

Procedures for Arranging Hospital Instruction for Students with Disabilities

This guidance applies to instruction in hospital settings (“hospital instruction”) for school-aged students with IEPs and students who require an initial referral for special education evaluation, who have a temporary or chronic medical or physical condition and/or a severe emotional, psychological, or behavioral disability that renders them unable to attend a school facility for an anticipated duration of at least ten days in a three month period, as documented by their treating medical provider. “Hospital settings” include hospitals, day treatment centers, and long-term care facilities. All students, including students with disabilities, are eligible to apply for hospital instruction.

Hospital instruction requires medical clearance. Students in a hospital setting receive instruction after a hospital physician determines that a student is medically able to do so.

Hospital instruction ends when the student is discharged from the hospital setting. If the student is still too ill to return to school, parents should proactively submit a request for home instruction before the student is discharged from the hospital to avoid delay in transitioning to home instruction.

Schools and CSEs¹ should provide support to parents by informing families of the availability of home or hospital instruction, and assisting with the submission of any documentation required, including written consent authorizing the Office of School Health to contact the treating healthcare provider and written consent authorizing the DOE to provide any educational records to third-party providers of educational and related services.

For additional procedures and guidance on hospital instruction for students with and without IEPs, and the related offices of [Home Instruction Schools](#) and [Hospital Schools](#), refer to [Academic Policy Guidance for Schools and Programs: Medically Necessary Instruction and Hospital Instruction](#) and [Chancellor’s Regulations A-170](#), and their updates. DOE provides home and hospital instruction to students with and without IEPs pursuant to Commissioner’s Regulation 100.22 and 200.6. For more information about New York State requirements, please see [Home, Hospital or Institutional Instruction \(aka Homebound Instruction\)](#) on the NYSED website.

Affiliated School Responsibilities for Students with IEPs Receiving Hospital Instruction

When a student with an IEP is receiving home or hospital instruction, the school with which the student is affiliated must participate in shared instruction with the hospital instruction provider. Shared instruction means that the school should be in contact with the hospital instruction provider to provide them with the student’s curricular materials and other work. The affiliated school must also continue to provide support regarding state and local accountability measures, and any graduation requirements.

If the student is affiliated with a DOE school, that school remains responsible for the student’s case while the student is receiving hospital instruction, including conducting reviews of the IEP, Annual

¹ For all purposes in the DOE and in this document, the term “Committee on Special Education” (CSE) refers to one of the regional offices that manages the special education process for students who are not attending DOE K-12 school programs. For all purposes in the DOE and in this document, “IEP team” is interchangeable with NYSED’s definition of CSE or subcommittee on special education (SCSE), unless specifically noted otherwise.



Review and Reevaluations (ensuring the participation of the hospital instruction teacher).² (Please refer to [Academic Policy Guidance for Schools and Programs: Medically Necessary Instruction and Hospital Instruction](#) for complete explanation of the responsibilities of an affiliated school.) This includes referrals for initial evaluations for students who do not have IEPs, with the support from Hospital Schools.³

Schools must designate a primary point of contact for (home and) hospital instruction, and must coordinate with Home Instruction Schools, Hospital Schools, Office of School Health, and CSE, as needed to assist families and IEP teams with the arrangement of hospital instruction, evaluations, and IEP meetings for students on or in need of hospital instruction.

If the student's affiliated school is not a DOE school, the applicable CSE remains responsible for the student's case while the student is receiving hospital instruction, including conducting initial evaluations, Annual Reviews and Reevaluations, with support from Hospital Schools.

If the student does not have an affiliated school, such as students who were never enrolled in a school, or who were previously, but no longer enrolled in a charter school or nonpublic school, then the CSE remains responsible for the student's case during the initial consideration of hospital instruction and whether an IEP meeting is required. Hospital instruction must be made available to the student thereafter if eligible. The CSE will work with the Office of School Enrollment to offer a DOE school for the parent to enroll the student. Once the parent enrolls their child in the DOE school, the CSE will transfer responsibility for the student's IEP to the school-based IEP team after the initial consideration of hospital instruction.

