from school divisions indicate that additional guidance from the VDOE would be helpful. It is not clear from the data reported how many divisions may be denying services for homebound instruction after receiving certification or how many school divisions are choosing to provide homebound services without certification under varying circumstances. For these reasons, the Board may want to consider directing the VDOE to review its [Homebound Instructional Services Guidelines](#) to determine whether revisions to the guidelines are necessary.

APPENDIX

SUPERINTENDENT'S MEMORANDUM

DATE: September 24, 2010 **MEMO. NO. 234**

TO: Division Superintendents

FROM: Patricia I. Wright
Superintendent of Public Instruction

SUBJECT: Survey related to House Bill 257 – Homebound Instructional Services

The 2010 General Assembly passed [HB 257](#), which requires the Board of Education to review its *Regulations Establishing Standards for Accrediting Public Schools in Virginia* (SOA) as they relate to homebound instructional services. The law states the following:

That the Board of Education shall review its *Regulations Establishing Standards for Accrediting Public Schools in Virginia* ([8 VAC 20-131](#)) as they relate to homebound instructional services to address whether homebound instruction may be made available to students who are confined at home or in a health care facility for periods that would prevent normal school attendance based upon evidence submitted by any person licensed to diagnose and treat mental, emotional, or behavioral disorders by a health regulatory board within the Department of Health Professions.

Currently [8 VAC 20-131-180.A](#) of the SOA provides in part:

Homebound instruction shall be made available to students who are confined at home or in a health care facility for periods that would prevent normal school attendance based upon certification of need by a licensed physician or licensed clinical psychologist....

In order to assist the Board in its deliberations on this issue, the Department has developed a short survey to solicit information about homebound instruction offered by school divisions. Please complete the survey, which can be found at <http://www.surveymonkey.com/s/5YJYT2V>, by October 22, 2010. You may contact the Office of Policy at 804-225-2092 or by e-mail at policydata@doe.virginia.gov if you have any questions regarding this matter.

Thank you for your assistance in providing the Board with information on homebound instructional services.

PIW/MMV/jcj

**Virginia Department of Education
School Division Survey Instrument
Homebound Instructional Services**

1. **Name of School Division**
2. **School Division Contact Information: (Please include name, title, telephone number, and e-mail address.)**
3. **For the 2009-2010 school year, please provide the total number of students approved for homebound due to:**
 - a. **Physical Illness**
 - b. **Mental Illness**
 - c. **Discipline Program**
 - d. **Other**
4. **For the 2009-2010 school year, how many of these students had an individualized education program (IEP)?**
5. **For the 2009-2010 school year, how many of these students had a 504 plan?**
6. **For the 2009-2010 school year, how many of these students were approved for homebound services by one of the following?**
 - a. **Physician**
 - b. **Licensed Clinical Psychologist**
7. **Has your school division received complaints from parents who have been unable to secure a homebound certification from either a licensed clinical psychologist or a physician? If so, what was the resolution?**
8. **Has your school division received any other complaints about the homebound program from parents? (If the answer is yes, please describe the complaints.)**
9. **Does your school division have any changes you would like to make to the homebound program to facilitate academic enhancement?**