The affiliated school is also the school to which the student will return after hospital instruction has ended. Students who are receiving hospital instruction and are eligible to apply to middle or high schools through [DOE admissions processes](#) should apply while on hospital instruction in anticipation of returning to school.

Hospital Settings Not Directly Served by DOE or Outside of New York City

[Hospital Schools](#) is responsible for coordinating hospital instruction for students with disabilities in all hospital settings. In certain hospital settings in New York City, hospital instruction is provided directly by Hospital Schools staff when students are admitted and medically cleared by the hospital physician to receive instruction. As needed Hospital Schools will assist affiliated schools and CSEs in ensuring the attendance of teachers providing hospital instruction at IEP meetings, including advance submission of any progress reports.

Parents of students in a hospital setting not directly served by Hospital Schools staff or located outside of New York City (or the hospital setting on behalf of the parent) may contact DOE's Hospital Schools at Hospitalschoolsnonnyc@schools.nyc.gov for assistance in requesting hospital instruction. Such request should include documentation of medical verification from the student's treating medical provider and

² The hospital instruction teacher may participate in the IEP meeting by phone if they have been provided with all documents that may be discussed readily available.

³ For students who are not recommended for hospital instruction on an IEP, the student's hospital instruction provider, in consultation with the student's curriculum, will develop the student's hospital instruction plan.



consents, as well as information about the student. For ease of intake, the hospital setting may use the forms provided below.

The principal of Hospital Schools, or their designee, will immediately reach out to the student's affiliated school for information about the student, and must confirm that the student is a resident of New York City, is hospitalized and therefore requires hospital instruction, and that the parent consents to such instruction. If the student is enrolled in a charter school or nonpublic school, Hospital Schools will reach out to the relevant CSE, and the student's school will be the affiliated school.

If the student is not enrolled in any school but is a resident of New York City, then the parent must enroll in a DOE school. Hospital Schools will contact the Office of School Enrollment to ensure that a school placement is made immediately for the parents to register the student in a DOE school. If the student has an IEP, the school-based IEP team would be responsible for the student's IEP. The school-based IEP team would also be responsible for any initial referral for special education evaluation, if needed.

Hospital Schools will ensure that eligible students whose parents request hospital instruction are provided instruction. Hospital instruction services in out-of-city hospital settings are often provided by arrangement with the local school district or by contract. Hospital Schools, with the assistance of the affiliated school or relevant CSE, must assist the parent to complete and submit the appropriate forms to request independent instructional services to be provided in an out-of-city hospital setting. In such cases, Hospital Schools will authorize such services, and the independent provider will submit invoices for hospital instruction services to the Bureau of Nonpublic School Payables for payment.

If the out-of-city hospital setting does not have a local school district or contracted provider affiliated with the facility and Hospital Schools can find no DOE teacher to provide hospital instruction then Hospital Schools may arrange for instruction by an independent provider by issuing a P-4 Authorization for SETSS and working with the parent and hospital setting, as needed, to identify a provider. If needed and possible, the relevant DOE staff will also be permitted to support students onsite in non-DOE or non-NYC hospital settings if deemed appropriate by all parties and with parental consent. This onsite support could include the provision of assistive technology and/or conducting assessments.

Hospital Instruction for Nonresident Students

DOE is responsible for the IEP development, implementation, and funding for students with disabilities who are New York City residents, and those students are required to be registered in a DOE school per child count requirements. Upon notification, DOE will arrange hospital instruction and IEP implementation for students residing in NYC hospitals that are residents of New York school districts outside of NYC. The school district of residence will retain fiscal and child count responsibilities. The outside school district must contact Hospital Schools at Hospitalschoolsnonnyc@schools.nyc.gov for assistance to request hospital instruction and to provide academic and IEP information.